

**BASIC ASSESSMENT PROCESS FOR THE PROPOSED  
PROSPECTING IN SEA CONCESSION AREA 11C BY TRANS  
ATLANTIC DIAMONDS (PTY) LTD**

# **Stakeholder Engagement and Comments & Responses Report**

**EA Application Reference Number: WC30/5/1/1/2/10522 PR**

Report prepared for:

Trans Atlantic Diamonds (Pty) Ltd  
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by:

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# 1 PUBLIC PARTICIPATION PROCESS

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## 1.1 PURPOSE OF THIS REPORT

This Stakeholder Engagement and Comments and Responses Report, provides a comprehensive record of the public participation processes undertaken. It includes proof of notices distributed, all comments received from Interested and Affected Parties (I&APs), stakeholders and the public (collectively referred to as I&APs), and the corresponding responses from the Environmental Assessment Practitioner (EAP), relevant specialists, or the Applicant, as applicable. The report also indicates how these issues have been addressed in the Final Basic Assessment Report (BAR), if and where applicable.

All supporting documentation and evidence of the public participation process, including notices and stakeholder correspondence, are included as appendices (Appendix A, B and C). Proof of the public participation process undertaken for the previous submission (EA Ref. No. 30/5/1/1/2/10384 PR), including historical comments, responses and notifications, is included in Appendix D of this document.

*In accordance with the Protection of Personal Information Act (POPIA), the names of non-governmental commenters have been omitted from this document upon request.*

## 1.2 PUBLIC PARTICIPATION PROCESS AND REQUIREMENTS

The Public Participation Process (PPP) was conducted in line with Chapter 6 (Sections 39 to 44) of the National Environmental Management Act (NEMA, Act 107 of 1998) Environmental Impact Assessment (EIA) Regulations. Its purpose was to ensure that all stakeholders, including potential Interested and Affected Parties (I&APs), state departments, organs of state, and the Competent Authority (CA), had access to clear and accurate information about the project and its potential environmental impacts. It further provided an opportunity for I&APs to review and comment on the project before it is finalised. A brief overview of the process followed for this project is provided below.

### 1.2.1 STAKEHOLDER IDENTIFICATION, REGISTRATION AND THE CREATION OF DATABASE

A stakeholder (I&AP) database was compiled and includes all I&APs as required under Sections 40(2), 42, and 43 of the EIA Regulations, as well as other key and potential stakeholders. I&APs on this list were notified of the project via email, while additional potential I&APs were informed through A2 and A4 site notices, flyers, and newspaper advertisements. These individuals and organisations were invited to register as I&APs and added to the database upon request. Any person or organisation that submitted comments were also registered. The database was continually updated throughout the project.

### 1.2.2 METHODS OF NOTIFICATION AND AVAILABILITY OF DOCUMENTS

Notices were distributed between 18 and 19 March 2026 to inform I&APs about the proposed project and their opportunity to provide comments. These notices were available in English, with some also translated into Afrikaans, and included:



- A summary of the proposed activities;
- Information about the PPP, including the timeline and how to access the draft BAR and EMPr;
- Instructions on how, by when, and to whom comments must be submitted; and

The following methods have been used for notification:

- **Site Notices:** Two A2-sized notice boards have been displayed in visible locations near the project site:
  - One in front of the SAPS Doring Bay Police Station along the R362 in Doring Bay, Western Cape.
  - The other on the corner of the R362 and Kreef Road in Strandfontein, Western Cape.
- **Newspaper Advertisement:** Two newspaper advertisements have been published, one in the Ons Kontrei, an Afrikaans regional newspaper circulated from Citrusdal to Alexander Bay, and one in the Cape Times, a provincial newspaper circulated in the Western Cape.
- **Email Notifications and Official Correspondence:** Written notifications have been sent via email to all relevant I&APs with email addresses, including:
  - Relevant National and Provincial government departments;
  - Relevant environmental and land use departments within the Matzikama Local Municipality;
  - Relevant adjacent landowners with email addresses; and
  - Any other potential and / or registered I&APs currently listed on database.
- **Other hardcopy notices:**
  - A4 notices/ posters have been placed at various shops/ other public locations within Doring Bay and Strandfontein (refer to Appendix A).

### 1.2.3 CIRCULATION OF DRAFT BAR & COMMENT PERIOD

The draft BAR was available for a 30-day public review and comment period from **19 March to 23:59 on 20 April 2026**. The notification of the availability of the report was included in the notices and ads as outlined above. An email with a link to the draft BAR and EMPr on Anchor's website was also distributed to potential and registered I&APs as well as the relevant organs of state. During this period, the document was accessible digitally on Anchor's website and as hardcopies at the Strandfontein West Coast Information Centre and the Doringbaai WCG eCentre. Potential or registered I&APs could submit comments during this period via email, post, or by phone.

Proof of these notifications and the availability of the BAR is provided in Appendix A.

### 1.2.4 COMMENTS AND RESPONSES TABLE

A comprehensive record of all comments received from stakeholders during the public participation process (19 March to 20 April 2026) has been documented in the Comments and Responses (C&R) Table in Section 2 below.

The Table also includes the corresponding responses from the EAP, relevant specialists, or the Applicant, as applicable and how these issues have been addressed in the Final BAR, if and where applicable. Copies of all written correspondence from I&APs and stakeholders are provided in Appendix B, while responses are provided in Appendix C.

## 2 COMMENTS AND REPONSES TABLE

### 2.1 COMMENTS RECEIVED FROM THE PUBLIC AND OTHER I&APs AND ASSOCIATED RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER, CLIENT AND SPECIALISTS

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Response from EAP/Applicant/Specialist                  |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                                                               | <p><b>ACKNOWLEDGEMENT OF APPLICATIONS FOR AN ENVIRONMENTAL AUTHORISATION LODGED IN TERMS OF SECTION 24 OF NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) READ WITH REGULATION 19 OF THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AS AMENDED FOR A PROSPECTING RIGHT AND RELATED INFRASTRUCTURAL ACTIVITIES ON SEA CONCESSION AREA 11C, IN THE MAGISTERIAL DISTRICT OF VANRYHSDORP: WESTERN CAPE REGION</b></p>                                                                                                                                                                                                                                                                                                                                                                           |                                                         |
| 2025/12/05                                                    | <p>1. I refer to the abovementioned matter and confirm that your applications for an Environmental Authorisation herein referred to as “EA” lodged on <b>03<sup>rd</sup> December 2025</b> is hereby acknowledged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                         |
| Email                                                         | <p>2. Acknowledgement of your application does not grant you permission to commence with mining activities. Commencement of a listed activity without an environmental authorisation constitutes an offence in terms of Section 49A (1) (a) of NEMA, 1998 (Act 107 of 1998) as amended and upon conviction for such an offence, a person is liable to a fine for not exceeding R10 million or imprisonment for a period not exceeding ten years, or to both such fine and such imprisonment.</p>                                                                                                                                                                                                                                                                                                                       |                                                         |
| Linda Njemla                                                  | <p>3. Kindly note that timeframe as prescribed in terms of Regulation 3 of the EIA Regulation will commence from the date of the acceptance of the application in terms of Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002). Minimum requirements as stipulated on Regulation 16 (1) &amp; (2) of the EIA 2014 Regulations, as amended, provides that an EA application must be accompanied by an acceptance letter in line with Sub Regulation 16 (1) (ix) of the MPRDA regulations, as amended. You are therefore advised to submit a Basic Assessment Report (BAR) within 90 days from the date of acceptance of the application in terms of Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) which will be inclusive of weekends but exclusive of public holidays.</p> | This letter has been received and its provisions noted. |
| Department of Minerals and Petroleum Resources                | <p>4. Please ensure that acceptance letter of an MPRDA application, comments from all interested and affected parties, including relevant stakeholders, are submitted together with the relevant Environmental Report/s to the department in order for the development to consider and come to an informed decision, and to effectively effect the correct NEMA stipulated timelines in respect of your application.</p>                                                                                                                                                                                                                                                                                                                                                                                               |                                                         |
| Competent Authority                                           | <p><i>NB: Regulation 45 of 2014 EIA Regulations stipulates that “an application in terms of these Regulations lapses and a competent authority will deem the application as</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                         |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP,                                                                | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Response from EAP/Applicant/Specialist                         |
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|                                                                                                                                       | <p><i>having lapsed, if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless extension has been granted in terms of regulation 3(7)</i></p> <p>Hope that this letter will receive you utmost attention.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                |
| <p>2026/01/26</p> <p>Email</p> <p>Sandile Njapha</p> <p>Department of Minerals and Petroleum Resources</p> <p>Competent Authority</p> | <p><b>Dear Sir/Madam</b></p> <p><b>APPLICATION FOR PROSPECTING RIGHT IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, (ACT 28 OF 2002 AS AMENDED, TO PROSPECT FOR GOLD ORE, PLATINUM GROUP METALS, IRON ORE, SILVER ORE, DIAMOND (GENERAL), DIAMOND (ALLUVIAL) DIAMOND, TITANIUM, RARE EARTHS, HEAVY MINERALS (GENERAL), GEMSTONE EXCEPT DIAMONDS DIAMOND (IN KIMBERLITE) ON SEA CONCESSION 11 CC SITUATED IN THE MAGISTERIAL DISTRICT OF VAN RHYNSDORP:</b></p> <ol style="list-style-type: none"> <li><b>1. APPLICANT: TRANS ATLANTIC DIAMONDS (PTY) LTD</b></li> <li><b>2.</b> This is to inform you that your applicant for a prospecting right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) ("Act") as amended and the Environmental Authorization in line with NEMA Regulations for <b>Gold Ore, Platinum Group Metals, Iron Ore, Silver Ore, Diamond (General), Diamond (Alluvial) Diamond, Titanium, Rare Earths, Heavy Minerals (General), Gemstone Except Diamonds Diamond (In Kimberlite)</b> has been accepted.</li> <li><b>3.</b> In terms of the minimum requirements as stipulated 16(1) and 16(2) of the EIA Regulations, your application for an Environmental Authorisation was incomplete as it was not accompanied by this acceptance letter as per Sub Regulation 16 (1) (ix) and considering that it is now completed by this acceptance letter, you are hereby required to submit the documents as stipulated on Regulation 19(1) to 19(8) of the EIA Regulations (Only in cases where Basic Assessment Report is applicable) or Regulation 21 (Scoping Report) and Regulations 21 (Scoping Report) 23 (EIR and EMP) (In case of Scoping and Environmental Impact Report). All timeframes are effective from the date of this letter.</li> <li><b>4.</b> In terms of section <b>12 (d)</b> of the Act, you are directed to comply with the following instructions: <ol style="list-style-type: none"> <li><b>(a)</b> Upload on the <b>SAMRAD</b> system and <b>submit</b> the relevant environmental reports required in terms of chapter 5 read with Regulation 19(1) of the National Environmental Management Act, 1998.</li> <li><b>(b)</b> Notify and consult with the landowner, lawful occupier and any interested and affected party and include the result of the consultation in the environmental reports in line with Regulation 41(2) read with Section 24J of National Environmental Management Act, 1998.</li> <li><b>(c)</b> Lodge an application in terms of National Water Act, 1998 (Act 36 of 1998) with the Department of Water Affairs with immediate effect.</li> </ol> </li> </ol> | <p>This letter has been received and its provisions noted.</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP,                                                              | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Response from EAP/Applicant/Specialist                                                                |
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|                                                                                                                                     | <p>5. Further note that the acceptance of your application does not grant you the right to commence with prospecting activities. It only signifies that your application will be processed and evaluated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                       |
| <p>2026/02/04</p> <p>Email</p> <p>Linda Njemla</p> <p>Department of Minerals and Petroleum Resources</p> <p>Competent Authority</p> | <p><b>ACKNOWLEDGEMENT OF BASIC ASSESSMENT REPORT SUBMITTED FOR AN ENVIRONMENTAL AUTHORISATION APPLICATION LODGED IN TERMS OF SECTION 24 OF NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) FOR A PROSPECTING RIGHT AND RELATED INFRASTRUCTURAL ACTIVITIES ON SEA CONCESSION AREA 11C, IN THE MAGISTERIAL DISTRICT OF VANRYHSDORP: WESTERN CAPE REGION</b></p> <p>1. I refer to the abovementioned matter and confirm that your Basic Assessment Report (BAR) is received on the 30<sup>th</sup> of January 2026.</p> <p>2. The Department has noticed that you lodged a new application because your prospecting right lapsed as a result of the late submission of a renewal application in terms of the Mineral and Petroleum Resources Development Act (MPRDA). In such circumstances, the renewal could not be considered, and the application is treated as a new right application. As a consequence, a new Environmental Authorisation (EA) application had to be lodged.</p> <p>3. This triggers the requirement to comply fully with the current National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations. Previous public participation undertaken for the lapsed right cannot be relied upon for the new application. Accordingly, you are required to initiate and undertake a new Public Participation Process (PPP) as part of the fresh EA application. The PPP must be conducted in accordance with the applicable NEMA EIA Regulations and must include proper notification and consultation with all Interested and Affected Parties.</p> <p>4. The Department advises that you still use the same BAR and Environmental Management Programme (EMPr) documents as submitted in 2022 which is the same BAR you provided on the 30<sup>th</sup> of January 2026 for PPP. When compiling the Background Information Document (BID), you must clearly indicate that this application constitutes a reapplication, as the mining right was not renewed within the prescribed timeframe. The BID should further confirm that the information submitted under the previous Environmental Authorisation application (Reference: EA Application WC30/5/1/1/2/10384PR) remains unchanged, including specialist studies. It is advised to have the original specialists provide a letter confirming that their previous studies are still valid and applicable.</p> <p>5. Following this, you are required to submit a new PPP report to enable the Department to further process your application. You still have more than two months to submit such information as your application was accepted on the 26<sup>th</sup> of January 2026, which means your due date of hat PPP report is the 30<sup>th</sup> of April 2026.</p> | <p>This letter has been received and its provisions noted.</p>                                        |
| <p>2026/02/26</p> <p>Email</p> <p>Michael Yaman</p>                                                                                 | <p>Dear Cher</p> <p>I hope this email finds you well.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b>2026/03/03</b></p> <p><b>EAP</b></p> <p>Dear Mr Michael Yaman,</p> <p>I trust you are well.</p> |

| Date of comment, format of comment name of organisation/I&AP,                                             | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Protect the West Coast<br><br>Non-Profit Organisation                                                     | <p>Kindly note that the Protect the West Coast, Non-Profit Company, would like to register as an Interested and Affected Party for the Prospecting Application made by Trans Atlantic Diamonds (Pty) Ltd. with reference number WC 30/5/1/1/2/10522 PR.</p> <p>In the interests of procedural transparency and informed stakeholder engagement, we respectfully request that you furnish us with the following information.</p> <ul style="list-style-type: none"> <li>• Draft BAR and EMPr;</li> <li>• Relevant specialist studies;</li> <li>• Prospecting Work Programme;</li> <li>• NEMA and GNR 1147 compliant rehabilitation plans and budgets;</li> <li>• Excel spreadsheet giving co-ordinates of planned prospecting on sea concession 11 CC;</li> <li>• Google Earth file showing application area;</li> <li>• Name and contact details of applicant; and</li> <li>• Detailed CV and professional registration certificates of consultants.</li> </ul> <p>We thank you in advance for your urgent attention to this matter.<br/>Further, please advise when the 30-day commenting period begins and ends.<br/>Kindly acknowledge receipt of this email.</p> | <p>Thank you for your email<br/>We will add Protect the West Coast as an I&amp;AP with you and your associates as the contacts.<br/>All documents required to be made public as part of the EIA process will be shared during the public participation process.<br/>The 30-day commenting is set to occur from around mid-March to Mid-April, although an email confirming the details will be sent in due course<br/>The name and contact details of the applicant is Trans Atlantic Diamonds (Pty) Ltd. With Ms Talia, copied in on the email, being the contact person.<br/>Kind Regards</p> |
| 2026/03/04<br><br>Email<br><br>Michael Yaman<br><br>Protect the West Coast<br><br>Non-Profit Organisation | <p>Dear Cheruscha</p> <p>Thank you for your email and acknowledgement of PTWC as an I&amp;AP.</p> <p>Thank you for also providing the details of the applicant. We note that Trans Atlantic Diamonds (Pty) Ltd is the applicant and that Ms Talia is the contact person.</p> <p>We look forward to engaging constructively in the PPP.</p> <p>Kind Regards</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Email received and noted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 2026/03/18<br><br>Email<br><br>Aaron Larkens<br><br>Trans Hex Operation (Pty) Ltd<br><br>I&AP             | <p><b>TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — OBJECTION TO BASIC ASSESSMENT PROCESS</b></p> <p>Dear Sirs/Madams</p> <ol style="list-style-type: none"> <li>1. We refer to Trans Atlantic Diamonds (Pty) Ltd’s application for environmental authorisation and a prospecting right for inter alia diamonds in respect of Sea Concession 11C (“the Application”).</li> <li>2. Trans Hex Operations (Pty) Ltd’s objection to the Application is narrow and is premised on the submission that the Application has been erroneously applied for by way of a Basic Assessment. In our view that is incorrect, as: <ul style="list-style-type: none"> <li>2.1. TAD has applied for a prospecting right for diamonds.</li> <li>2.2. The nature of TAD’s intended prospecting operations and the extent thereof, constitute a bulk sampling operation.</li> </ul> </li> </ol>                                                                                                                                                                                                                                                                                | <p><b>2026/03/23<br/>Applicant</b></p> <p>Dear Sir</p> <p><b>TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C – RESPONSE TO OBJECTION TO BASIC ASSESSMENT PROCESS</b></p> <ol style="list-style-type: none"> <li>1. We refer to your correspondence received 18 March 2026 titled “Objection to Basic Assessment Process” in respect of the above-mentioned application.</li> <li>2. Your objection has been duly noted and considered. This response is provided on behalf of Trans Atlantic Diamonds (Pty) Ltd (“TAD”) and</li> </ol>                                                    |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               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|                                                               | <p><u>Prospecting for diamonds</u></p> <p>3. It is self-evident that given the nature of the Application and the fact that TAD has applied to prospect for diamonds the requirements of section 20(2) of the Mineral &amp; Petroleum Resources Development Act ("MPRDA") are triggered.</p> <p>3. Once that is so, the Application falls under Listing Notice 2 and requires the applicant to follow the S&amp;EIR process provided for in the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations"). The implication of which is the submission and pursuit of a Basic Assessment, in terms of the EIA Regulations, would be unlawful.</p> <p>4. The fact that the competent authority may, or may not, have erroneously granted an environmental authorization on the same basis previously is irrelevant to the present application.</p> <p>5. In this regard, section 20 of the MPRDA states that:<br/> <b>"20. Permission to remove and dispose of minerals</b><br/> (1) <i>Subject to subsection (2), the holder of a prospecting right may only remove and dispose for his or her own account any mineral found by such holder in the course of prospecting operations conducted pursuant to such prospecting right in such quantities as may be required to conduct tests on it or to identify or analyse it.</i><br/> (2) <i>The holder of a prospecting right must obtain the Minister's written permission to remove and dispose for such holder's own account of diamonds and bulk samples of any other minerals found by such holder in the course of prospecting operations."</i></p> <p>6. Properly read, section 20(2) distinguishes between prospecting operations involving:<br/> 6.1. The removal and disposal of <i>diamonds</i>;<br/> 6.2. The removal and disposal of <i>any other minerals</i>.</p> <p>7. The wording matters. The words "bulk samples" qualifies the removal and disposal of "any other minerals" during prospecting operations. The same restriction on the extent of the removal and disposal however does not apply to prospecting for "diamonds".</p> <p>8. That distinction must be given meaning and, consequently, an applicant for a prospecting right for diamonds must apply for the Minister's permission in terms of section 20(2) of the MPRDA, regardless of the extent of the intended prospecting operation or if it includes "bulk sampling" for diamonds.</p> <p>9. To this end, the applicable NEMA listed activities are as follows:<br/> 9.1. Listing Notice 1, activity 20 applies to an activity which "requires a prospecting right in terms of section 16";<br/> 9.2. Listing Notice 1, activity 19A applies to dredging, excavation, removal or moving of "more than 5 cubic metres" from "the sea"; and<br/> 9.3. Listing Notice 2, activity 19 applies to the "removal and disposal of a mineral" which requires permission under section 20 of the MPRDA.</p> <p>10. The consequence is straightforward. If section 20(2) permission is required, Listing Notice 2 activity 19 is triggered which then requires the applicant to apply for and pursue the granting of an environmental authorization through the S&amp;EIR process.</p> | <p>Anchor Environmental Consultants (Pty) Ltd, the appointed independent Environmental Assessment Practitioner ("EAP").</p> <p><b>REGULATORY FRAMEWORK AND COMPETENT AUTHORITY</b></p> <p>3. At the outset, it is important to emphasise that the determination of the applicable environmental assessment process in terms of the National Environmental Management Act 107 of 1998 ("NEMA") and the Mineral and Petroleum Resources Development Act 28 of 2002 ("MPRDA") read with the Environmental Impact Assessment Regulations 2014 ("EIA Regulations"), vests with the competent authority being the Department of Mineral and Petroleum Resources ("DMPR").</p> <p>4. In this regard, the DMPR has formally acknowledged and accepted the present application as one to be processed through a Basic Assessment (BA) process. This position is confirmed in the Department's correspondence dated 4 February 2026.</p> <p>5. In terms of section 24O of NEMA, the competent authority is required to consider all relevant factors and exercise its discretion in determining the appropriate level of assessment.</p> <p>6. Accordingly, the DMPR's determination regarding the applicable process remains valid and binding.</p> <p><b>RESPONSE TO SECTION 20(2) MPRDA ARGUMENT</b></p> <p>7. Your objection is premised on the assertion that section 20(2) of the MPRDA is automatically triggered in respect of all prospecting for diamonds, thereby necessitating a Scoping and Environmental Impact Reporting ("S&amp;EIR") process under Listing Notice 2.</p> <p>8. This interpretation is not supported by a proper reading of the statutory framework for the following reasons:<br/> 8.1. Section 20(2) of the MPRDA regulates the removal and disposal of minerals, not the activity per se<br/> 8.2. The requirement for ministerial permission under section 20(2) is contingent upon the nature, scale, and purpose of the removal and disposal and is not automatically triggered in that the mineral in question is a diamond.<br/> 8.3. The EIA Regulations must be interpreted purposively and in alignment with section 2 of NEMA, which promotes a risk-based and proportionate approach to environmental assessment.</p> <p>9. The theoretical applicability of section 20(2) does not, in itself, trigger Listing Notice 2 Activity 19, rather the actual scope and intensity of the proposed activity and whether it constitutes removal and disposal at a scale requiring such permission must be considered.</p> |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                               | <p>11. Quite clearly, for the reasons given above, TAD is not able to circumvent this requirement but attempting to categorize its Application as an application for a prospecting right for diamonds “without bulk sampling”.</p> <hr/> <p><i>Bulk sampling for other minerals</i></p> <p>12. In any event, and further to the above, THO submits that TAD’s intended prospecting operations would ultimately fall within the definition of “bulk sampling”, as they include:</p> <p>12.1. the usage of a drill tool that can dredge gravel from the seabed;</p> <p>12.2. the onboard processing of the recovered material;</p> <p>12.3. the disposal of tailings overboard;</p> <p>12.4. sample volumes of 9 to 15 m<sup>3</sup> per sample;</p> <p>12.5. an initial program of 300 drill samples; and</p> <p>12.6. if a potential resource is identified, a further 1 200 resource-development samples.</p> <hr/> <p>13. In effect then, TAD’s intended prospecting operations have the potential to result in the disturbance of 22,500m<sup>3</sup> of the ocean floor which would, it is submitted, constitute bulk sampling.</p> <hr/> <p>14. For the above reasons, the fact that TAD seeks to categorize its Application as an application for a prospecting right “without bulk sampling” is misguided. This self-categorization is clearly an attempt by TAD to circumvent the requirement to apply for and pursue the granting of an environmental authorization through the more detailed / time-consuming S&amp;EIR process.</p> <hr/> <p>15. In the result, the Application cannot lawfully proceed by way of Basic Assessment only. It triggers Listing Notice 2 activity 19 and requires a S&amp;EIR process.</p> <hr/> <p>16. THO accordingly requests written confirmation that:</p> <p>16.1. the present Basic Assessment process will be withdrawn or suspended; and</p> <p>16.2. the application will be re-submitted/processed through the correct S&amp;EIR process in terms of the EIA Regulations.</p> <hr/> <p>17. Failing that, please provide the full written basis upon which Anchor Environmental Consultants contend that section 20(2) of the MPRDA is not triggered by the proposed offshore diamond prospecting methodology, together with any written direction or confirmation from the DMPR relied upon for that position.</p> <hr/> <p>18. This objection is raised without prejudice to THO’s further substantive and procedural objections to the Application.</p> <hr/> <p>19. We look forward to receiving your response before 16h00pm on 30 March 2026.</p> | <p>10. In the present case, the proposed prospecting activities are of a limited, investigative nature which is consistent with prospecting as defined in the MPRDA and does not constitute mining or large-scale extraction.</p> <p><b>DISTINCTION BETWEEN PROSPECTING AND BULK SAMPLING</b></p> <p>11. Your assertion that the proposed activities constitute “bulk sampling” is noted but not accepted</p> <p>12. The activities described (including drill sampling, onboard processing and disposal of tailings) are standard prospecting methodologies in the offshore diamond industry and do not, in themselves, elevate the activity to one requiring an S&amp;EIR process</p> <p>13. Importantly, it is to be noted that:</p> <p>13.1. The sample volumes cited must be assessed in context. Namely as discrete, spatially limited sampling events rather than continuous or large-scale extraction.</p> <p>13.2. The cumulative volumes referenced are programmatic estimates and do not reflect a single, contiguous disturbance footprint.</p> <p>13.3. The environmental impacts associated with such activities have been previously assessed (2022) and remain unchanged in substance.</p> <p>14. The BA process is specifically designed under NEMA to assess activities with predictable, site-specific and manageable impacts, which is applicable in this instance.</p> <p><b>LISTED ACTIVITIES AND PROCESS APPROPRIATENESS</b></p> <p>15. It is acknowledged that:</p> <p>15.1. Listing Notice 1 activities (including Activities 19A and 20) are triggered; and</p> <p>15.2. These activities are appropriately assessed through a Basic Assessment process.</p> <p>16. The applicability of Listing Notice 2 Activity 19 is not automatically applied and depends on whether the activity demonstrably requires section 20(2) permission at a scale contemplated by that Listing Notice</p> <p>17. The competent authority has considered this issue and has not required the application to proceed via S&amp;EIR.</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                        |          | <p><b>PRIOR AUTHORISATION AND REAPPLICATION CONTEXT</b></p> <p>18. The present application constitutes a re-application for the same concession area and the same prospecting activities were previously authorised in 2022.</p> <p>19. The environmental assessment documentation (BAR, EMP, HIA, and specialist studies) remains substantially unchanged, with only minor updates to baseline information.</p> <p>20. The previous acceptance of the BA process by the DMP is a relevant consideration in ensuring regulatory consistency and administrative certainty in line with section 2 of NEMA.</p> <p><b>ALLEGATION OF PROCESS CIRCUMVENTION</b></p> <p>21. The allegation that TAD is attempting to circumvent the S&amp;EIR process is unfounded and rejected.</p> <p>22. The application has been undertaken in full compliance with:</p> <p>22.1. The EIA Regulations;</p> <p>22.2. Guidance and direction from the DMP; and</p> <p>22.3. The principles of transparency and public participation under NEMA.</p> <p>23. All Interested and Affected Parties, including THO, are being afforded a full and fair opportunity to participate in the process.</p> <p><b>CONCLUSION</b></p> <p>24. In light of the above:</p> <p>24.1. The Basic Assessment process has been lawfully initiated and is procedurally correct;</p> <p>24.2. The interpretation advanced by THO regarding section 20(2) and Listing Notice 2 is not supported by the applicable legal framework; and</p> <p>24.3. The final determination regarding the appropriate process and the merits of the application rests with the DMP and ultimately, the Minister.</p> <p>25. All comments received, including your objection, will be recorded in the Comments and Response Report (CRR) and submitted to the DMP for consideration as part of its decision-making process.</p> |



| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 26. This response is written on a without prejudice basis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>2026/04/13</b><br/><b>EAP</b><br/>The Environmental Authorisation application form and PWP were subsequently provided on 13 April 2026.</p> <p><b>2026/04/23</b><br/><b>EAP</b><br/>Please also refer to the EAP's response dated 23 April 2026 to the letter from THO dated 17 April 2026, which addresses the comments raised herein.</p> <p><b>2026/03/20</b><br/><b>EAP</b></p> <p>Goeie more.<br/>Ek vertrou dit gaan goed.<br/>Baie dankie vir jou epos. Hiermee bevestig ek dat u, Jeanne and Ray as Belanghebbende en Geaffekteerde Partye (I&amp;AP) geregistreer is, en toekomstige informasie sal met julle gedeel word.<br/>Vind asb aangeheg die Background Information Document (BID) wat 'n opsomming is van die aansoek. Sien ook die link na Anchor Environmental Consultants se webtuiste, waar jy die die BAR, en al die bylaes sal vind. Al die dokumente is in Engels, maar as jy 'n verduideliking in Afrikaans nodig het, kan ons vir u skakel.</p> <p><a href="https://www.anchorenvironmental.co.za/public-documents">https://www.anchorenvironmental.co.za/public-documents</a><br/>Ek gaan ook binnekort die epos wat met al die geregisteerde I&amp;APs gedeel was, met u deel.<br/>Voel vry om vir ons te kontak as jy enige vrae het of verdere inligting benodig.<br/>Kind regards</p> <p><i>“Good morning<br/>I trust you are well.<br/>Thank you very much for your email. I hereby confirm that you, Jeanne, and Ray have been registered as Interested and Affected Parties (I&amp;APs), and that future information will be shared with you.<br/>Please find attached the Background Information Document (BID), which provides a summary of the application. Also see the link to Anchor Environmental Consultants' website, where you will find the BAR and all</i></p> |
| 2026/03/19<br><br>Email<br><br>Herman van der Merwe<br><br>I&AP        | Meneer September<br><br>Ek is inwoner van Strandfontein en op die belastingbetalersvereniging<br>Kan u my meer inligting verskaf oor u aansoek en meer spesifiek die BAR saamgestel vir die<br>aansoek.<br>Dankie<br><br><i>“Mr September<br/>I am a resident of Strandfontein and a member of the ratepayers association.<br/>Could you please provide me with more information regarding your application, and more specifically the BAR compiled for the application.”</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP,                                   | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>appendices. All documents are in English, but if you require an explanation in Afrikaans, we can arrange a call with you.</p> <p><a href="https://www.anchorenenvironmental.co.za/public-documents">https://www.anchorenenvironmental.co.za/public-documents</a></p> <p>I will also share with you the email that was recently circulated to all registered I&amp;APs.</p> <p>Please feel free to contact us if you have any questions or require further information.</p> <p>Kind regards”</p>                                                                                                                                                                                                                                                                                                                                                                               |
| <p>2026/03/19</p> <p>Email</p> <p>Ilona du Toit</p> <p>I&amp;AP</p>                                      | <p>Dear</p> <p>I have retired and now have a new email address. Please send any correspondence to <a href="mailto:Ilonadutoit1@gmail.com">Ilonadutoit1@gmail.com</a></p> <p>Thank you</p> <p>Kind Regards</p> <p>Ilona</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>2026/03/20</b><br/><b>EAP</b></p> <p>Good morning Ilona</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have updated your email address on our database.</p> <p>Kind Regards,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>2026/03/24</p> <p>Email</p> <p>Aaron Larkens</p> <p>Trans Hex Operation (Pty) Ltd</p> <p>I&amp;AP</p> | <p>Good day Cheruscha</p> <p>Leaving aside the point raised regarding the correct application process to be followed.</p> <p>I would be if you could please provide me with a copy of TAD’s application for a prospecting right (including all annexures), so we may properly assess the contents thereof.</p> <p>You will recall that we previously requested the information in relation to the application for a prospecting right in respect of sea concession 14C (see exchanges attached) – you are welcome to redact the same commercially sensitive information again.</p> <p>As before, we require this information to properly assess TAD’s application/s, given the fact that our vessels are specifically named in the BAR and EMPr.</p> <p>Kind regards</p> | <p><b>2026/03/24</b><br/><b>EAP</b></p> <p>Good morning Aaron</p> <p>I hope this email finds you well.</p> <p>See the link below containing the Draft BAR and all appendices for Concession 11C.</p> <p><a href="https://www.anchorenenvironmental.co.za/resources/basic-assessment-and-public-participationprocess-re-application-prospecting-rights">https://www.anchorenenvironmental.co.za/resources/basic-assessment-and-public-participationprocess-re-application-prospecting-rights</a></p> <p>Kind Regards,</p> <p><b>2026/04/13</b><br/><b>EAP</b></p> <p>The Environmental Authorisation application form and PWP were subsequently provided on 13 April 2026.</p> <p><b>2026/04/23</b><br/><b>EAP</b></p> <p>Please also refer to the EAP’s response dated 23 April 2026 to the letter from THO dated 17 April 2026, which addresses the comments raised herein.</p> |
| <p>2026/03/24</p>                                                                                        | <p>Hi Steve</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>2026/03/25</b><br/><b>EAP</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| Email                                                         | Thanks for your email.                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Aaron Larkens                                                 | I had already received and reviewed the application for an environmental authorisation, draft BAR and supporting documentation, which formed the basis of THO's initial comments regarding correct process to be followed by TAD.                                                                                                                                                                 | Dear Aaron<br>Thank you for your email.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Trans Hex Operation (Pty) Ltd                                 | At this stage, I am, however, requesting a copy of the application for a prospecting right (and supporting annexures), not the application for an environmental authorisation (and supporting annexures) – you would be aware that TAD would have submitted two separate applications to the DMPR and each contain different information, aimed at satisfying different legislative requirements. | We note your request for the Prospecting Right application and supporting annexures submitted via SAMRAD.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| I&AP                                                          | We, as an IAP, are evidently very interested in understanding if TAD satisfies the requirements of section 17(1) of the MPRDA – as there will not be another public participation process and opportunity for IAPs to comment, we would like to ensure that all of our comments are included at this stage.                                                                                       | Please note that under the system, the PR and EA are integrated. In practice, we submit a single, integrated application via SAMRAD. The application is not a single form; much of the information is completed and uploaded directly into the SAMRAD system.                                                                                                                                                                                                                                                                                                                                                                                             |
|                                                               | Kind regards                                                                                                                                                                                                                                                                                                                                                                                      | The Public Participation Process is being conducted in accordance with the National Environmental Management Act EIA Regulations (2014). All relevant information necessary to understand the proposed activity and provide meaningful comments on its potential environmental impacts has been made available through the Basic Assessment Report (BAR), associated specialist studies, and appendices.                                                                                                                                                                                                                                                  |
|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                   | This includes the information contained in the application form and Prospecting Work Programme, except for certain appendices and details related specifically to administrative, technical, company, and financial information submitted directly to the Department of Mineral and Petroleum Resources (DMPR) to assess the competence of Trans Atlantic Diamonds in conducting the work. These details are not required to be circulated as part of the EIA Public Participation Process, as they are not relevant to the environmental assessment. The PPP focuses on environmental impacts, not the full disclosure of all MPRDA application details. |
|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                   | We note your interest in the requirements of Section 17(1) of the MPRDA. These provisions relate to the Department's internal decision-making criteria when considering a Prospecting Right application. They reflect the Department's requirements for granting a Prospecting Right and are not part of the PPP obligations.                                                                                                                                                                                                                                                                                                                             |
|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                   | If there is specific information relevant to the environmental assessment that you believe is not adequately covered in the BAR, please indicate this, and we will consider providing additional detail where appropriate. As mentioned, all information in the application form and PWP is included in the BAR, where it is more clearly explained and structured. The DMPR template is not designed as a notice template for public circulation and including it in that format may cause confusion or give the impression that information is missing.                                                                                                 |
|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                   | Finally, regarding the vessels mentioned in the BAR, these were provided as examples and not indicative of the actual vessels to be used. A dedicated survey vessel will be constructed for the project.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| Date of comment, format of comment name of organisation/I&AP,                                            | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>2026/03/24</p> <p>Email</p> <p>Aaron Larkens</p> <p>Trans Hex Operation (Pty) Ltd</p> <p>I&amp;AP</p> | <p>Dear Sirs/Madams</p> <p><b>TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — OBJECTION TO BASIC ASSESSMENT PROCESS</b></p> <ol style="list-style-type: none"> <li>We refer to your letter dated 23 March 2026, in which Mr Anthony Peter, on behalf of Trans Atlantic Diamonds (Pty) Ltd ("TAD") contends, inter alia, that: <ol style="list-style-type: none"> <li>The Department of Mineral and Petroleum Resources ("DMPR") has accepted the present application as one to be processed through a Basic Assessments Assessment, that such determination is valid and binding, and that Listing Notice 2 Activity 19 is not automatically triggered in the case of prospecting for diamonds.</li> <li>Section 20(2) of the MPRDA regulates the removal and disposal of minerals, not the activity per se and that the requirement for ministerial permission is solely dependent on determining if the applicant is undertaking bulk sampling.</li> <li>There is no distinction drawn, in section 20(2) of the MPRDA, between the removal and disposal of diamonds and bulk sampling of other minerals.</li> </ol> </li> <li>THO does not agree, nor does the late Michael O. Dale et al. in his commentary on mining law, which, as I am sure you are aware, is widely regarded as the most authoritative and comprehensive commentary on mining law in South Africa.<br/><u>DMPR acceptance</u></li> <li>Even accepting, for present purposes, that the DMPR, as the competent authority, has issued correspondence accepting the application for an environmental authorization, that takes the matter no further. At best for TAD, such acceptance exists and has procedural consequences until set aside. It does not follow that such acceptance constitutes a binding adjudication that TAD has selected the correct process under NEMA read with the MPRDA.</li> </ol> | <p><b>2026/03/25</b><br/><b>EAP</b></p> <p>Dear Aaron</p> <p>Thank you. Your comment has been received and noted, and will be captured in the Comments and Responses Report (CRR) accordingly, along with the formal/detailed response you will be sending.<br/>Please note that all further responses will be recorded in the CRR table and circulated with the Final BAR for your consideration.<br/>Kind Regards</p> <p><b>2026/04/13</b><br/><b>EAP</b><br/>The Environmental Authorisation application form and PWP were subsequently provided on 13 April 2026.</p> <p><b>2026/04/23</b><br/><b>EAP</b><br/>Please also refer to the EAP's response dated 23 April 2026 to the letter from THO dated 17 April 2026, which addresses the comments raised herein.</p> |

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|                                                               | <p>4. The Dale commentary makes the position plain by indicating that:<br/> <i>“The acceptance procedure differs from the grant or refusal procedure” and that “the acceptance decision therefore depends only on whether or not the application meets the formal requirements ... whereas the Minister’s decision to grant or refuse the application depends on the substantive requirements”.</i></p> <hr/> <p>5. Dale then identifies the consequences of acceptance as procedural only, namely that the Regional Manager must notify the applicant to submit the relevant environmental reports and to undertake consultation with landowners and interested and affected parties. In other words, acceptance is a statutory gateway step and may not be construed as a substantive determination that the applicant is complying with the correct environmental process.</p> <hr/> <p>6. Indeed, TAD’s suggestion that acceptance by the DMPR somehow validates the Basic Assessment route is contradicted by the statutory scheme and by practice. As you are aware, a prospecting right application that proceeds by way of the S&amp;EIR (Scoping and Environmental Impact Reporting) is likewise first “accepted” by the DMPR, after which the scoping phase follows. Acceptance by the DMPR of the application accordingly proves nothing about whether Basic Assessment or S&amp;EIR is the correct route.</p> <hr/> <p>7. THO accordingly maintains that neither the applicant nor the DMPR can rely on a letter of acceptance to avoid the proper interpretation and application of section 20(2) of the MPRDA.</p> <hr/> <p><i>Interpretation of section 20(2) of the MPRDA</i></p> <p>8. THO’s position remains, and has always remained, premised on a literal reading of section 20(2) of the MPRDA, which provides:<br/> <i>“The holder of a prospecting right must obtain the Minister’s written permission to remove and dispose for such holder’s own account of diamonds and bulk samples of any other minerals found by such holder in the course of prospecting operations.”</i> (my emphasis)</p> <hr/> <p>9. THO reiterates then, on an ordinary grammatical reading, that subsection distinguishes between two categories:<br/> 9.1. diamonds; <b>and</b><br/> 9.2. bulk samples of any other minerals.</p> <hr/> <p>10. It is self-evident that the phrase “bulk samples” qualifies only “any other minerals”. It does not qualify the removal and disposal of “diamonds” – to do so would ignore the inclusion by the legislature of the word “and” between “diamonds” and “bulk samples of any other minerals”.</p> <hr/> <p>11. The Dale commentary supports precisely that reading, by providing under the commentary on section 20(2) of the MPRDA:<br/> <b>“174.3 bulk samples</b><br/> <i>Again, no quantification of what constitutes bulk samples is given, presumably because this will vary from mineral to mineral, ranging from large quantities for coal to small quantities for emeralds. Again, however, no permission would be obtainable were the intention with the removal for purposes otherwise than as samples. If the intention is indeed to remove samples, it is a matter for evidence whether they are bulk samples and therefore require ministerial permission in terms of section 20(2),</i></p> |                                        |

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|                                                                        | <p><u><i>or whether they are samples smaller than bulk samples and for which, in terms of section 20(1), no such permission (other than in the case of diamonds) would be required.</i></u>” (my emphasis)</p>                                                                                                                                                                                                                                                |                                        |
|                                                                        | <p>12. Properly distilled, Dale’s commentary provides that where samples are smaller than bulk samples, no ministerial permission is required under section 20(1), save “other than in the case of diamonds” – i.e. in the case of diamonds ministerial permission is required even if the samples are smaller samples and factually classified as not being bulk samples.</p>                                                                                |                                        |
|                                                                        | <p>13. Evidently, if the Legislature intended the “bulk-sample qualification” to apply equally to diamonds, it would have said so and section 20(2) would have read as follows:<br/> <i>“The holder of a prospecting right must obtain the Minister’s written permission to remove and dispose for such holder’s own account of bulk samples of diamonds <b>and</b> any other minerals found by such holder in the course of prospecting operations.”</i></p> |                                        |
|                                                                        | <p>14. The positioning of the word “and” within section 20(2) is telling, and cannot be ignored.<br/> <u><i>Interpretation of Listing Notice 2 Activity 19</i></u></p>                                                                                                                                                                                                                                                                                        |                                        |
|                                                                        | <p>15. In this regard, TAD’s response seeks to introduce a qualification that does not appear in either section 20(2) or Listing Notice 2 Activity 19, namely that permission is required only if removal and disposal occurs “at a scale contemplated” by the Listing Notice. That is not what the legislation says.</p>                                                                                                                                     |                                        |
|                                                                        | <p>16. It is clear that Listing Notice 2 Activity 19 applies to:<br/> <i>“The removal and disposal of a mineral, <b>which requires a permission</b> ... in terms of section 20 of the Mineral and Petroleum Resources Development Act ...”</i> (my emphasis)</p>                                                                                                                                                                                              |                                        |
|                                                                        | <p>17. Listing Notice 2 Activity 19 does not contain a separate scale threshold and the only question is whether section 20 permission is required. On THO’s literal reading of section 20(2), where the mineral is diamond, it is.</p>                                                                                                                                                                                                                       |                                        |
|                                                                        | <p>18. Likewise, if the legislature had intended to introduce a “scale qualification”, as suggested by TAD, then it would have said so and Listing Notice 2 Activity 19 would have read as follows:<br/> <i>“The removal and disposal of a <b>bulk sample of any</b> mineral, which requires a permission ... in terms of section 20 of the Mineral and Petroleum Resources Development Act ...”</i></p>                                                      |                                        |
|                                                                        | <p>19. By contrast, Listing Notice 1 Activity 19A contains the express volumetric threshold of the removal of more than 5 cubic metres from the sea, and Listing Notice 1 Activity 20 applies to activities requiring a prospecting right in terms of section 16. Those activities do not displace Listing Notice 2 Activity 19 where section 20 permission is required. They are cumulative, not mutually exclusive.</p>                                     |                                        |
|                                                                        | <p>20. It follows that, on THO’s and Dale’s interpretation, Listing Notice 2 applies to an application to prospect for diamonds because section 20(2) of the MPRDA itself distinguishes diamonds from bulk samples of other minerals and requires ministerial permission in the former case without any bulk-sampling qualifier</p>                                                                                                                           |                                        |
|                                                                        | <p><u><i>Consequence of TAD’s decision</i></u></p>                                                                                                                                                                                                                                                                                                                                                                                                            |                                        |

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|                                                                                                          | <p>21. To this end, TAD elected to formulate and pursue its application for an environmental authorization by way of Basic Assessment. If that election is inconsistent with the governing statute, that is a consequence of TAD's own chosen course. The applicant cannot cure a defective statutory route by labelling the application "without bulk sampling" nor can it rely on the DMPR's advice or acceptance to amend the wording and operation of the MPRDA and Listing Notices.</p> <p>22. Nor can the DMPR do so. It is trite that public power is sourced in statute and public functionaries may exercise no power and perform no function beyond that conferred upon them by law.</p> <p>23. Accordingly, even if the DMPR has indicated informally, or even provisionally, that a Basic Assessment process may be followed, such advice cannot prevail over the wording of section 20(2) of the MPRDA and the applicable Listing Notices. To the extent that any such advice purports to do so, it would be ultra vires.</p> <p><u>Conclusion</u></p> <p>24. THO therefore reiterates its position that:</p> <p>24.1. section 20(2) must be interpreted literally;</p> <p>24.2. the words "bulk samples" do not qualify "diamonds";</p> <p>24.3. ministerial permission is therefore required in relation to diamonds in terms of section 20(2) of the MPRDA;</p> <p>24.4. Listing Notice 2 Activity 19 is accordingly triggered;</p> <p>24.5. the present application should not proceed by way of Basic Assessment, but through the S&amp;EIR process; and</p> <p>24.6. doing so will render the grant of any environmental authorization unlawful, and subject to challenge in perpetuity (in line with the Oudekraal principle).</p> <p>25. Consequently, we would strongly suggest that Anchor Environmental Consultants (Pty) Ltd and TAD seek legal advice from a advocate or firm of attorneys, with extensive mining law experience, before continuing down the path they have chosen – we are happy to suggest advocates/attorneys, with the necessary expertise, if requested.</p> <p>26. Please ensure that this letter is included, in full, in the Comments and Response Report to be placed before the DMPR.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>2026/03/25</p> <p>Email</p> <p>Aaron Larkens</p> <p>Trans Hex Operation (Pty) Ltd</p> <p>I&amp;AP</p> | <p>Hi Steve</p> <p>Thanks for your email, we are working on a formal/detailed response.</p> <p>In the interim, we would suggest you consider the Baleni judgment (attached), which dealt with a similar request from IAPs for a copy of the application for a mining right with annexures, in which it is stated:</p> <p><i>"[92] I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application (sic.) as and when it is submitted to the Regional Manager, even before they ask for it. That is not the relief sought though."</i></p> <p>Please be guided accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>EAP</b><br/><b>2026/03/25</b></p> <p>Dear Aaron.</p> <p>Thank you. Your comment has been received and noted, and will be captured in the Comments and Responses Report (CRR) accordingly, along with the formal/detailed response you will be sending.</p> <p>Please note that all further responses will be recorded in the CRR table and circulated with the Final BAR for your consideration.</p> <p>Kind Regards</p> <p><b>2026/04/13</b><br/><b>EAP</b></p> |

| Date of comment, format of comment name of organisation/I&AP,                                            | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                            |
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|                                                                                                          | Kind regards                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>The Environmental Authorisation application form and PWP were subsequently provided on 13 April 2026.</p> <p><b>2026/04/23</b><br/><b>EAP</b><br/>Please also refer to the EAP's response dated 23 April 2026 to the letter from THO dated 17 April 2026, which addresses the comments raised herein.</p>                                      |
| <p>2026/03/26</p> <p>Email</p> <p>Aaron Larkens</p> <p>Trans Hex Operation (Pty) Ltd</p> <p>I&amp;AP</p> | <p>Dear Sirs/Madams</p> <p><b>TRANS ATLANTIC DIAMONDS (PTY) LTD: RE-APPLICATION FOR PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION IN RESPECT OF SEA CONCESSION 11C — REQUEST FOR COPY OF PROSPECTING RIGHT APPLICATION AND SUPPORTING ANNEXURES</b></p> <ol style="list-style-type: none"> <li>We refer to your recent email in response to Trans Hex Operations' request for a copy of Trans Atlantic Diamonds (Pty) Ltd's ("TAD") application for a prospecting right and its supporting annexures, excluding financially sensitive information. Copies of the relevant email exchanges are annexed hereto, collectively, as Annexure "A".</li> <li>Given that the points raised go to the heart of the DMPR's decision on the application, this letter and all previous exchanges are also being forwarded to the Regional Manager, Western Cape, Department of Mineral and Petroleum Resources ("DMPR"), as the competent authority.</li> <li>As THO understands TAD / Anchor Environmental's ("EAP") response, the position advanced is, in summary, the following: <ol style="list-style-type: none"> <li>the prospecting right application and environmental authorisation application are integrated and submitted through SAMRAD;</li> <li>all information relevant to the environmental assessment has already been made available through the draft Basic Assessment Report ("BAR"), specialist studies and appendices;</li> <li>certain appendices and details dealing with administrative, technical, company and financial matters were submitted directly to the Department of Mineral and Petroleum Resources ("DMPR") for purposes of assessing TAD's competence and are not required to be circulated as part of the public participation process;</li> <li>section 17(1) of the MPRDA concerns the DMPR's internal decision-making criteria and does not form part of the public participation obligations;</li> <li>the BAR already contains the information from the prospecting-right application form and prospecting work programme in a more structured form;</li> <li>the vessels identified in the BAR were merely examples and are not indicative of the actual vessels to be used; and</li> <li>THO should disclose its direct business, financial, personal or other interest in the approval or refusal of the application for purposes of the interested and affected parties database.</li> </ol> </li> <li>THO does not agree with that position, for the reasons set out below.</li> </ol> | <p><b>2026/04/13</b><br/><b>EAP</b><br/>The Environmental Authorisation application form and PWP were subsequently provided on 13 April 2026.</p> <p><b>2026/04/23</b><br/><b>EAP</b><br/>Please also refer to the EAP's response dated 23 April 2026 to the letter from THO dated 17 April 2026, which addresses the comments raised herein.</p> |



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|                                                               | <p><i>Nature of THO's request</i></p> <p>5. THO's request is not for the environmental authorisation application, draft Basic Assessment Report, specialist studies or draft EMPr. THO has already considered those documents.</p> <hr/> <p>6. The request is specifically for a copy of the prospecting right application and its supporting annexures, including the prospecting work programme (duly redacted) and the non-financial supporting information lodged in support of the application in terms of the MPRDA and the regulations.</p> <hr/> <p><i>The prospecting-right application remains a distinct application</i></p> <p>7. The response provided by the EAP does not answer THO's request and, in fact, conflates the environmental authorisation process with the prospecting-right application process.</p> <hr/> <p>8. Although the applications may have been lodged simultaneously and through the same electronic platform, the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA") still requires the applicant to submit a prospecting-right application in the prescribed form, supported by prescribed information and documentation and, in terms of section 10 of the MPRDA, for the applicant to meaningfully consult with interested and affected parties ("IAPs") in relation to this application for a prospecting right.</p> <hr/> <p>9. The fact that SAMRAD captures or stores that information electronically does not mean the application and supporting material cease to exist as distinct application documents.</p> <hr/> <p>10. In this regard, the MPRDA and its regulations require an application for a prospecting right to include inter alia the mineral or minerals applied for, the period, a prospecting work programme and annual expenditure, proof of technical ability, an indication whether such technical ability will be provided by in-house expertise, contractors or consultants, proof of financial ability, a list of existing rights and permits, copies of land titles and such further information as may be requested.</p> <hr/> <p>11. That information is not the same as that contained in the BAR, nor is it answered by the EAPs statement that the BAR contains all information "relevant to the environmental assessment".</p> <hr/> <p><i>THO's request and interest is not confined to the environmental</i></p> <p>12. THO's request, and interest, is not confined to the environmental impacts. THO is an IAP in relation to the prospecting-right application itself and seeks the application documents in order to consult meaningfully (as required by section 10 of the MPRDA) on issues that go directly to the grant criteria prescribed under section 17 of the MPRDA and, importantly, TAD's technical expertise, equipment and history as a holder of prospecting rights.</p> <hr/> <p>13. In support of this request, section 10 of the MPRDA expressly applies to applications under section 16, and section 16(4)(b) requires meaningful consultation with "any interested and affected party".</p> <hr/> <p><i>Legal basis for disclosure of the application and annexures</i></p> <p>14. The legal position, in THO's view, is not difficult. In support of this request, we again have to refer you to the late Michael O. Dale et al. commentary on mining law as the most authoritative and comprehensive commentary on mining law in South Africa.</p> |                                        |

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|                                                                        | <p>15. Dale's commentary on section 10 of the MPRDA inter alia states that interested and affected parties are entitled to copies of the application papers and annexures, save for financially sensitive aspects, and that this entitlement arises, in relation to an application for a mining right, from sections 10 and 22(4) of the MPRDA read with section 32 of the Constitution. Dale's commentary cites the Baleni judgment and expressly notes that the same position applies in respect of other applications under the MPRDA (i.e. applications for prospecting rights).</p> <p>16. The Baleni judgment confirms that sections 10 and 22(4), properly interpreted, entitle such persons to a copy on request and that the whole consultation process is intended to advance the objects of the MPRDA (not only the environmental considerations).</p> <p>17. Importantly, the Baleni judgment also records that the applicants had, before instituting litigation, requested the application from the Regional Manager of the DMPP, the applicant and the EAP, and were sent from pillar to post and only received the application after legal proceedings were instituted. The Court expressly criticised this conduct and remarked that:</p> <p><i>"[89] Meaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary ...</i></p> <p><i>[92] I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application as and when it is submitted to the Regional Manager, even before they ask for it. That is not the relief sought though."</i></p> <p>18. That is directly relevant here. TAD and its EAP cannot avoid the substance of the request by saying that disclosure is only the DMPP's problem, or that the IAPs should be happy with the contents of the BAR.</p> <p>19. To this end, the Baleni judgment recognises that meaningful consultation requires sufficient information to enable informed engagement. The aforementioned principles apply with equal force in the present matter.</p> <p>20. There is no later, separate public process in which THO will be afforded an opportunity to interrogate the section 17 of the MPRDA requirements, the contents of the prospecting work programme or TAD's history of compliance with its previous right. If THO's comments are to be placed before the DMPP in any meaningful form, that must occur now.</p> <p><u><i>Basis for THO's request for the information</i></u></p> <p>21. Your response also suggests that the technical, company and financial information is not required to be circulated because it is "not relevant to the environmental assessment". That is too narrow.</p> <p>22. THO's request is based on a direct and legitimate interest in the following matters:</p> <p>22.1. Technical ability and access thereto:</p> <p>22.1.1. Section 17 of the MPRDA requires that the applicant have access to financial resources and the technical ability to conduct the proposed</p> |                                        |

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|                                                                        | <p>prospecting operation optimally in accordance with the prospecting work programme.</p> <p>22.1.2. Regulation 5 / Form B and regulation 7 require disclosure of proof of technical ability and whether that ability will be provided by in-house expertise, contractors or consultants.</p> <p>22.1.3. THO is entitled to understand whether TAD is, again, seeking to rely directly or indirectly on the expertise, equipment, contractors, vessels or know-how of Trans Hex or its related entities. THO and/or its related entities have not agreed that TAD may do so in respect of this application.</p>                                                                                                                                                                                                                                                                   |                                        |
|                                                                        | <p>22.2. Actual proposed equipment / vessel arrangements.</p> <p>22.2.1. The draft BAR states that prospecting will be conducted using a dedicated survey vessel “such as” IMD SA’s DP Star or the Explorer.</p> <p>22.2.2. THO is therefore entitled to test what is actually proposed in the application and whether the prospecting-right documents identify a vessel, contractor or technical arrangement connected to Trans Hex or related entities.</p> <p>22.2.3. That cannot be tested from the BAR alone, particularly where your email now says those vessels were only examples and a dedicated survey vessel will be constructed</p> <p>22.2.4. If that is so, the prospecting-right application documents should reflect it and it should be included in the costing for the right.</p>                                                                              |                                        |
|                                                                        | <p>22.3. The approved work programme and prior performance.</p> <p>22.3.1. It is self-evident that section 19 of the MPRDA requires a holder of a prospecting right to commence prospecting within 120 days, from the date it was issued, continuously and actively conduct prospecting operations and do so in accordance with the prospecting work programme.</p> <p>22.3.2. Compliance is judged by reference to the approved work programme, which forms part of the right. THO is therefore entitled to know what work programme was previously approved, whether it was implemented and what is now proposed.</p> <p>22.3.3. That is directly relevant to whether TAD utilised the previous prospecting right at all, whether there has been compliance with the MPRDA and whether the area is being sterilised by serial reapplications by TAD without implementation.</p> |                                        |
|                                                                        | <p>22.4. Existing rights and permits and related holding structures.</p> <p>22.4.1. Section 16 of the MPRDA requires the prospecting-right application to include a list of existing rights and permits held by the applicant.</p> <p>22.4.2. That information is relevant to THO’s comments concerning TAD’s operational capability, history and the grant criteria.</p> <p>22.4.3. It is also precisely the kind of information the Baleni judgment recognised may be relevant to interested and affected parties even though it does not sit neatly within a narrow environmental-impact inquiry.</p>                                                                                                                                                                                                                                                                          |                                        |

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|                                                                        | <p>22.5. Contraventions of the Act.</p> <p>22.5.1. Again, section 17 of the MPRDA requires that the applicant not be in contravention of any relevant provision of the MPRDA.</p> <p>22.5.2. THO's interest in whether TAD commenced and actively pursued prospecting under the previous right is therefore not collateral or irrelevant.</p> <p>22.5.3. It goes directly to a statutory grant criterion.</p> <p><u>TAD's prior right and the absence of detail in the BAR</u></p> <p>23. In relation to this final point, we record that the BAR effectively concedes that the previous environmental authorisation and prospecting right lapsed because the prospecting right was not renewed within the prescribed timeframe, and that TAD was required to reapply.</p> <p>24. The BAR does not explain whether prospecting under the previous right ever commenced, what work was undertaken, whether the previous work programme was implemented, why the prospecting work was not completed or how the present application differs in substance from the previous one.</p> <p>25. Those are material matters from THO's perspective, as an interested and affected party.</p> <p><u>It is no answer to say the information was submitted directly to the DMPP</u></p> <p>26. It is also no answer for the EAP / TAD to say that certain information is submitted "directly to the DMPP" to assess competence. That is precisely why THO seeks it.</p> <p>27. The question whether TAD has the technical ability itself, or only by reference to third-party expertise, equipment or vessels, is a matter on which THO wishes to comment. So too the question whether TAD has previously failed to utilise rights granted to it.</p> <p>28. Those matters cannot be immunised from scrutiny merely by labelling them "technical" or "company" information. Subject to proper redaction of genuinely financially sensitive material, they fall squarely within the rationale recognised in the Baleni judgment and the Dale commentary.</p> <p><u>THO's interest as an interested and affected party</u></p> <p>29. Insofar as TAD has requested THO to disclose its interest for purposes of the IAPs database, THO's position is as follows:</p> <p>29.1. THO is the holder of and/or applicant for adjacent mining and prospecting rights in respect of sea concessions 11A, 12A, 13A, 11B and 13B and is directly affected by any decision concerning sea concession 11C;</p> <p>29.2. THO has direct operational and commercial knowledge of offshore prospecting and mining in the relevant area;</p> <p>29.3. THO has a direct legal and commercial interest in ensuring that the MPRDA is properly applied and that mining/prospecting areas are not sterilised by serial applications unaccompanied by implementation;</p> <p>29.4. THO has a direct interest in ensuring that TAD does not purport to rely on Trans Hex's expertise, contractors, vessels or equipment without permission / agreements being in place;</p> <p>29.5. THO is also a landowner of the De Punt farm which borders on the Olifants River and is directly in-shore from sea concession 13C;</p> |                                        |

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|                                                                                                          | <p>29.6. THO accordingly plainly qualifies as an interested and affected party, hence why THO was notified of TAD's application for a prospecting right having been submitted.</p> <hr/> <p><u>Conclusion</u></p> <p>30. In the circumstances, THO again requests that TAD / Anchor Environmental furnish it, within 5 calendar days:</p> <p>30.1. a copy of the prospecting-right application lodged in respect of sea concession 11C;</p> <p>30.2. the prospecting work programme and all annexures dealing with technical ability, use of in-house expertise, contractors and consultants, existing rights and permits, and prior-right history / supporting documents,</p> <p>subject only to TAD's redaction of genuinely financially sensitive information.</p> <hr/> <p>31. If it is contended that any specific annexure or portion thereof is confidential/financially sensitive, please identify that document or portion thereof specifically, state the basis for the alleged confidentiality and provide the balance of the application and annexures forthwith.</p> <hr/> <p>32. Failing compliance, THO reserves all of its rights, including to place this refusal and the annexed exchanges before the DMPP as part of the comments process and to take such further steps as may be necessary.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>2026/04/02</p> <p>Email</p> <p>Aaron Larkens</p> <p>Trans Hex Operation (Pty) Ltd</p> <p>I&amp;AP</p> | <p>Dear Sirs/Madams</p> <p><b>TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION - DMPP REFERENCE NO.: WC30/5/1/1/2/10522 PR</b></p> <p><b>INTRODUCTION</b></p> <ol style="list-style-type: none"> <li>1. I am writing to you on behalf of Trans Hex Operations (Pty) Ltd ("THO") to object to the reapplication by Trans Atlantic Diamonds (Pty) Ltd ("TAD") for a prospecting right and environmental authorisation in respect of Sea Concession Area 11C.</li> <li>2. This letter constitutes THO's detailed objection to the granting of the prospecting right and to the related environmental authorisation.</li> <li>3. Having considered the matter in detail, and having regard to the authorities and commentary previously provided, THO's principal objection is this:</li> </ol> <p>3.1. TAD and its environmental assessment practitioner ("EAP") have refused to provide THO with a copy of the application for a prospecting right submitted by TAD in terms of section 16 of the Mineral &amp; Petroleum Resources Development Act ("MPRDA") and the supporting annexures;</p>                                                                                                                  | <p><b>2026/04/13</b></p> <p><b>EAP</b></p> <p>Dear Aaron,</p> <p>I trust you are well.</p> <p>Further to the email below and in response to your previous queries, please find attached the relevant documents as requested.</p> <p>(The Environmental Authorisation application form and PWP was provided).</p> <p><b>2026/04/23</b></p> <p><b>EAP</b></p> <p>Please also refer to the EAP's response dated 23 April 2026 to the letter from THO dated 17 April 2026, which addresses the comments raised herein.</p> |

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|                                                                        | <p>3.2. In the result, THO has been denied the information necessary to participate meaningfully in the prospecting-right process and to address the section 17 of the MPRDA grant criteria in any informed way.;</p> <p>3.3. In addition, THO has also been denied the opportunity to properly consider, and comment on the draft Basic Assessment Report and its appendices.</p> |                                        |
|                                                                        | 4. THO's earlier concerns regarding the environmental process remain reserved. However, for present purposes, THO's central and substantive complaint is not the environmental point. It is TAD and the EAPs failure to disclose the documents that support its prospecting-right application, coupled with the apparent failure to afford a proper section 10 objection process.  |                                        |
|                                                                        | 5. THO has previously addressed detailed correspondence to TAD, the EAP and the Department of Mineral and Petroleum Resources ("DMPR"), including its letters of 18 March 2026 and 26 March 2026. Copies of these letters are annexed marked "A".                                                                                                                                  |                                        |
|                                                                        | 6. In those letters THO requested a copy of the prospecting-right application, the prospecting work programme and the non-financial annexures lodged in support of the section 16 application, and explained in detail why that information was required in order to enable THO to participate in the consultation process and for TAD to meaningfully consult with THO.           |                                        |
|                                                                        | 7. THO has unfortunately not received any substantive response to THO's letter of 26 March 2026, and THO has, to date, still not been furnished with the requested application documents.                                                                                                                                                                                          |                                        |
|                                                                        | 8. THO has also not seen the notice contemplated by section 10 of the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA") and regulation 3 of the MPRDA Regulations.                                                                                                                                                                                                   |                                        |
|                                                                        | 9. To the extent that the DMPR considers this objection to have been lodged outside any applicable period under the MPRDA, THO requests condonation on the basis that the operative section 16 application documents were withheld, the date and manner of any section 10 notice have not been disclosed, and THO has acted promptly upon learning of the application.             |                                        |
|                                                                        | 10. For ease of reference, relevant extracts from the authorities and project documents relied upon are annexed hereto as Annexure "B" (Dale commentary) and Annexure "C" (relevant extracts from the BAR, EMP, background information document, socio-economic statement and public-participation record).                                                                        |                                        |
|                                                                        | <b>BACKGROUND</b>                                                                                                                                                                                                                                                                                                                                                                  |                                        |
|                                                                        | 11. According to the draft Basic Assessment Report ("BAR"), TAD was previously granted a prospecting right and environmental authorisation in respect of Sea Concession 11C, but the previous prospecting right lapsed as it was not renewed within the prescribed timeframe and the right and environmental authorisation likewise lapsed, requiring a fresh application.         |                                        |
|                                                                        | 12. The same BAR and the subsequent email exchanges reveal TAD / the EAP's position to be, in substance, in summary that:                                                                                                                                                                                                                                                          |                                        |

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|                                                                        | <p>12.1. The prospecting-right application and environmental-authorisation application were submitted in an integrated way through SAMRAD;</p> <p>12.2. the BAR contains all information relevant to the public participation process;</p> <p>12.3. technical, company and financial information submitted to the DMPP for purposes of assessing competence need not be disclosed;</p> <p>12.4. the criteria reflected in section 17 of the MPRDA concerns the DMPP's internal decision-making and does not form part of the public participation obligations;</p> <p>12.5. the vessels identified in the BAR were merely examples but that TAD intends developing its own survey and sampling vessel should the prospecting right application be granted.</p> |                                        |
|                                                                        | 13. For the reasons reflected in THO's letter (dated 28 March 2026), it does not agree.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |
|                                                                        | 14. The aforementioned propositions are contrary to the structure of the MPRDA, contrary to the authorities on the requirement of meaningful consultation and access to application documents, and contrary to the practical realities of how an interested and affected party is expected to comment on and object to a prospecting-right application.                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |
|                                                                        | <b>THE CENTRAL ISSUE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                        |
|                                                                        | 15. The central issue is not difficult to identify. A prospecting-right application submitted to the DMPP in terms of section 16 of the MPRDA and a supporting environmental-authorisation application submitted to the DMPP, as the competent authority, in terms of NEMA may be submitted simultaneously, but they do not serve the same statutory purpose:                                                                                                                                                                                                                                                                                                                                                                                                  |                                        |
|                                                                        | 15.1. The environmental process is concerned with an environmental assessment and whether any environmental impact can be justified by consequent positive socio-economic impacts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                        |
|                                                                        | 15.2. The prospecting-right process is concerned with inter alia whether the applicant satisfies the statutory criteria for the grant of a prospecting right.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                        |
|                                                                        | 16. THO's complaint is that TAD and its EAP have attempted to reduce the prospecting-right process to a review of the BAR alone. That is impermissible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |
|                                                                        | 17. If an interested and affected party is confined to the BAR, while the prospecting-right application and its supporting annexures are withheld, the result is that the party is prevented from engaging meaningfully on the very issues that the Minister or delegate must consider before granting the prospecting right.                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                        |
|                                                                        | 18. Put differently, the point is not that THO seeks information for curiosity's sake. THO seeks the documents submitted by TAD to the DMPP, in terms of section 16 of the MPRDA, because those documents go directly to whether TAD has established the section 17 jurisdictional facts for the grant of a prospecting right, but also indirectly go to the heart of whether the granting of the prospecting right is likely to have a positive socio-economic impact for the host community.                                                                                                                                                                                                                                                                 |                                        |

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| THE STATUTORY FRAMEWORK                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                        |
|                                                               | 19. It is trite that section 10 of the MPRDA applies expressly to applications for prospecting rights under section 16 of the MPRDA. In this regard, within 14 days after accepting such an application, the Regional Manager must, in the prescribed manner, make known that the application has been accepted and call upon interested and affected persons to submit comments regarding the application within 30 days from the date of the notice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                        |
|                                                               | 20. If a person objects to the granting of a prospecting right, the Regional Manager must refer the objection to the Regional Mining Development and Environmental Committee to consider the objection and to advise the Minister thereon.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                        |
|                                                               | 21. In this regard, section 10 and Regulation 3 of the MPRDA / regulations provides that:<br><br><i>“Within 14 days after accepting an application lodged in terms of section 16, 22 or 27, the Regional Manager must in the prescribed manner make known that an application for a prospecting right, mining right or mining permit has been accepted in respect of the land in question; and call upon interested and affected persons to submit their comments regarding the application within 30 days from the date of the notice.”</i><br><br><i>“Regulation 3(2) of the MPRDA Regulations requires that the notice referred to be placed on a notice board at the office of the Regional Manager ... In addition, in terms of regulation 3(3) ... the Regional Manager ... must also make known the application by placement of the notice in the magistrate’s court in the magisterial district applicable to the land in question and placement of the notice at local schools, public libraries, municipal offices and Traditional Council offices.”</i> |                                        |
|                                                               | 22. Regulation 3 prescribes how that notice is to be made known. In addition to placement on a notice board at the office of the Regional Manager, the application must also be made known by at least one further prescribed method, such as publication in the Provincial Gazette, notice at the Magistrate’s Court or advertisement in a newspaper circulating in the area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                        |
|                                                               | 23. Section 16, read with regulation 5 and Form B, requires a prospecting-right application in the prescribed form and supported by prescribed information and documentation. The Dale commentary records that the application must include, among other things, the mineral or minerals applied for, the period, a prospecting work programme and annual expenditure, proof of technical ability, an indication whether such technical ability will be provided by inhouse expertise, contractors or consultants, proof of financial ability, a list of existing rights and permits, copies of land titles and such further information as may be requested.<br><br><i>“The prescribed manner is contained in regulation 5 in the MPRDA Regulations which provides that an application for a prospecting right must be in the form of form B in annexure 1 to the MPRDA Regulations. The main requirements are: a plan ...</i>                                                                                                                                    |                                        |



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|                                                               | <p><i>the mineral or minerals; the period; a prospecting work programme and annual expenditure; proof of technical ability... and whether this will be achieved by in-house expertise, contractors or consultants; financial ability; a list of existing rights and permits; copies of the land titles; and any other information which the Minister may request.</i></p> <p><i>“Regulation 7(2) provides that the programme will form part of the prospecting right when granted. This indicates that an assessment of performance is directly related back to the contents of the approved work programme.”</i></p>                                                                                                                                                                                                                                     |                                        |
|                                                               | <p>24. Section 17 of the MPRDA then provides that the Minister must grant a prospecting right only if the statutory criteria are met. Those include that the:</p> <p>24.1. applicant has access to financial resources and has the technical ability to conduct the proposed prospecting operation optimally in accordance with the prospecting work programme;</p> <p>24.2. estimated expenditure is compatible with the proposed prospecting operation and the duration of the prospecting work programme;</p> <p>24.3. prospecting will not result in unacceptable pollution, ecological degradation or damage to the environment and that an environmental authorisation is issued; that the applicant can comply with the Mine Health and Safety Act; and</p> <p>24.4. applicant is not in contravention of any relevant provision of the MPRDA.</p> |                                        |
|                                                               | <p>25. Section 19 of the MPRDA is also material to the present application / objection as it requires the holder of a prospecting right to commence prospecting within 120 days, to continuously and actively conduct prospecting operations, and to do so in accordance with the prospecting work programme.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                        |
|                                                               | <p>26. As the commentary explains, compliance is judged by reference to the approved work programme which forms part of the right.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                        |
|                                                               | <b>THE LEGAL POSITION ON DISCLOSURE AND MEANINGFUL PARTICIPATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                        |
|                                                               | <p>27. The most authoritative commentary on this issue remains Dale’s commentary on section 10 of the MPRDA. Dale, in his commentary, states that an interested and affected person is entitled to copies of the application papers and annexures, except for financially sensitive aspects.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                        |
|                                                               | <p>28. Dale goes on to provide that this entitlement is founded in a proper interpretation of the MPRDA read with section 32 of the Constitution and that the position is not restricted to PAIA because PAIA is too cumbersome to permit meaningful participation within the statutory time periods:</p> <p><i>“An interested and affected person is entitled to copies of the application papers and annexures except for financially sensitive aspects of the application and papers. This entitlement is founded in a proper interpretation of sections 10 and 22(4) of the MPRDA read with section 32 of the Constitution. The Minerals Department has to supply these copies on request, which is not restricted to the provisions of PAIA and the Department’s manual, because the procedures in terms of PAIA are so</i></p>                      |                                        |

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|                                                                        | <p><i>cumbersome that an interested and affected person will not be able to access the said documentation timeously in order for comments to be made in terms of sections 10 and 22(4) of the MPRDA."</i></p> <p>29. Importantly, the same commentary expressly records that this entitlement is not confined to mining-right applications. It notes that the same position applies in relation to other applications under the MPRDA, which necessarily includes prospecting-right applications.</p> <p>30. The Baleni judgment is entirely consistent with Dale's analysis. The Court held that meaningful consultation requires the interested and affected parties to have access to the application and sufficient information to enable informed engagement. It further held that the manner in which interested and affected persons obtain a copy of the application should not be restricted to PAIA, because those persons are the ones who should deal directly with the issues that will determine the fate of the application. In this regard, the Court stated in its judgment that:</p> <p><i>"Meaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary."</i></p> <p><i>"Therefore, in my view, the manner in which the applicants obtain a copy of the mining right should not be restricted to the request processes in terms of PAIA ... because they are the persons who should deal directly with the issues that will ultimately determine the fate of the application."</i></p> <p><i>"I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application as and when it is submitted to the Regional Manager, even before they ask for it."</i></p> <p><i>"[T]he relevant sections (10 and 22(4)), properly interpreted, mean that they are entitled to a copy on request from the Regional Manager and they do not have to go through the PAIA process, which is very long. I have already agreed with their understanding of these sections. The whole consultation process is intended to advance the objects of the MPRDA."</i></p> <p>31. The Court went further and stated that "the persons in the position of the applicants would be entitled to a copy from the application as and when it is submitted to the Regional Manager, even before they ask for it". The Court also held that sections 10 and 22(4), properly interpreted, mean that interested and affected parties are entitled to a copy on request from the Regional Manager, that they do not have to go through the PAIA process, and that the whole consultation process is intended to advance the objects of the MPRDA.</p> <p>32. Equally relevant is the Court's criticism of the conduct of the mining-right applicant and the Department in Baleni. The Court noted that the applicants had been sent from pillar to post, with both the Department and the applicant refusing to take</p> |                                        |

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|                                                               | responsibility, and that the application was provided only after litigation had been instituted. That criticism applies squarely here.                                                                                                                                                                                                                                                                                                                                      |                                        |
|                                                               | 33. There is further authority that non-compliance with regulation 3 is not a trivial matter. The commentary on section 10 records that in <i>De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd</i> the court found that there was no evidence of compliance with regulation 3(3) and accordingly set aside the decision to grant the prospecting right. That principle is directly relevant in the present matter.                                                 |                                        |
|                                                               | <i>"In De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd &amp; Others ... the court found that there was no evidence that reg 3(3) had been complied with, and accordingly set aside the decision to grant the relevant prospecting right to Ataqua."</i>                                                                                                                                                                                                           |                                        |
|                                                               | 34. The same approach accords with <i>Bengwenyama</i> . The Constitutional Court explained that consultation is intended to seek accommodation between the applicant and the landowner or lawful occupier and that the affected party must be given sufficient information to respond meaningfully.                                                                                                                                                                         |                                        |
|                                                               | <i>"One of the purposes of consultation with the landowner must surely be to see whether some accommodation is possible between the applicant for a prospecting right and the landowner insofar as the interference with the landowner's rights to use the property is concerned."</i>                                                                                                                                                                                      |                                        |
|                                                               | 35. The same theme appears in <i>Save the Vaal</i> , where the Supreme Court of Appeal held that affected parties must at least be notified and afforded an opportunity to raise objections in writing. That principle remains directly relevant to the section 10 process under the MPRDA.                                                                                                                                                                                 |                                        |
|                                                               | <i>"Such a hearing need not necessarily be a formal one, but interested parties should at least be notified of the application and be given an opportunity to raise their objections in writing."</i>                                                                                                                                                                                                                                                                       |                                        |
|                                                               | <b>WHY THE BAR IS NOT A SUBSTITUTE FOR THE SECTION 16 APPLICATION</b>                                                                                                                                                                                                                                                                                                                                                                                                       |                                        |
|                                                               | 36. The BAR is not the prospecting-right application. It serves a different function, is prepared to satisfy a different statutory regime and is aimed at a different decision-making exercise. The EAP's repeated proposition that the BAR contains all information "relevant to the environmental assessment" makes THO's point for it: THO's objection is not confined to the environmental assessment.                                                                  |                                        |
|                                                               | 37. The section 16 application must satisfy the MPRDA criteria for a prospecting right. That includes the prospecting work programme, proof of technical ability, identification of contractors and consultants, financial ability, existing rights and permits and related documentary support. Those documents are directed at the section 17 enquiry. They are not rendered irrelevant merely because the EAP has chosen to summarise aspects of the project in the BAR. |                                        |
|                                                               | 38. Nor does the fact that the information was loaded onto SAMRAD answer the issue. An electronic platform is no more than the means of lodgement. It does not dissolve the distinction between the prospecting-right application and the environmental-authorisation process, nor does it convert prescribed application documents into an                                                                                                                                 |                                        |

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|                                                                        | internal departmental record immune from scrutiny by interested and affected parties.                                                                                                                                                                                                                                                                                                                                                                                                            |                                        |
|                                                                        | 39. If TAD's position were correct, it would mean that an applicant could withhold the very documents that demonstrate technical competence, operational arrangements, prior-right history and the contents of the prospecting work programme, and then insist that an interested and affected party is limited to commenting on the BAR.                                                                                                                                                        |                                        |
|                                                                        | 40. That would hollow out section 10 and deprive the objection process of substance. The MPRDA deliberately creates separate, complementary steps:                                                                                                                                                                                                                                                                                                                                               |                                        |
|                                                                        | 40.1. the Regional Manager's section 10 / regulation 3 notice-and-objection process; and                                                                                                                                                                                                                                                                                                                                                                                                         |                                        |
|                                                                        | 40.2. the applicant's own consultation obligations under section 16(4)(b).                                                                                                                                                                                                                                                                                                                                                                                                                       |                                        |
|                                                                        | 41. The DMPR consultation guideline makes the point expressly by recording that sections 10(1)(b), 16(4)(b), 22(4)(b), 27(5)(b) and 39 impose notification and consultation obligations respectively on the Regional Manager and on the applicant, and that consultation must provide affected parties with the necessary information to make informed decisions.                                                                                                                                |                                        |
|                                                                        | 42. The Baleni judgment is entirely consistent with that approach: the judgment records that the Regional Manager directed the applicants to request the application directly from TEM or its EAP. TAD and its EAP therefore cannot evade meaningful consultation by saying that only the DMPR may disclose the application documents – the obligation remains on TAD, regardless if the DMPR discloses the documents, to consult meaningfully with interested and affected parties such as THO. |                                        |
|                                                                        | <b>THE INFORMATION SOUGHT IS DIRECTLY MATERIAL TO THE SECTION 17 ENQUIRY</b>                                                                                                                                                                                                                                                                                                                                                                                                                     |                                        |
|                                                                        | 43. THO has a direct and legitimate interest in the information withheld because the withheld information goes to the heart of the section 17 enquiry.                                                                                                                                                                                                                                                                                                                                           |                                        |
|                                                                        | 43.1. Technical ability.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                        |
|                                                                        | 43.1.1. Section 17 requires that the applicant have access to financial resources and the technical ability to conduct the proposed prospecting operation optimally in accordance with the prospecting work programme.                                                                                                                                                                                                                                                                           |                                        |
|                                                                        | 43.1.2. Regulation 5 / Form B and the regulation 7 work-programme requirements call specifically for proof of technical ability and an indication whether that ability will be provided by in-house expertise, contractors or consultants.                                                                                                                                                                                                                                                       |                                        |
|                                                                        | 43.1.3. THO is entitled to know, and comment on, whether TAD purports to have the technical ability itself, or whether it seeks to satisfy the requirement by reference to contractors, consultants, vessels or other operational capability. That is not peripheral information. It is one of the express statutory criteria for the grant of the right.                                                                                                                                        |                                        |

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| 43.1.4.<br><br>43.1.5.                                                 | In previous, similar, applications submitted by TAD it purported to rely on the expertise of employees employed by the Trans Hex Marine group of companies (previously IMDH group of companies) and annexed copies of these employees CVs to its application.<br><br>THO would then like to verify if, in fact, it is again purported relying on the expertise of the Trans Hex Marine group of companies' employees or if, in fact, it purports to now have its own technical expertise.                                                                                                                                                                                                                                                                                                                                                                                |                                        |
| 43.2.                                                                  | The actual vessel and operational arrangements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                        |
| 43.2.1.<br>43.2.2.<br><br>43.2.3.<br>43.2.4.                           | The BAR states that prospecting will be conducted using a dedicated survey vessel "such as" IMD SA's DP Star or the Explorer.<br><br>THO was therefore entitled to test whether the section 16 application in fact relied on those vessels, on Trans Hex-associated capability or on any contractors or arrangements connected to Trans Hex or its related entities.<br><br>The subsequent email response from the EAP that those vessels were only examples and that a dedicated survey vessel will be constructed does not cure the problem. It intensifies it.<br><br>If the actual premise of the project is now that a dedicated survey vessel will be built by TAD, then the application documents, prospecting work programme, proof of technical ability and estimated expenditure should all reflect that. THO has been prevented from testing whether they do. |                                        |
| 43.3.                                                                  | The estimated expenditure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                        |
| 43.3.1.<br>43.3.2.<br><br>43.3.3.                                      | Section 17 requires that the estimated expenditure be compatible with the proposed prospecting operation and the duration of the prospecting work programme.<br><br>A programme of offshore surveying, sampling, drilling, onboard processing, and the supposed construction of a dedicated survey vessel is financially substantial – given THO's position within the Trans Hex group of companies, which operate within the offshore mining industry, has firsthand knowledge of the costs associated with this type of prospecting programme and would be best place to indicate if it is feasible or not.<br><br>Yet THO has been denied access to the very documents that would show whether TAD's expenditure estimate is compatible with what it proposes to do.                                                                                                  |                                        |
| 43.4.                                                                  | Existing rights and permits and related structures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                        |
| 43.4.1.<br>43.4.2.                                                     | The section 16 application must include a list of existing rights and permits held by the applicant.<br><br>That information is relevant to TAD's operational capability, history and experience, and to the broader question whether the present                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |

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|                                                                        | <p>application is part of a pattern of serial applications unaccompanied by implementation by TAD.</p> <hr/> <p>43.5. Compliance with the MPRDA.</p> <p>43.5.1. Section 17 requires that the applicant is not in contravention of a relevant provision of the MPRDA.</p> <p>43.5.2. THO's interest in whether TAD commenced and actively pursued prospecting under the previous right is therefore not collateral. It goes directly to a statutory grant criterion.</p> <hr/> <p><b>TAD'S PREVIOUS RIGHT, SECTION 19 AND SERIAL STERILISATION</b></p> <p>44. The BAR effectively concedes that TAD previously held the same / similar prospecting right, that the right was not renewed within the prescribed timeframe and that TAD therefore had to reapply. The background information document goes further and states that the BAR, EMPr and HIA used for the present re-application remain largely unchanged from the 2022 application, save for limited updates.</p> <hr/> <p>45. That is all. The disclosed material does not explain whether inter alia:</p> <p>45.1. prospecting under the previous right ever commenced;</p> <p>45.2. what work was undertaken;</p> <p>45.3. whether the approved prospecting work programme was implemented</p> <p>45.4. whether any extension was sought or obtained from the DMPr;</p> <p>45.5. whether progress reports and data were submitted to the DMPr;</p> <p>45.6. why the previous prospecting programme was not completed; or</p> <p>45.7. why substantially the same environmental and socio-economic conclusions are now being advanced again despite the lapse of the prior prospecting right.</p> <hr/> <p>46. Those omissions are material. The section 19 commentary records that:</p> <p>46.1. the 120-day commencement period runs from the date the right becomes effective;</p> <p>46.2. failure to commence within the 120-day period constitutes an offence and may result in suspension or cancellation under section 47; and</p> <p>46.3. non-compliance with the obligation continuously and actively to conduct prospecting operations may likewise justify suspension or cancellation, subject to section 47.</p> <hr/> <p>47. The commentary also makes clear that compliance is judged by reference to the approved prospecting work programme:</p> <p><i>"Failure to commence operations within the 120-day period will constitute an offence under section 98(a) and may result in a cancellation or suspension of the right in terms of section 47."</i></p> |                                        |

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|                                                                        | <i>“Non-compliance with this requirement would entitle the Minister in accordance with section 47 to suspend or cancel the right.”</i>                                                                                                                                                                                                                                                                            |                                        |
|                                                                        | 48. THO is therefore fully justified in seeking to know what the previous approved work programme required, whether TAD complied with it, what was achieved under the previous right and what is now proposed.                                                                                                                                                                                                    |                                        |
|                                                                        | 49. That being said, THO does not suggest that the lapse of the previous prospecting right, without more, conclusively proves TAD’s non-compliance but it does beggar the question – did TAD do anything with the previously granted prospecting right or did it just allow it to lapse?                                                                                                                          |                                        |
|                                                                        | 50. TAD’s conduct does however lead to the assumption that, in the absence of any proper explanation, the DMPR cannot simply assume TAD complied with section 19 and the approved prospecting work programme. That information bears directly on whether TAD is or is not in contravention of the MPRDA and on whether the present application should be granted at all.                                          |                                        |
|                                                                        | 51. There is a wider and legitimate concern as well. On the information presently disclosed, TAD appears to have obtained a right, failed to renew it timeously, failed to explain what was done under that right and then re-applied on substantially the same basis.                                                                                                                                            |                                        |
|                                                                        | 52. At the same time, the disclosed socio-economic benefits advanced by TAD, in the present application, provide for projected skills transfer, job creation and local procurement benefits without furnishing the underlying section 16 material needed to test whether TAD can in fact execute the prospecting programme.                                                                                       |                                        |
|                                                                        | 53. If that can occur without disclosure of the previous work programme, its implementation or non-implementation, the results of the previous right, and the actual technical and operational basis for the present application, then a strategic sea concession can effectively be sterilised by serial applications unaccompanied by real prospecting.                                                         |                                        |
|                                                                        | 54. That concern is heightened by the EMPr itself, which records that cumulative negative impacts of marine prospecting along the west coast may increase to high significance when other projects are taken into account, whereas the cumulative positive local socio-economic effect is assessed only as very low.                                                                                              |                                        |
|                                                                        | 55. THO, as a technically capable adjacent rights holder with direct operational knowledge of the area, plainly has a direct and legitimate interest in objecting to that outcome and in requiring the DMPR to interrogate it properly.                                                                                                                                                                           |                                        |
|                                                                        | 56. Based on THO’s direct experience of offshore rights on the west coast, the risk is not academic: claims of capability, vessels, contractors or programmes do not always translate into actual implementation, yet the cumulative burdens and stakeholder concerns remain real.                                                                                                                                |                                        |
|                                                                        | <b>PROCEDURAL UNFAIRNESS AND PREJUDICE</b>                                                                                                                                                                                                                                                                                                                                                                        |                                        |
|                                                                        | 57. THO has been materially prejudiced by TAD’s / the EAP’s refusals. THO has been denied the very documents that would show what TAD actually put up to satisfy section 17, what the prospecting work programme actually says, how TAD addresses technical ability, which contractors or consultants are relied upon, what the estimated expenditure is, what existing rights and permits are disclosed, how TAD |                                        |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Response from EAP/Applicant/Specialist |
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|                                                               | deals with the previous right and section 19, and whether the operational assumptions underpinning the BAR, EMPr and socio-economic statement are in fact capable of implementation.                                                                                                                                                                                                                                                                                                                                             |                                        |
|                                                               | 58. That prejudice is compounded by the fact that there is no later, separate public process in which THO will be able to interrogate the section 17 criteria.                                                                                                                                                                                                                                                                                                                                                                   |                                        |
|                                                               | 59. The EAP's suggestion that THO's comments will simply be captured in the Comments and Responses Report and circulated with the final BAR for consideration does not answer the problem. A comments table appended to a final BAR is not a substitute for disclosure of the prospecting-right application before the objection period closes. Nor can speculative socioeconomic benefits be weighed meaningfully where the documents that would demonstrate TAD's actual ability to realise those benefits have been withheld. |                                        |
|                                                               | <b>THO's QUALIFICATIONS AS AN INTERESTED AND AFFECTED PARTY</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                        |
|                                                               | 60. THO also reiterates, insofar as its standing as an interested and affected party is concerned, that THO:                                                                                                                                                                                                                                                                                                                                                                                                                     |                                        |
|                                                               | 60.1. Is the holder of and/or applicant for adjacent mining and prospecting rights in respect of sea concessions 11A, 12A, 13A, 11B and 13B and is directly affected by any decision concerning sea concession 11C;                                                                                                                                                                                                                                                                                                              |                                        |
|                                                               | 60.2. has direct operational and commercial knowledge of offshore prospecting and mining in the relevant area;                                                                                                                                                                                                                                                                                                                                                                                                                   |                                        |
|                                                               | 60.3. THO has a direct legal and commercial interest in ensuring that the MPRDA is properly applied and that mining and prospecting areas are not sterilised by serial applications unaccompanied by implementation;                                                                                                                                                                                                                                                                                                             |                                        |
|                                                               | 60.4. has a direct interest in ensuring that TAD does not purport to rely on Trans Hex's expertise, contractors, vessels or equipment without permission or agreements being in place; and                                                                                                                                                                                                                                                                                                                                       |                                        |
|                                                               | 60.5. is also the landowner of the De Punt farm which borders on the Olifants River and is directly in-shore from sea concession 12C / 13C. THO accordingly plainly qualifies as an interested and affected party.                                                                                                                                                                                                                                                                                                               |                                        |
|                                                               | 61. The process followed has therefore inverted the statutory scheme. Instead of first giving THO access to the application documents so that it can comment meaningfully on the application, TAD and its EAP have insisted that THO object first and only on the limited basis of the BAR. That is the opposite of the participation envisaged by section 10 and by Baleni.                                                                                                                                                     |                                        |
|                                                               | 62. THO notes, in passing, that it has not seen a section 10 / regulation 3 notice. If such notice exists, THO requires it to be produced together with proof of publication and the date of acceptance. To the extent that the DMPP considers this objection to be outside any prescribed period because of any such notice, THO requests condonation for the reasons already stated.                                                                                                                                           |                                        |
|                                                               | 63. For the same reasons, it is no answer to say that some information was submitted "directly to the DMPP" and is therefore beyond the scope of public participation. That is precisely the information on which THO wishes to comment. Subject to proper                                                                                                                                                                                                                                                                       |                                        |



| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Response from EAP/Applicant/Specialist |
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|                                                                        | <p>redaction of genuinely financially sensitive information, the statutory participation rights cannot be neutralised by describing information as “technical” or “company” information.</p> <hr/> <p><b>ENVIRONMENTAL PROCESS POINT DRAWN TO THE DMPR’S ATTENTION</b></p> <p>64. THO maintains the concern previously raised that TAD may have pursued its application for an environmental authorization through the wrong environmental route and that the Basic Assessment process is, at the very least, open to serious question. THO does not abandon that point.</p> <hr/> <p>65. However, THO’s principal objection in this submission is not the environmental-process point. THO raises it here only to ensure that the DMPR remains aware of the issue. The substantive basis on which THO presently objects is that the prospecting-right process itself has been procedurally unfair because the application documents have been withheld and the section 10 participation right has been compromised.</p> <hr/> <p><b>THO’S GROUNDS OF OBJECTION</b></p> <p>66. In the circumstances, THO objects to the granting of the prospecting right on, inter alia, the following grounds:</p> <p>66.1. The extent that the DMPR considers this objection to be outside any prescribed period under the MPRDA, THO requests condonation because the section 16 application and supporting annexures were withheld, the date and manner of any section 10 notice have not been disclosed to THO, and THO acted promptly once the application came to its attention.</p> <hr/> <p>66.2. TAD and the EAP refused to furnish the section 16 prospecting-right application and supporting annexures, despite repeated requests, contrary to the principles recognised in Baleni and the Dale commentary and contrary to the purpose of section 10.</p> <hr/> <p>66.3. TAD’s and the EAP’s refusal has denied THO meaningful participation in relation to the prospecting-right application itself and has materially prejudiced THO’s ability to make representations on the section 17 grant criteria.</p> <hr/> <p>66.4. The available documents do not establish compliance with section 17, particularly in relation to technical ability, estimated expenditure, the contents of the prospecting work programme, existing rights and permits, whether TAD is or is not in contravention of a relevant provision of the MPRDA, and whether the operational assumptions underpinning the socio-economic and management case in the BAR and EMPr are capable of implementation.</p> <hr/> <p>66.5. The disclosed material gives rise to real concern that TAD may again be seeking to rely, directly or indirectly, on expertise, vessels, contractors, equipment or other operational capability associated with Trans Hex or related entities, notwithstanding the absence of any agreement permitting such reliance and notwithstanding the later assertion that a dedicated survey vessel will be constructed.</p> <hr/> <p>66.6. The BAR fails to disclose whether the previous prospecting right was ever implemented in accordance with section 19 and the approved prospecting work</p> |                                        |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                          | Response from EAP/Applicant/Specialist |
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|                                                                        | <p>programme, whether prospecting commenced within 120 days, whether prospecting was continuously and actively conducted, what data or results were produced, and why substantially the same BAR / EMPr material is now being relied upon after the lapse of the previous right. Those matters are material to the present section 17 enquiry.</p>                                                                |                                        |
|                                                                        | <p>66.7. The application should not proceed to determination while the section 16 application and supporting annexures remain withheld, while there is uncertainty regarding the section 10 / regulation 3 notice and publication process, and while the disclosed material itself indicates potentially high cumulative negative impacts of marine prospecting when considered together with other projects.</p> |                                        |
|                                                                        | <p>66.8. The socio-economic benefits reflected in the disclosed material are expressly low-level and, in important respects, aspirational. They cannot lawfully be weighed in favour of the application without disclosure of the application material showing TAD's actual vessels, contractors, technical team, budget and implementation arrangements.</p>                                                     |                                        |
|                                                                        | <p><b>RELIEF SOUGHT</b></p>                                                                                                                                                                                                                                                                                                                                                                                       |                                        |
|                                                                        | <p>67. In the premises, THO requests that the Regional Manager and the DMPR do not grant the prospecting right or related environmental authorisation to TAD in respect of Sea Concession Area 11C.</p>                                                                                                                                                                                                           |                                        |
|                                                                        | <p>68. In the alternative, and before any further step is taken in relation to the application, THO requests that the Regional Manager and/or the DMPR:</p>                                                                                                                                                                                                                                                       |                                        |
|                                                                        | <p>68.1. furnish THO with a copy of the section 16 prospecting-right application, the prospecting work programme and all supporting annexures, subject only to the redaction of genuinely financially sensitive information;</p>                                                                                                                                                                                  |                                        |
|                                                                        | <p>68.2. furnish THO with the notice contemplated by section 10 and regulation 3, together with proof of the date of acceptance and proof of publication in the prescribed manner, if any;</p>                                                                                                                                                                                                                    |                                        |
|                                                                        | <p>68.3. condone any lateness in the lodging of this objection to the extent required, and afford THO and any other interested and affected persons a proper opportunity to comment and object after disclosure of the application documents, including by extending or re-opening the relevant objection period if necessary;</p>                                                                                |                                        |
|                                                                        | <p>68.4. refer THO's objection to the Regional Mining Development and Environmental Committee in terms of section 10(2) of the MPRDA;</p>                                                                                                                                                                                                                                                                         |                                        |
|                                                                        | <p>68.5. require TAD to explain fully, with supporting documentation, whether prospecting under the previous right ever commenced, what work was undertaken, whether the previous prospecting work programme was implemented, what data or reports were generated, and why the previous right lapsed without completion of the programme; and</p>                                                                 |                                        |
|                                                                        | <p>68.6. require TAD to disclose the actual vessels, contractors, consultants and sources of technical ability relied upon for the current application; to</p>                                                                                                                                                                                                                                                    |                                        |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP,                            | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                                                   | <p>demonstrate, with reference to the lodged documents, how the estimated expenditure is compatible with what is proposed; and to identify the factual basis on which the socio-economic statement assumes positive local or regional benefits, including any jobs, procurement, training, port or service opportunities said to arise during the prospecting phase;</p> <hr/> <p><b>CONCLUSION</b></p> <p>69. THO's objection is not technical or opportunistic. It goes to the heart of the statutory scheme. The MPRDA requires proper notice, proper consultation, disclosure sufficient to permit meaningful consultation and comment and a lawful determination of whether the section 17 criteria have been satisfied.</p> <hr/> <p>70. On the material presently available, those requirements have not been met. The positive socio-economic case presently relied upon is, on the disclosed record, too slight and too contingent to cure those defects.</p> <hr/> <p>71. THO accordingly objects to the granting of the prospecting right and environmental authorisation and reserves all of its rights, including the right to supplement these objections once the section 16 application and supporting documentation are finally produced, and including the right to pursue any further internal or judicial remedies that may become necessary.</p> <hr/> <p>72. We request written confirmation, within 7 days, of the steps the DMPP proposes taking in relation to this objection.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>2026/04/08</p> <p>Email</p> <p>Michael Yaman</p> <p>Protect the West Coast</p> <p>I&amp;AP</p> | <p>Dear Steve</p> <p>I hope you're well.</p> <p>We refer to the above-mentioned re-application and the ongoing public participation process.</p> <p>To date, we have only been able to access the draft Basic Assessment Report, specialist studies, and the EMPr. In order to ensure that public participation is properly informed and meaningful, we request that the following additional documents be made available:</p> <ul style="list-style-type: none"> <li>• Prospecting Work Programme</li> <li>• NEMA and GNR 1147 compliant rehabilitation plans and budgets</li> <li>• Excel spreadsheet reflecting the coordinates of planned grab and core samples</li> <li>• Google Earth (.kmz/.kml) file showing the application area</li> </ul> <p>These documents are necessary to adequately assess the scope, impacts, and rehabilitation provisions associated with the proposed activities.</p> <p>We would appreciate it if you could provide the above information at your earliest convenience.</p> <p>Thanks and kind regards,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p><b>EAP</b></p> <p><b>2026/04/09</b></p> <p>Dear Mr Michael Yaman</p> <p>Thank you for your email.</p> <p>With reference to your queries below:</p> <ol style="list-style-type: none"> <li>1. Please note that all the relevant information contained in the PWP has been incorporated into the BAR in a manner that is more clearly explained and structured. This excludes certain PWP appendices and details related to sensitive or administrative, technical, company, and financial information submitted directly to the Department of Mineral and Petroleum Resources (DMPP), and which are not required to be made public.</li> <li>2. The rehabilitation plan and associated budget are contained in Section 9 of the BAR.</li> <li>3. As outlined in Section 5.5.3 of the BAR, the prospecting campaign will be undertaken in phases, with Phase 1 comprising a desktop study and geophysical survey. The outcomes of this phase will be used to identify suitable target areas, inform appropriate sampling methods, and importantly, identify any environmentally sensitive areas that should be avoided. As such, the specific coordinates for grab and</li> </ol> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                   | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                        |                                                            | <p>core sampling can only be determined once Phase 1 has been completed and are therefore not yet available.</p> <p>4. The Google Earth KMZ file has been attached for reference.</p> <p>Lastly, all relevant information required to understand the proposed activity and to provide meaningful comment on its potential environmental impacts and associated rehabilitation measures has been made available through the Basic Assessment Report (BAR), associated specialist studies, EMPr and appendices.</p> <p>We trust the above addresses your query.</p> <p><b>EAP</b><br/><b>2026/04/13</b></p> <p>Dear Mr. Yaman</p> <p>I hope this email finds you well.</p> <p>Please find attached the PWP as requested.</p> <p>(The Environmental Authorisation application form and PWP were provided).</p>                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>2026/04/10</p> <p>Email</p> <p>Anina Anker</p> <p>I&amp;AP</p>      | <p>I am concerned about the impact on the environment.</p> | <p><b>2026/04/10</b><br/><b>EAP</b><br/>Dear Anina</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having ‘insignificant’ to ‘low’ significance after implementation of mitigation</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                          | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                        |                                                                                                                                                                                                                                                                                                                                                   | measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2026/04/10<br><br>Email<br><br>Jimi Glen<br><br>I&AP                   | <p>I use the area recreationally as a surfer and am concerned about the impacts on the bathymetry and sea life disturbance, how that impacts the inshore environment is significant</p> <p>I am concerned about the impact on the environment   I am concerned about the impact on the community   I visit the area for recreational purposes</p> | <p><b>2026/04/10</b><br/><b>EAP</b></p> <p>Dear Jimi</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                        |                                                                                                                                                                                                                                                                                                                                                   | <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having ‘insignificant’ to ‘low’ significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern. The socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as ‘Insignificant’.</p> <p>Furthermore, your concern about the impacts on bathymetry are acknowledged. Recent scientific studies indicate that, although prospecting activities can cause measurable short-term disturbance to benthic communities, these effects were not detectable after approximately 6-15 years when compared with reference sites – thereby demonstrating recovery to a functioning ecological state. Due to the distance of the mining block offshore,</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | these changes are unlikely to impact the nearshore environment/bathymetry and surfing conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2026/04/10<br><br>Email<br><br>Lourika Vermooten<br><br>I&AP           | <p>I am concerned about the impact on the environment   I am concerned about the impact on the community   I live on and/or occupy land in the area.</p> <p>Prospecting and resultant mining operations have a severe impact on the marine life as well as vulnerable fauna and flora inter-related ecosystems. The West Coast is already saturated with mining and the impact of accumulated mining is destroying the environment while protected areas are being ignored.</p> | <p><b>2026/04/10</b><br/><b>EAP</b></p> <p>Dear Lourika<br/>I hope this email finds you well.<br/>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.<br/>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties located on or near the shoreline.</p> <p>In addition, the socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as ‘Insignificant’.</p> |
|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having ‘insignificant’ to ‘low’ significance after implementation of mitigation</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern. The socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as 'Insignificant'.</p> <p>It is acknowledged that the potential for cumulative impacts of mining on the marine environment exists, and as such the Marine Ecology and Fisheries Impact Assessment/Specialist Study has been updated to include a "cumulative impacts" section. It should be noted that although Concession Area 11C is adjacent to Concession Areas 251 (prospecting right for phosphate), 12B and 10B (prospecting rights for diamonds), and Orange Basin (reconnaissance permit for oil and gas), prospecting and mining usually only occur in a small fraction of an entire concession area, where mineral deposits have been pre-determined to be of worthwhile mining potential. Impacts are very rarely spread across the entire block.</p> |
| 2026/04/10                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>2026/04/10</b><br><b>EAP</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Email                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Dear Tommie                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Tommie Beaurain                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | I hope this email finds you well.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| I&AP                                                                   | <p>My family visits this area of the West Coast often, the impact on the natural resources of the area will be significant and will permanently destroy and impact this fragile natural environment. I am concerned about the impact on the environment   I am concerned about the impact on the community   I visit the area for recreational purposes</p> <p>I oppose the proposed prospecting in Concession 11C due to the severe environmental risks. Invasive sampling and seabed disturbance threaten slow-growing habitats, benthic species, and marine mammals, with recovery taking years if recovery is at all possible. The area overlaps critical biodiversity zones and the Namaqua Coastal EBSA, which are essential for marine life. Pursuing these activities risks irreversible damage and contradicts NEMA's mandate to protect vulnerable ecosystems.</p> | <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>2026/04/20</b><br><b>EAP</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>The potential impacts of the proposed activities have been assessed in accordance with the requirements and principles of NEMA and the EIA Regulations, which specifically aim to avoid, minimise and manage impacts. The EIA process is intended to ensure that activities are only authorised where impacts can be acceptably mitigated and are not expected to result in irreversible environmental harm. Based on the findings of the specialists and the EAP's assessment, it has been confirmed that the activities are not expected to result in irreversible environmental harm and, therefore, the proposed activities are not anticipated to be inconsistent with the objectives of NEMA.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                        |          | <p>Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties or any recreational activities near the shoreline.</p> <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having ‘insignificant’ to ‘low’ significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern.</p> <p>In addition, the socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as ‘Insignificant’.</p> <p>Furthermore, your concern regarding potential impacts on the benthic environment is acknowledged. Recent scientific studies indicate that, although prospecting activities can cause measurable short-term disturbance to benthic communities, these effects were not detectable after approximately 6-15 years when compared with reference sites, with the system demonstrating recovery to a functioning ecological state.</p> <p>Regarding prospecting in EBSAs, please note that prospecting is not necessarily precluded within CBAs or EBSAs. The most recent best-practice</p> |



| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                        |          | <p>guidelines for prospecting in CBAs, namely the Draft Marine Sector Plan published by the DFFE, indicate that non-destructive prospecting may be allowed, but that it has “Restricted Compatibility” within CBAs. The Draft Marine Sector Plan says that “Activities that have restricted compatibility should be specified as a Consent use. Consent to operate within the proposed zones will be dependant on the site-specific, and context-specific assessment of the impact of the activity on the underlying biodiversity, taking into consideration the biodiversity objectives of the area. Therefore strict regulations over and above the general rules and legislation may be required to avoid unacceptable impacts on biodiversity features.” Examples of such controls may include avoiding intensification or expansion of current impact footprints, exclusions of activities in portions of the zone, additional gear restrictions, and temporal closures during sensitive periods.</p> <p>Although these guidelines are not legislated, they indicate that any approval of prospecting within such areas would be evaluated by the relevant authorities (DFFE), taking into account the findings and recommendations of the Marine Specialist Report, relevant baseline studies and geophysical survey results, and the need for appropriate controls and mitigation measures and the strict regulations mentioned above.</p> <p>It should also be noted that the guidelines identify destructive prospecting, such as bulk sampling, as non-compatible with CBAs. However, bulk sampling generally refers to the removal of sediment in the order of tonnes, using specific sampling methodologies, which is materially different from what is proposed for this survey. The CBA guidelines were developed with consideration of the EBSA process and are therefore also applicable to areas designated as CBAs within EBSAs.</p> <p>The Marine Specialists therefore agree that the planning of prospecting locations, particularly within EBSAs and CBAs, should take into consideration all sensitive receptors, protected areas, and areas of conservation concern, so that, where possible, these can be avoided and buffers can be applied. Ideally, these areas should be given lower priority for prospecting and mining and only considered as a last resort. The report has been updated to clarify these preferences.</p> <p>It should further be noted that prospecting usually only occurs in a small fraction of an entire concession area, where mineral deposits have been pre-determined to be of worthwhile mining potential.</p> <p>Additionally, a mitigation measure has been added to the report requiring that data gathered from seabed sampling, reef identification and seabed video/camera assessments during the proposed prospecting, particularly data that pertaining to benthic environments, be submitted in a usable format to the DFFE and SANBI to aid in future marine spatial planning, confirmation</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>2026/04/10</p> <p>Email</p> <p>Myles Protheroe</p> <p>I&amp;AP</p>  | <p>I am concerned about the impact on the environment   I am concerned about the impact on the community   I visit the area for recreational purposes</p> <p>Have previous prospecting techniques been done in this area.</p> <p>If so, is there information on impact and recovery of the sensitive benthic zone?</p> <p>This company has poor reputation in environmental degradation and even worse reputation in rehabilitation. They should be forced to fix their onland mess before being granted further prospecting licence's.</p> | <p>of CBA status and identification of sensitive habitats, especially within EBSAs and CBAs.</p> <p><b>2026/04/10</b><br/><b>EAP</b></p> <p>Dear Myles<br/>I hope this email finds you well.<br/>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.<br/>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties or any recreational activities near the shoreline.</p> <p>In addition, the socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as 'Insignificant'.</p> <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having 'insignificant' to 'low' significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                        |          | <p>marine environment, when mitigation measures are put in place, is not likely to be of concern. The socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as 'Insignificant'.</p> <p>Regarding your comment on previous prospecting activities in the area, according to Petroleum Agency SA (<a href="https://geoportal.petroleumagency.com/Storefront/Viewer/index_map.html">https://geoportal.petroleumagency.com/Storefront/Viewer/index_map.html</a>), numerous seismic surveys have taken place within this area and nearby.</p> <p>In addition, several environmental baseline and monitoring surveys conducted in the region have characterised the benthic environment. It is anticipated that the benthic macrofaunal community within Area 11C is representative of the continental shelf environment of the southern Benguela, and that similar recovery times from impacts associated with prospecting activities can therefore be expected. Findings from the environmental baseline survey will confirm whether this assumption is valid.</p> <p>Furthermore, your concern regarding potential impacts on the benthic environment is acknowledged. Recent scientific studies indicate that, although prospecting activities can cause measurable short-term disturbance to benthic communities, these effects were not detectable after approximately 6-15 years when compared with reference sites, with the system demonstrating recovery to a functioning ecological state.</p> <p><b>2026/04/20</b><br/><b>Applicant</b><br/>TAD welcomes the opportunity to engage constructively with stakeholders to clarify any concerns and to provide accurate information regarding our operations and environmental obligations. The statement as presented appears to be based on a misunderstanding and does not accurately reflect TAD's operations or track record.</p> <p>TAD does not conduct any land-based mining activities and therefore the allegation regarding "onland mess" and associated rehabilitation obligations is not applicable to our business. All of our operations are conducted within the</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p>2026/04/13</p> <p>Email</p> <p>Francesca Beebe</p> <p>I&amp;AP</p>  | <p>I am concerned about the impact on the environment</p> <p>I wish to object to the proposed prospecting programme in Concession 11C due to its significant environmental risks, particularly within sensitive and protected marine areas.</p> <p>The project includes invasive sampling methods such as grab sampling, core drilling, and seabed disturbance, which will directly impact benthic habitats. The discharge of tailings back into the ocean is likely to create sediment plumes, potentially smothering surrounding ecosystems beyond the immediate sampling sites. The assessment acknowledges that habitat recovery may take 6–15 years or longer, indicating long-term impacts.</p> <p>Underwater noise from acoustic surveys poses a serious risk to marine mammals, including cetaceans known to occur along the West Coast. While mitigation measures are proposed, these are not fully reliable and do not eliminate the risk of disturbance or harm. Importantly, over half of the proposed area overlaps with Critical Biodiversity Areas, Ecological Support Areas, and the Namaqua Coastal EBSA. These are priority conservation areas, and allowing prospecting within them conflicts with the principles of the National Environmental Management Act (NEMA), which seeks to protect sensitive environments. Given the ecological importance of the area, the scale of disturbance, and the likelihood of lasting impacts, the proposed mitigation measures are insufficient. I therefore object to this application and request that authorisation be refused, or that all sensitive biodiversity areas be excluded from any prospecting activities.</p> | <p><b>2026/04/10</b><br/><b>EAP</b></p> <p>Dear Francesca</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>The potential impacts of the proposed activities have been assessed in accordance with the requirements and principles of NEMA, which specifically aim to avoid, minimise and manage impacts. The EIA process is intended to ensure that activities are only authorised where impacts can be acceptably mitigated and are not expected to result in irreversible environmental harm. Based on the findings of the specialists and the EAP's assessment, it has been confirmed that the activities are not expected to result in irreversible environmental harm and, therefore, the proposed activities are not anticipated to be inconsistent with the objectives of NEMA.</p> <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists</p> |

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|                                                                        |          | <p>reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having 'insignificant' to 'low' significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern. The socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as 'Insignificant'.</p> <p>Furthermore, your concern about the impacts on the benthic zone are acknowledged. Recent scientific research indicates that any changes to the benthos are likely to be resolved within 6-15 years, with the system demonstrating recovery to a functioning ecological state.</p> <p>As mentioned above, the Marine Ecology and Fisheries Specialist Study did assess the potential impacts of the discharge of tailings and the associated sediment plumes on the marine environment. Recent scientific research indicates that although the sediment plumes differ in intensity and timing from natural background conditions, marine communities in the Benguela region are well adapted to such events as they are frequently exposed to naturally elevated suspended-sediment levels. Where deep-water sampling/prospecting is practiced, increased turbidity in the pelagic offshore environment as result of tailings plumes is not expected to have any significant effects on the marine biota. The latter statement is well supported as numerous modelling studies and aerial observations of plumes generated from mining vessels have shown that concentration of suspended sediments reduce rapidly with distance from the vessel (within a few hundred metres), allowing a fairly fast settlement and dilution of fine sediment fractions. In addition, studies conducted on dredge-mining operations have recorded that water-column turbidity returns to natural background levels within a few hours after dredging has ceased. This impact was assessed to be of 'very low' significance without mitigation.</p> <p>The Marine Ecology and Fisheries Specialist Study has been updated to specifically list the mitigation measures set out by the Joint Nature Conservation Committee (JNCC) in 2017, which are considered the best</p> |

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|                                                                        |          | <p>practice for noise mitigation from geophysical surveys, although the report was already aligned with these mitigation measures.</p> <p>Regarding prospecting in EBSAs and CBAs, please note that prospecting is not necessarily precluded within CBAs or EBSAs. The most recent best-practice guidelines for prospecting in CBAs, namely the Draft Marine Sector Plan published by the DFFE, indicate that non-destructive prospecting may be allowed, but that it has “Restricted Compatibility” within CBAs. The Draft Marine Sector Plan says that “Activities that have restricted compatibility should be specified as a Consent use. Consent to operate within the proposed zones will be dependant on the site-specific, and context-specific assessment of the impact of the activity on the underlying biodiversity, taking into consideration the biodiversity objectives of the area. Therefore strict regulations over and above the general rules and legislation may be required to avoid unacceptable impacts on biodiversity features.” Examples of such controls may include avoiding intensification or expansion of current impact footprints, exclusions of activities in portions of the zone, additional gear restrictions, and temporal closures during sensitive periods.</p> <p>Although these guidelines are not legislated, they indicate that any approval of prospecting within such areas would be evaluated by the relevant authorities (DFFE), taking into account the findings and recommendations of the Marine Specialist Report, relevant baseline studies and geophysical survey results, and the need for appropriate controls and mitigation measures and the strict regulations mentioned above.</p> <p>It should also be noted that the guidelines identify destructive prospecting, such as bulk sampling, as non-compatible with CBAs. However, bulk sampling generally refers to the removal of sediment in the order of tonnes, using specific sampling methodologies, which is materially different from what is proposed for this survey. The CBA guidelines were developed with consideration of the EBSA process and are therefore also applicable to areas designated as CBAs within EBSAs.</p> <p>The Marine Specialists therefore agree that the planning of prospecting locations, particularly within EBSAs and CBAs, should take into consideration all sensitive receptors, protected areas, and areas of conservation concern, so that, where possible, these can be avoided and buffers can be applied. Ideally, these areas should be given lower priority for prospecting and mining and only considered as a last resort. The report has been updated to clarify these preferences.</p> <p>It should further be noted that prospecting usually only occurs in a small fraction of an entire concession area, where mineral deposits have been pre-determined to be of worthwhile mining potential.</p> |

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|                                                                        |                                                                                                                                                         | <p>Additionally, a mitigation measure has been added to the report requiring that data gathered from seabed sampling, reef identification and seabed video/camera assessments during the proposed prospecting, particularly data that pertaining to benthic environments, be submitted in a usable format to the DFFE and SANBI to aid in future marine spatial planning, confirmation of CBA status and identification of sensitive habitats, especially within EBSAs and CBAs.</p>                                                                                                                                                                                                                                                                                                                                           |
| <p>2026/04/13</p> <p>Email</p> <p>Gretchen Baretta</p> <p>I&amp;AP</p> |                                                                                                                                                         | <p><b>2026/04/13</b><br/><b>EAP</b></p> <p>Dear Gretchen</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p>                                                                                                               |
|                                                                        | <p>I am concerned about the impact on the environment. I am concerned about the impact on the community. I visit the area for recreational purposes</p> | <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties or any recreational activities near the shoreline.</p>                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                        |                                                                                                                                                         | <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having ‘insignificant’ to ‘low’ significance after implementation of mitigation</p> |

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|                                                                        |                                                                                                              | <p>measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern.</p> <p>The socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as ‘Insignificant’.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>2026/04/13</p> <p>Email</p> <p>Miles Masterson</p> <p>I&amp;AP</p>  | <p>I am concerned about the impact on the environment. I am concerned about the impact on the community.</p> | <p><b>2026/04/13</b><br/><b>EAP</b></p> <p>Dear Miles</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties or any recreational activities near the shoreline.</p> <p>In addition, the socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as ‘Insignificant’.</p> |



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|                                                                        |                                                                                                             | <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having ‘insignificant’ to ‘low’ significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern. The socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as ‘Insignificant’.</p> |
| <p>2026/04/13</p> <p>Email</p> <p>Linda Brash</p> <p>I&amp;AP</p>      | <p>I am concerned about the impact on the environment. I am concerned about the impact on the community</p> | <p><b>2026/04/14</b><br/><b>EAP</b></p> <p>Dear Linda</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties or any recreational activities near the shoreline.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>In addition, the socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as 'Insignificant'.</p> <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having 'insignificant' to 'low' significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern.</p> |
| <p>2026/04/13</p> <p>Email</p> <p>Alessandro Mazzi</p> <p>I&amp;AP</p> | <p>I am a recreational fisher worried about the impact of seismic surveys on the migration of the snoek and the disturbance of the marine ecosystem. I am also worried that beyond the ecological damage, these activities have little or no benefit to resident communities, and South Africans in general.</p> <p>I am concerned about the impact on the environment   I am concerned about the impact on the community   I visit the area for recreational purposes.</p> | <p><b>2026/04/13</b><br/><b>EAP</b></p> <p>Dear Alessandro</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.</p> <p>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties or any recreational activities near the shoreline.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>2026/04/20</b><br/> <b>Marine specialist</b><br/> It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having ‘insignificant’ to ‘low’ significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern. The socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as ‘Insignificant’.</p> <p>As stated above, the impact assessment considered the potential impacts of the surveys on the traditional line fishery, and considered the spatial overlap of these activities. In general, the surveys will occur much further offshore than the linefishery operates, and in deeper waters. Furthermore, the inshore/offshore movements of nomadic species such as snoek and yellowtail, that are important to the linefish sector, are not expected to be significantly negatively impacted.</p> |
| 2026/04/14<br><br>Email<br><br>Michael Yaman<br>Protect the West Coast<br><br>I&AP | Dear Steve,<br><br>Thank you for the PWP attached above.<br><br>As requested before, please provide us with the GNR 1147 compliant rehabilitation plan and associated budget. Failing that, please confirm that the rehab plan and budget in section 9 of the BAR is the only rehabilitation plan that you have prepared.<br><br>If you see it necessary to redact certain allegedly commercially sensitive information as you have done with the Prospecting Works Program, we shall record this in our comments. Further, we reserve our right to request and if necessary, internally appeal unredacted versions of the provided documents through the Promotion of Access to Information Act and supplement our comments at a later date. | <p><b>2026/04/14</b><br/> <b>EAP</b></p> <p>Dear Mr. Yaman<br/> I hope this email finds you well.<br/> Please accept this email as confirmation of receipt that we have received and captured your comment. Please note that all comments will be addressed in the Comments and Response Report (CRR).<br/> Furthermore, please note that the rehabilitation plan and associated budget are contained in Section 9 of the BAR.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|                                                               | <p>Kindly attend to this request at your earliest convenience in the interests of giving I&amp;APs a full and fair opportunity to participate in the public participation process.</p> | <p><b>2026/04/17</b><br/> <b>EAP</b><br/> Dear Mr Michael Yaman,<br/> I hope this email finds you well.</p> <p>With reference to your email below, please refer to Sections 9 and 11.7 of the BAR, which address rehabilitation and financial provision. As described in the BAR, and as is well established in marine science, and generally accepted in the context of offshore marine environments, rehabilitation of the seabed is typically not feasible due to the depth and nature of the receiving environment. In such systems, recovery occurs naturally over time through dynamic physical processes, including sediment movement and redistribution, particularly within soft sediment habitats where the proposed prospecting activities will take place. Given the very limited and localised disturbance associated with the proposed activities, natural recovery is anticipated. As no active rehabilitation measures are possible or required in this context, a detailed rehabilitation plan as contemplated in Appendix 3 of GNR 1147 cannot be meaningfully developed in the same manner as for land-based prospecting or mining activities. The purpose of such a plan is to outline specific rehabilitation actions, timeframes and responsibilities, which are not applicable where no direct rehabilitation interventions can be undertaken. Notwithstanding this, the applicant remains committed to full compliance with the requirements of GNR 1147 and actions to undertake rehabilitation monitoring have been outlined in the BAR. In addition, ample financial provision has been made for monitoring, management of potential impacts, and remediation should it become necessary. Provision has also been made for the implementation of the EMPr. While the rehabilitation component is limited by the nature of the receiving environment, the financial provision made is considered appropriate and sufficient in relation to the scale and risk of the proposed activities.</p> <p>With regard to the redaction of information, certain sections have been redacted based on guidance from the Department of Mineral and Petroleum Resources (DMPR), as they contain sensitive company information, signatures, intellectual property, and financial details. The DMPR has advised that such information is not required to be circulated as part of the public participation process and that it may be redacted. All relevant information necessary to understand the proposed activity and to provide meaningful comment on its potential environmental impacts has been made available through the Basic Assessment Report (BAR), associated specialist studies, and appendices. This includes the substantive project information contained in the application form and Prospecting Work Programme. The redacted portions relate to administrative, technical, company, and financial information submitted to the DMPR to assess the applicant's competence. These details are not required to be disclosed as part of the EIA Public Participation Process,</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP,   | Comments                                                                                                                                                                                                                            | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                          |                                                                                                                                                                                                                                     | <p>which is focused on the assessment of environmental impacts rather than the full disclosure of all MPRDA application information.</p> <p>Regarding the submission of a Promotion of Access to Information Act (PAIA) request, we acknowledge that you are entitled to do so. However, please note that the information redacted from the circulated documents may also be protected in terms of the Protection of Personal Information Act (POPIA). As such, similar redactions may apply to any information disclosed through that process. As indicated, the redacted information is not relevant to the environmental assessment or the evaluation of potential impacts, and its omission does not limit the ability of I&amp;APs to meaningfully participate in the process or to provide informed comment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>2026/04/15</p> <p>Email</p> <p>Johann Engelbrecht</p> <p>I&amp;AP</p> | <p>I am deeply concerned about the environmental impact on the coast.</p> <p>I am concerned about the impact on the environment   I am concerned about the impact on the community   I visit the area for recreational purposes</p> | <p><b>2026/04/15</b><br/><b>EAP</b></p> <p>Good morning Johann<br/>I hope this email finds you well.<br/>Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.<br/>Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties or any recreational activities near the shoreline.</p> <p>In addition, the socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as 'Insignificant'.</p> |

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|                                                                                                                                                                                                                                 |          | <p><b>2026/04/20</b><br/> <b>Marine specialist</b><br/> The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having ‘insignificant’ to ‘low’ significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>2026/04/15</p> <p>Email</p> <p>Werner Olivier</p> <p>I&amp;AP</p> <p>I am concerned about the impact on the environment. I am concerned about the impact on the community. I am concerned about the impact on my income.</p> |          | <p><b>2026/04/15</b><br/> <b>EAP</b></p> <p>Good morning Werner<br/> I hope this email finds you well.<br/> Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&amp;AP.<br/> Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).</p> <p><b>2026/04/20</b><br/> <b>EAP</b><br/> Please note that the inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties or any recreational activities near the shoreline.</p> <p>In addition, the socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as ‘Insignificant’.</p> |

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| <p>2026/04/17</p> <p>Email</p> <p>Aaron Larkens</p> <p>Trans Hex Operations (Pty) Ltd</p> <p>I&amp;AP</p> | <p>Dear Sirs/Madams</p> <p><b>TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — RESPONSE TO REDACTED SECTION 16 APPLICATION DOCUMENTS</b></p> <ol style="list-style-type: none"> <li>We refer to the redacted section 16 application documents and supporting material now furnished by Trans Atlantic Diamonds (Pty) Ltd (“TAD”) / Anchor Environmental Consultants (Pty) Ltd (“Anchor”) following THO’s repeated requests and detailed letters dated 24 March 2026, 26 March 2026 and the subsequent objection lodged on 1 April 2026.</li> <li>In response, THO’s short point is that the documents now produced do not cure the prejudice previously identified.</li> <li>The points on which THO sought to comment, as expressed in its previous exchanges, are precisely the points that have been redacted by TAD / Anchor. In substance, TAD / Anchor has provided a bundle which creates the appearance of disclosure while withholding the very non-financial information that goes to the heart of the section 17 enquiry and THO’s stated concerns.</li> <li>The position is particularly unsatisfactory for at least the following reasons: <ol style="list-style-type: none"> <li>The redactions now applied go materially beyond financially sensitive information and withhold the very operational and technical material THO identified in advance as necessary for meaningful consultation.</li> <li>The annexure titled “Letter of Appointment of Technical Personnel” is rendered effectively useless by the redactions. <ol style="list-style-type: none"> <li>The document records that technical personnel have allegedly been appointed by TAD to provide technical support, assistance and specialist tasks but the names and identifying details of those personnel have been redacted in full.</li> </ol> </li> </ol> </li> </ol> | <p><b>2026/04/20</b><br/> <b>EAP</b></p> <p>Dear Aaron</p> <p>We acknowledge receipt of your letter dated 17 April 2026 (the “Letter”).</p> <p>During the process for an application for environmental authorisation (“EA”) under the National Environmental Management Act, 1998 (“NEMA”), information should be made available to enable Interested and Affected Parties (“I&amp;AP”) to understand and inform decision-making regarding the assessment of <b>environmental impacts</b> associated with the proposed activities. The requested documents have been made available for that purpose.</p> <p>As you are aware, the obligation to disclose information during the EA application process is limited to information relevant to the assessment of <b>environmental impacts</b>. The information relating to technical and financial capability requested in your Letter is not relevant to the assessment of environmental impacts. Neither the NEMA nor the Mineral and Petroleum Resources Development Act, 2002 (“MPRDA”) makes provision for I&amp;APs to assess whether the application complies with the requirements of section 17 of the MPRDA. That determination falls within the responsibility of the Minister of Mineral and Petroleum Resources and the DMPR.</p> <p>Therefore, at this stage, we do not intend to respond to the averments contained in your Letter. We confirm we will include your comments in the Comments and Responses Report, forming part of the Final Basic Assessment Report, wherein we will respond to your various comments, insofar as they relate to the assessment of environmental impacts.</p> |

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| 4.2.2.                                                        | THO is therefore still unable to determine who TAD contends constitutes its technical team, whether those individuals have any relevant offshore diamond-prospecting expertise and whether they are persons drawn from, or historically associated with, the Trans Hex / IMDH group or its service providers.                                                                                                                                            | <b>2026/04/23<br/>EAP</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 4.3.                                                          | The redacted Prospecting Work Programme similarly withholds the nonfinancial information that THO wished to interrogate.                                                                                                                                                                                                                                                                                                                                 | We acknowledge your comments in your correspondence dated 18 March 2026, 24 March 2026, 26 March 2026, 1 April 2026 and 17 April 2026, respectively. Further to, and reiterating, our previous responses of 23 March 2026, 25 March 2026, 13 April 2026, and 17 April 2026, please find our responses below.                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4.3.1.                                                        | Although the narrative sections remain, the details that would permit THO to test TAD's alleged technical ability, consultant / contractor arrangements and operational model remain obscured.                                                                                                                                                                                                                                                           | <b>1. Access to information and meaningful participation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4.3.2.                                                        | THO is therefore still prevented from commenting meaningfully on whether TAD satisfies section 17(1) of the MPRDA. This is particularly material because the disclosed sections of the PWP say that the programme will progress beyond survey and sampling to a feasibility study directed at "resource estimation and economic viability of mining in the prospecting area" and, in effect, the development of a mining vessel and future mining model. | Your objection appears to be based on the view that access to information was refused and that, as a result, meaningful participation and/or consultation by you during the environmental authorisation application process was not possible. This is not correct. At no stage during the environmental authorisation application process was access to relevant information denied. It has repeatedly been stated that all information necessary to understand the proposed activity and to facilitate meaningful comment on potential environmental impacts was made available through the Basic Assessment Report (BAR), specialist studies, and the appendices thereto.                                         |
| 4.3.3.                                                        | Those are not incidental matters; they go directly to TAD's technical ability, operational capacity and the seriousness of the application.                                                                                                                                                                                                                                                                                                              | This includes the information contained in the Environmental Authorisation application form and the Prospecting Work Programme (PWP), both of which were made available to you. The limited redactions related only to administrative, technical, financial, and commercially sensitive information submitted to the Department of Mineral and Petroleum Resources (DMPR) for purposes of assessing the applicant's financial and technical ability to undertake the proposed activity. Such information is not required to be disclosed as part of the Public Participation Process (PPP), which is focused on the assessment of environmental impacts rather than the full disclosure of all application details. |
| 4.4.                                                          | The redactions are especially prejudicial because the disclosed PWP itself shows that TAD intends to conduct the prospecting activities on vessels "such as the DP STAR and EXPLORER", states that the core samples will be collected from a purpose-built survey vessel and further records that equipment will be sourced from Underwater Mining Solutions.                                                                                            | To ensure compliance, guidance was obtained from the DMPR. On this basis, it is confirmed that the PPP is required to provide access to information reasonably necessary to enable informed comment on environmental impacts, but does not require the disclosure of documents that contain, administrative, confidential, financial or commercially sensitive information. Accordingly, the disclosure obligation is limited to information relevant to assessing the environmental impacts and may exclude confidential or commercially sensitive information.                                                                                                                                                    |
| 4.4.1.                                                        | Those statements only underscore why the supporting section 16 material is required.                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 4.4.2.                                                        | THO specifically requested the documents in order to understand what TAD's actual technical; vessel and contractor arrangements are and whether TAD is again relying, directly or indirectly, on Trans Hex associated capability without agreement.                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 4.5.                                                          | There are, with respect, strong indications that TAD's redacted PWP has been copied or adapted from Trans Hex / Trans Hex Heavy Mineral Mining (Pty) Ltd's ("THHMM") material rather than independently prepared for Sea Concession 11C.                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 4.5.1.                                                        | Most strikingly, although TAD's application relates to Sea Concession 11C, its PWP states that the appropriate sampling method will be identified "[b]ased on the geological formation of the seafloor in concession area 11(A)".                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 4.5.2.                                                        | That is not a minor typographical error. THHMM's final PWP was expressly submitted in respect of inter alia Sea Concession 11A. The                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



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|                                                               | reference to 11A in a supposedly concession-specific 11C PWP is a concrete textual carry-over from Trans Hex / THHMM material.                                                                                                                                                                                                                                                                                                                    | On this basis, the Environmental Authorisation application form and PWP were provided to you on 13 April 2026, subject to limited redactions applied in accordance with this guidance.                                                                                                                                                                                                                                                                                                                                     |
|                                                               | 4.5.3. TAD's PWP also adopts Trans Hex-specific operational references. It states that the proposed prospecting activities will be conducted on dedicated surveying and sampling vessels "such as the DP STAR and EXPLORER".                                                                                                                                                                                                                      | <b>2. Section 17(1) of the MPRDA</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                               | 4.5.4. THHMM's final PWP identifies the m/v DP STAR, m/v GOOD WIND and m/v THE EXPLORER as the appropriate equipment available for its offshore prospecting programme, and allocates those vessels across the geophysical survey, vibracore, drill-sampling and bulksampling phases. That vessel-level overlap is not easily explained away as standard-form wording.                                                                             | We note your reference to section 17(1) of the MPRDA, which relates to the Minister of Mineral and Petroleum Resources' assessment of an applicant's technical and financial capability and forms part of the DMPR's internal decision-making process. It therefore falls outside the scope of the environmental impact assessment process and the requirements of the PPP.                                                                                                                                                |
|                                                               | 4.5.5. Further, TAD's PWP retains THHMM's previous references to "flight plans", "flight lines" and "traverse lines", even though TAD's Basic Assessment Report makes no reference to magnetometer / aero magnetic surveys – this is clearly then just a copy paste from THHMM's PWP.                                                                                                                                                             | The assessment of an applicant's technical and financial ability rests solely with the DMPR and is not the responsibility of an Interested and Affected Party (I&AP). To the extent that access is sought to information relevant to the assessment of an applicant's technical and financial capability, such access must, where appropriate, be applied for in terms of the Promotion of Access to Information Act (PAIA), and may be subject to the limitations and protections provided for in applicable legislation. |
|                                                               | 4.5.6. Even if parts of that material originate in the DMPR's standard directive, the point remains that TAD has plainly not prepared a careful, bespoke offshore 11C PWP but has instead reproduced a PWP by copying THHMM's, without proper adaptation.                                                                                                                                                                                         | <b>3. Compliance with legislation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                               | 4.6. The copying concern is reinforced by TAD's own internal inconsistencies and by the cumulative pattern of overlap with Trans Hex material.                                                                                                                                                                                                                                                                                                    | We note your comments regarding compliance with various legislative requirements. The applicant is aware of, and committed to complying with, all applicable legislative requirements. The assessment of compliance forms part of the DMPR's mandate, and the DMPR will consider all relevant information in reaching a decision.                                                                                                                                                                                          |
|                                                               | 4.6.1. TAD's PWP refers generically to "aerial photography, desktop studies, aeromagnetic surveys, etc." and to survey lines 1000 m to 100 m apart over a two-month period, yet elsewhere the 11C material describes a vessel-based high-resolution seismic and multibeam echosounder survey. That inconsistency is consistent with text having been lifted from other material and not properly reconciled for the present offshore application. | <b>4. Applicable assessment process</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                               | 4.6.2. The concern is aggravated by the fact that the disclosed copy of TAD's PWP bears a visible "example" watermark.                                                                                                                                                                                                                                                                                                                            | The DMPR, as the competent authority, has determined and confirmed the applicable assessment process for this application.                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                               | 4.6.3. The smoking gun then is the fact that THHMM's PWP also reflects the same "example" watermark – there is no reasonable explanation for this other than TAD has simply copied THHMM's PWP.                                                                                                                                                                                                                                                   | <b>5. Use of vessels, equipment and resources</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                               | 4.6.4. Taken together, the reference to concession area 11A, the adoption of Trans Hex vessel references, the retained template / prior-document information, the internal methodological inconsistencies, the mirrored sequencing and the visible "example" watermark are not trivial defects.                                                                                                                                                   | As previously indicated, the applicant will not utilise or rely, directly or indirectly, on any of Trans Hex's expertise, contractors, vessels, or equipment. The vessels referenced in the BAR were provided for illustrative purposes only and are not indicative of those that will be used. To avoid any further confusion, these examples will be removed in the final BAR.                                                                                                                                           |
|                                                               | 4.6.5. These all strongly suggest that the PWP has been copied, adapted or recycled without proper concession-specific attention, which in turn undermines confidence in the reliability of the application and the seriousness with which TAD has approached it.                                                                                                                                                                                 | <b>6. History and existing rights/permits</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   | The applicant is under no obligation to provide existing rights/permits to any I&APs, nor is the applicant required to provide a prior-right history. To the extent that access is sought to information relevant to that assessment, such access                                                                                                                                                                                                                                                                          |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|                                                               | 4.7. The disclosed PWP still contains no proper indication that any previous survey, sampling or bulk sampling work was ever carried out under TAD's prior prospecting right in Sea Concession 11C.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | must, where appropriate, be applied for in terms of PAIA, and may be subject to the limitations and protections provided for in applicable legislation.                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                               | 4.7.1. The BAR records only that the prior right lapsed because it was not renewed in time. The PWP does not set out what, if any, work was done under that right, what results were achieved, why the work was not completed, or why a fresh right should again be granted.                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>7. Disclosure of interest and relevance to the assessment of environmental impacts</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                               | 4.7.2. In those circumstances, THO's concern that TAD is effectively sterilising the concession by serial applications without implementation is not answered; it is reinforced.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | We further note that no clear disclosure has been provided regarding any direct business, financial, personal, or other interest in the outcome of the application, beyond reference to neighbouring rights. In addition, no specific comments have been raised in relation to the potential environmental impacts of the proposed activity. The PPP is directed at enabling informed comment on the environmental impacts of the Environmental Authorisation application, and it is on that basis that comments falling within the scope of this process will be considered. |
|                                                               | 5. The prejudice to THO is exactly the sort of prejudice identified in <i>Baleni v Regional Manager, Eastern Cape Department of Mineral Resources &amp; Others</i> 2021 (1) SA 110 (GP). The Court held that "[m]eaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary" (para. 89), and that interested and affected parties are entitled to the application material because "they are the persons who should deal directly with the issues that will ultimately determine the fate of the application" (para. 91).                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                               | 6. Most importantly for present purposes, the Court criticised the conduct of the applicant and the DMPR where the objectors were "sent from pillar to post, with both the DMR and TEM refusing to take responsibility" and where it was "only after this application was issued that TEM decided to relent and provide the documents" (para. 93).                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                               | 7. With respect, that is now precisely the position here. THO asked for the application documents; TAD / Anchor resisted; THO wrote detailed letters and lodged a detailed objection; and only then was a heavily redacted bundle produced which still withholds the operative information.                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                               | 8. THO accordingly records that the present disclosure exercise is wasting THO's time and does not amount to meaningful consultation. It does not enable THO to test the matters it expressly identified from the outset, namely TAD's technical ability, its use of in-house expertise, contractors and consultants, its actual vessel and equipment arrangements, the compatibility of its expenditure with the proposed programme, its prior-right performance, and whether it is again seeking to rely on Trans Hex / IMDH-related expertise, personnel, vessels or know-how. The disclosed material in fact increases THO's concern that the application should not simply be further entertained without proper scrutiny. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                               | 9. In the circumstances, THO requests, within 5 calendar days, that TAD / Anchor provide:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                               | 9.1. unredacted copies of all non-financial portions of the section 16 application, prospecting work programme and supporting annexures dealing with technical ability, technical personnel, consultants, contractors, vessels, equipment, operational arrangements, prior-right history and existing rights / permits; alternatively                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| Date of comment, format of comment name of organisation/I&AP,                                      | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                    | <p>9.2. a schedule identifying each redaction applied, the precise legal basis relied upon for each such redaction, and an explanation why the redacted information is said to be financially or otherwise lawfully confidential despite THO's stated grounds for requiring it.</p> <p>10. In support of the above, I annex, marked "A", extracts from TAD and THHM's PWP reflecting the copying and pasting of information by TAD.</p> <p>11. All THO's rights remain fully reserved.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>2026/04/17</p> <p>Email</p> <p>Xolani Myanga</p> <p>DFFE: Oceans and Coasts</p> <p>I&amp;AP</p> | <p>Dear Mr. September</p> <p><b>COMMENTS ON BACKGROUND INFORMATION DOCUMENT FOR THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)</b></p> <p>The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans &amp; Coasts (O&amp;C) appreciates the opportunity granted to provide comments and recommendations on the Draft Scoping Report in the subject of this letter. This Branch will provide comments based on the provisions of the National Environmental Management Act 107 of 1998 ("NEMA") and the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").</p> <p>The Branch O&amp;C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes.</p> <p>1. The review of this report makes it evident that no mitigation measures were provided to mitigate the negative and adverse impacts resulting from the proposed activities on turtles. Page 56 describes the nature of most turtle incidents being entrapment of turtles in towed equipment. However, it should be noted that this is not applicable for this application. The impacts on turtles as specified in this report could be critiqued for being too general and commonly known turtle impacts, instead of being specific to this application.</p> <p>2. On page 56, turtles may be affected by seismic noise at close range. Any impacts of the underwater noise of the survey would be much more difficult to observe. Therefore, the 500 m safety zone that is offered for marine mammals and seabirds, must also apply to turtles (even though it will be extremely difficult to sight them at more than a few tens of meters away).</p> | <p><b>EAP</b><br/><b>2026/04/20</b></p> <p>Good morning Xolani</p> <p>I hope this email finds you well.</p> <p>Thank you for the comments. Received.</p> <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It is acknowledged that the report mentions that turtle entanglement with seismic towed equipment does occur. However, shortly afterwards, the report states that towed survey equipment is not in the scope of works for this project, and is therefore not assessed.</p> <p>Based on the available data, turtle interactions (likelihood, range, extent) are considered in the impact assessment. Turtles could potentially use 11c and therefore the impacts have been rated accordingly.</p> <p>The impact assessment of potential impacts of seismic disturbance to turtles includes the essential mitigation measure of the 500 m safety buffer: "If spotted wait until all marine life (seabirds, seals, cetaceans and turtles) have cleared an area of 500 m radius of the centre of the seismic source before resuming with seismic survey (initiate soft start procedure when resuming seismic survey)", and "Terminate the survey, if any turtles show affected</p> |

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|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                       | behaviour within 500 m of the survey vessel or equipment, until they have vacated the area". A dedicated MMSO (at least one per shift) will be required to undertake these surveys.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                        | 3. Some mitigation measures offered for marine mammals and seabirds do not seem in line with updated JNCC guidelines. E.g., the BAR offers pre-survey scans of at least 15 minutes. The JNCC says 30 min in waters < 300 m, 60 min in water > 300 m deep. Mitigation for marine mammals, turtles, needs to be enhanced. Some information seems outstanding.                                           | It is acknowledged that the report does not make reference to the 2017 JNCC guidelines (most recent), and that these are considered the best standards for use in southern Africa. The report has been updated to include the relevant JNCC guidelines. However, the mitigation measures put forward in the report are aligned with the JNCC guidelines. The JNCC guidelines require that the pre-survey visual/PAM scans are 30 minutes in water <200 m deep and 60 minutes in water >200 m deep. The vast majority of the 11C concession area is <200m deep. The report puts forward that 30-minute (not 15-minute) pre-survey scans will be required. However, the report has been updated to clarify the specifics of the JNCC guidelines to avoid any discrepancies. |
|                                                                        | 4. The start-up must be delayed, or (if in operation) surveying must be halted if a turtle is sighted.                                                                                                                                                                                                                                                                                                | It is acknowledged that the report does not include this specific mitigation measure, and has been updated to reflect this.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                        | 5. Further information is sought to clarify the reasons that PAM is offered only for June and November. Further to this, the EAP should further elucidate whether this has been proposed in case surveying should take place in these months and where the limits of the whale migrations cannot be avoided. This aspect should be clearly outlined in the report to ensure informed decision-making. | Please note that the report puts forward the mitigation measure that surveys are avoided between June and November (to reduce impacts on whales), and that PAM/MMSO surveys are always undertaken on seismic surveys, regardless of the time of year. However, it is acknowledged that these details could be communicated more clearly in the report, which has been updated accordingly.                                                                                                                                                                                                                                                                                                                                                                                |
|                                                                        | 6. It should be noted that it is not easy to detect humpback whales using PAM. Therefore, this may not be a very useful mitigation measure in this regard. These months should simply be avoided for geophysical surveying along with July-October.                                                                                                                                                   | It is acknowledged that humpback whales may be less likely to be detected by PAM than other baleen whales. However, it is understood that they are still often detected by PAM. Nevertheless, the report does put forward the mitigation measure of avoiding seismic surveys between June to November, a period in which humpback whales are more prolific on the West Coast. The report has been updated to clarify this mitigation measure.                                                                                                                                                                                                                                                                                                                             |
|                                                                        | 7. Considering that whales (other species) and dolphins are likely to be present year-round in the survey area, PAM must be operated in all months when surveys occur, at least at night and conditions of poor visibility.                                                                                                                                                                           | The report does not specify which months PAM surveys should occur, and specifies that PAM must be undertaken when operating at night or during weather conditions not conducive to visual surveys. However, the report has been updated to clarify that PAM must be carried out year-round.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                        | 8. It must be ensured that there are sufficient MMOs and PAM operators on board the vessel to prevent fatigue and meet health and safety requirements, during the survey periods. One person, as indicated in this Basic Assessment report, will not be sufficient.                                                                                                                                   | The report does not specify that only one MMSO or PAM operator must be on board. However, the report will be updated to clarify that there must be sufficient MMSOs and PAM operators to ensure that health and safety requirements are met.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                        | 9. Considering the impact assessment, it is evident that only the noise impacts of the geophysical surveying are assessed. However, the noise of drilling has not been assessed or considered. Further clarity and assessment of these impacts are sought.                                                                                                                                            | It is acknowledged that the report does not assess the potential impacts of drilling noise on marine organisms, and the report has been updated to include this impact assessment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                        | 10. Further to this, this assessment should also detail the operational impacts associated with the proposed activities such as the night lights of the vessel on seabirds, especially considering the foggy conditions that often occur off the West Coast.                                                                                                                                          | It is acknowledged that the report does not assess the potential impacts of artificial light at night associated with survey vessels on marine organisms, particularly seabirds, and the report has been updated to include this impact assessment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|                                                               | 11. Considering the findings of a recent study (McCauley et al. 2017) that impacts of seismic surveys on plankton may be far greater than previously anticipated (mortality up to 1.2 km from source as opposed to < 10 m as previously thought), perhaps impacts on plankton should be considered, especially with ichthyoplankton of important commercial fish species in mind.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | It is acknowledged that the report does not assess the potential impacts of seismic surveys on plankton, and the report has been updated to include this impact assessment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                               | 12. There seems to be a (possibly unhealthy) reliance on previous EIA reports for assessment of impacts (e.g., lots of references to Pulfrich reports in the marine specialist study and in the BAR itself). Efforts should be taken to ensure that up-to-date specialist information and studies are provided to ensure that decision-makers take into account relevant and up-to-date information for meaningful decision-making.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | The assessment uses the best available information, including peer-reviewed literature, baseline datasets, and previous specialist studies from comparable habitats. This includes EIA-related reports, which provide valuable empirical data on disturbance and recovery. In data-poor environments, such sources are important and are not relied on in isolation but are critically reviewed alongside more recent and published information. This ensures that impact predictions are based on a robust and up-to-date evidence base.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                               | 13. The report outlines the offshore diamond mining lease areas in South African waters. The coastal shelf waters have been divided into 20 contiguous, parallel strips which have been further subdivided into the onshore and offshore concession areas. While the report ascertains that the conducting of prospecting activities in the area shall be done in such a manner that avoids significant environmental impacts, the impacts proceeding exploration and the discovery of viable mineral deposits cannot be avoided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | The concern is noted. However, this assessment applies only to the prospecting phase, which is temporary and low intensity. Any subsequent exploration or mining activities would require separate and more detailed EIAs under the NEMA and associated regulations. These future impacts are therefore outside the scope of the current report and would be assessed at the relevant stage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                               | 14. Page 23 of the report reads "diamond mining in the Benguela region (off the west coasts of southern Africa) is economically important (DME 2006; Penney et al. 2007) and therefore the proposed prospecting activities are ideally placed in concession area 11C offshore of the Western Cape Coast of South Africa" provides further evidence to support this notion.<br><br>15. This Branch strongly holds that these factors need to be considered when reviewing exploration applications and making decisions relating to mining within the marine and coastal environment. A sustainable development approach needs to be adopted to ensure that the environmental rights of South Africans are protected, that people and communities equally benefit from the resources and economic benefits derived from the use or extraction of all resources, and that existing and future planned, economic activities along this coastline are protected from long-term, cumulative, and unintended impacts of seismic surveying, exploration and/or mining on this coastal shelf. | <b>EAP</b><br><b>2026/04/28</b><br><br>The comment is noted and acknowledged. The principles of sustainable development, protection of environmental rights, and the consideration of cumulative and long-term impacts are recognised and form part of the broader regulatory framework within which the application will be considered by the competent authority.<br><br>The purpose of the Basic Assessment process is to identify, assess and mitigate the potential environmental and socio-economic impacts associated with the proposed prospecting activities. In this regard, the BAR includes an assessment of potential direct, indirect and cumulative impacts, as well as relevant socio-economic considerations, including potential positive impacts such as employment, procurement opportunities and associated economic benefits, together with potential risks.<br><br>Broader policy considerations relating to national resource governance, equitable benefit sharing, and the strategic desirability of exploration and mining within the marine environment ultimately fall within the mandate of the relevant decision-making authorities, including the DMPR and other organs of state, when determining the application. |
|                                                               | 16. The proposed prospecting programme will take place during spring and/or summer and when weather conditions are suitable, and the seas are calm. The timing of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>2026/04/20</b><br><b>Marine specialist</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|                                                               | seismic survey activity in concession 11C should be confined to seasons when cetaceans are scarce to ensure minimal disturbance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | The report does put forward the mitigation measure of avoiding seismic surveys between June to November, a period in which cetaceans are more prolific on the West Coast. The report has been updated to clarify this mitigation measure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                               | 17. It further specifies that "it is important to note that the exact location of the core and drill sites will only be confirmed after the completion of the seismic surveys. Buffers will be applied around reef areas and areas of conservation concern. The final site layout plan is thus subject to change". Results from the Screening Report and specialist marine impact assessments should be taken into consideration when deciding on the final layout to avoid prospecting in a protected area or areas of conservation concern.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The Marine Specialists agree that the planning of the locations of the prospecting sites should take into consideration all sensitive receptors, protected areas, and areas of conservation concern, so that where possible, these can be avoided and buffers can be applied. Ideally, these areas should be given lower priority for prospecting and mining and only considered as a last resort. The report has been updated to clarify these preferences. It should be noted that prospecting and mining usually only occur in a small fraction of an entire concession area, where mineral deposits have been pre-determined to be of worthwhile mining potential.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                                               | <p>18. Concession Area 11C is positioned in the southern section of the Benguela Current System (BCS), which extends along the west coast of southern Africa between Cape Agulhas and Angola. The area falls within the Namaqua inner shelf ecozone, which is nested within the Southern Benguela Ecoregion as defined by Sink et al.</p> <p>19. Section 48 of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) provides that, despite other legislation, no person may conduct commercial prospecting or mining activities- 4s (a) in in a protected area referred to in section 9(b) or (d). Section 48(3) further empowers the Minister, after consultation with the Cabinet member responsible for mineral and energy affairs, may, in relation to the activities contemplated in subsection (2), as well as in relation to mining activities conducted in areas contemplated in that subsection which were declared as such after the commencement of this section, prescribe conditions under which those activities may continue in order to reduce or eliminate the impact of those activities on the environment or for the environmental protection of the area concerned. The proposed seismic surveying does not seem compatible with the protection goals of MPAs and is contrary to the aims and objectives of NEMPA.</p> | <p><b>EAP</b><br/><b>2026/04/28</b></p> <p>The comment is noted. Environmental sensitivities have been considered in the marine specialist assessment and broader impact assessment process.</p> <p>However, Concession Area 11C does not fall within a proclaimed Marine Protected Area (MPA) or other protected area contemplated under Section 48 of the National Environmental Management: Protected Areas Act, 2003 (NEMPAA). The nearest protected area is the Namaqua National Park MPA, located approximately 32 km north of the northern boundary of Concession Area 11C. As such, the prohibitions contained in Section 48 of NEMPAA are not directly applicable to the proposed prospecting activities within Concession Area 11C.</p> <p>It is further noted that portions of Concession Area 11C overlap with biodiversity priority areas, including the Namaqua Coastal Ecologically and Biologically Significant Area (EBSA) and Critical Biodiversity Areas (CBAs). These designations are spatial biodiversity planning tools intended to guide decision-making and highlight areas of elevated ecological importance. They do not in themselves constitute protected areas under NEMPAA, nor do they automatically prohibit development, but rather indicate that careful assessment and appropriate management are required. The proposed activities of this project have been assess in alignment with marine spatial planning guidance and allowable activities.</p> <p>Accordingly, the BAR and specialist studies have assessed the proposed prospecting activities, including cumulative impacts, within this ecological context. Mitigation measures have been proposed to minimise impacts, and the competent authority will consider all relevant biodiversity and conservation information in making its decision.</p> |



| Date of comment, format of comment name of organisation/I&AP,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                  |
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| <p>20. Sounds generated by vessels in addition to the noise from seismic surveys have been related to negative impacts on marine animals (Koper and Plön 2012). These negative impacts include direct effects, such as physical injury (i.e., auditory, and non-auditory), stress, perceptual interference, behavioural changes, and chronic responses, and indirect effects on predator species as prey. The impacts associated with seismic surveys are not yet fully understood. This further presents a challenge as the magnitude of impact cannot be quantified.</p> <p>21. A breeding colony of Cape fur seals (<i>Arctocephalus pusillus pusillus</i>) exists on Elephant Rock, inshore of concession 11C, approximately 10 km north of the Olifants River Mouth. Seals are highly mobile animals with a general foraging area covering the continental shelf up to 120 m (approximately 220 km) offshore. Seals will likely be encountered during seismic exploration and sampling/prospecting activities in Concession 11C.</p> <p>22. It is recommended that an MMSO be on duty during the proposed seismic survey activities and as a precaution.</p> <p>23. A passive acoustic monitoring (PAM) system should also be used during survey activity to detect cetaceans that could be at risk.</p> <p>24. No infrastructure should be placed onshore or in the sea.</p> <p>25. In addition, the Applicant is reminded of the Duty of Care and Remediation of Environmental Damage as provided for in section 28(1) of the National Environmental Management Act, 1998 (NEMA). This section specifically states that: "...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, insofar as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..." This duty must be read together with section 58 of the National Environmental Management: Integrated Coastal Management Act, 2008 (NEM: ICMA), which places an obligation on persons to avoid causing adverse effects on the coastal environment.</p> <p>Kindly note that the Oceans and Coasts (O&amp;C) Branch reserves the right to amend or revise its comments should any new, updated, or additional information become available for consideration. All correspondence, documentation, and/or requests (both electronic and hard copy, where applicable) should be submitted to the Department as follows:<br/> <b>Email:</b> <a href="mailto:OCEIA@dffe.gov.za">OCEIA@dffe.gov.za</a><br/> <b>Physical Address:</b><br/> Department of Forestry, Fisheries and the Environment (DFFE)<br/> Branch: Oceans and Coasts, 2 East Pier Building<br/> East Pier Road, Victoria &amp; Alfred Waterfront,<br/> Cape Town,<br/> 8001</p> | <p>20. Sounds generated by vessels in addition to the noise from seismic surveys have been related to negative impacts on marine animals (Koper and Plön 2012). These negative impacts include direct effects, such as physical injury (i.e., auditory, and non-auditory), stress, perceptual interference, behavioural changes, and chronic responses, and indirect effects on predator species as prey. The impacts associated with seismic surveys are not yet fully understood. This further presents a challenge as the magnitude of impact cannot be quantified.</p>                                                                                                                                                                                                                                                                                                                                                | <p><b>2026/04/20</b><br/> <b>Marine specialist</b><br/> After consideration of the uncertainties around the impacts of underwater noise on marine biota, despite the available literature, the report has been updated to rate the impacts assessments of underwater noise on various fauna to that of "medium" confidence.</p>                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>21. A breeding colony of Cape fur seals (<i>Arctocephalus pusillus pusillus</i>) exists on Elephant Rock, inshore of concession 11C, approximately 10 km north of the Olifants River Mouth. Seals are highly mobile animals with a general foraging area covering the continental shelf up to 120 m (approximately 220 km) offshore. Seals will likely be encountered during seismic exploration and sampling/prospecting activities in Concession 11C.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>This is stated in the report.</p>                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>22. It is recommended that an MMSO be on duty during the proposed seismic survey activities and as a precaution.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The report advises that an MMSO is always on duty during seismic surveys.</p>                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>23. A passive acoustic monitoring (PAM) system should also be used during survey activity to detect cetaceans that could be at risk.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>The report advises that PAM is always used at night and during weather conditions not conducive to visual surveys.</p>                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>24. No infrastructure should be placed onshore or in the sea.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>The current project plan does not accommodate for any infrastructure to be placed onshore or in the sea.</p>                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>25. In addition, the Applicant is reminded of the Duty of Care and Remediation of Environmental Damage as provided for in section 28(1) of the National Environmental Management Act, 1998 (NEMA). This section specifically states that: "...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, insofar as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..." This duty must be read together with section 58 of the National Environmental Management: Integrated Coastal Management Act, 2008 (NEM: ICMA), which places an obligation on persons to avoid causing adverse effects on the coastal environment.</p> | <p>The Applicant takes note of and is aware of the Duty of Care and the remediation of environmental damage in terms of Section 28(1) of NEMA and will ensure compliance with these requirements throughout all phases of the project, including the implementation of appropriate avoidance, mitigation, and remediation measures where necessary.</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                  | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <p>2026/04/20</p> <p>Email</p> <p>Sally Hofmeyr</p> <p>I&amp;AP</p>    |                                                           | <p><b>2026/04/20</b><br/><b>EAP</b></p> <p>Good morning Sally</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that you have been registered as an Interested and Affected Party.</p> <p>Please note that Anchor Environmental Consultants complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). All comments received, together with responses thereto, will be compiled into a Comments and Responses Report, which will be made available to the Competent Authority and the public as part of the consultation process.</p> <p>If you object to your name, email address, or the name of the company/organisation you represent, being made publicly available in this Report, please notify us at your earliest convenience, and no later than 24 April 2026. If no response is received, it will be assumed that you consent to your details being included.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                        | <p>I am concerned about the impact on the environment</p> | <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It should be noted that this report assesses the potential impacts of prospecting of minerals, which includes geophysical exploration (seismic surveys) and collection of drill, core and grab samples, not mining. The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having 'insignificant' to 'low' significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern. The socio-economic specialist study assessed the potential impacts of the proposed project on communities which have the potential to be affected. The primary potential impacts identified were the temporary disturbance of marine resources, and the potential temporary exclusion of fishing vessels from Concession Area 11C (mainly around the survey vessel for safety reasons). These impacts may be associated with the tuna pole and line, linefish and small pelagic purse seine fisheries. The assessment found that if the advised mitigation measures are applied, all assessed impacts would be rated as 'Insignificant'.</p> |



| Date of comment, format of comment name of organisation/I&AP,                                      | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p>2026/04/20</p> <p>Email</p> <p>Thesme van Zyl</p> <p>Matzikama Municipality</p> <p>I&amp;AP</p> | <p><b>APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS: SEA CONCESSION AREA 11C</b></p> <p><b>1. Introduction</b></p> <p>The Matzikama Local Municipality hereby submits a formal objection to the application for Environmental Authorisation (EA) and Prospecting Rights for offshore prospecting activities within Sea Concession Area 11C.</p> <p>This submission is made in accordance with the provisions of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Environmental Impact Assessment Regulations, 2014 (as amended).</p> <p>In terms of Section 2 of NEMA, all organs of state must apply environmental management principles, including sustainable development, the precautionary principle, and the duty to avoid or minimise environmental harm. Furthermore, Section 24(1) of NEMA requires that activities which may significantly affect the environment must be considered, investigated, and assessed prior to authorisation.</p> | <p><b>2026/04/20</b></p> <p><b>EAP</b></p> <p>Your objection is noted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                    | <p><b>2. Ground of Objection</b></p> <p><b>2.1. Failure to Substantiate Socio-Economic Benefits</b></p> <p>The application fails to provide sufficient, quantifiable evidence of socio-economic benefits.</p> <p>This is inconsistent with:</p> <ul style="list-style-type: none"> <li>Section 2(4)(q) of NEMA, which requires that the costs, benefits, and impacts of activities be considered, assessed, and evaluated.</li> <li>Section 2(4)(c), which requires that development be socially, environmentally, and economically sustainable.</li> </ul> <p>The absence of verifiable data on employment creation and local economic benefit renders the assessment incomplete and non-compliant, as decision-makers are unable to properly weigh benefits against risks.</p>                                                                                                                                                                                                                          | <p><b>2026/04/28</b></p> <p><b>EAP</b></p> <p>Your comments are noted. The BAR does consider socio-economic impacts and benefits, and it is therefore not agreed that these aspects were omitted or insufficiently assessed. In line with Sections 2(4)(q) and 2(4)(c) of NEMA, the assessment considered both the potential positive and negative socio-economic implications of the proposed prospecting activities.</p> <p>The BAR recognises that, as the application relates to prospecting rather than mining or production, socio-economic benefits at this stage are likely to be modest and largely temporary. It was accordingly concluded that direct local benefits may be limited, while broader regional benefits could arise through investment, procurement, specialist services, and short-term employment opportunities associated with survey activities.</p> <p>It is also important to note that prospecting is exploratory in nature, and the extent of any future economic opportunities cannot be determined with precision at this stage. Potential employment, procurement requirements, and related benefits would depend on operational needs, survey outcomes, market conditions, and whether a viable resource is identified. As such, detailed quantification at this phase would be uncertain and speculative.</p> <p>NEMA requires that relevant costs, benefits, and impacts be considered as part of the decision-making process, which has been undertaken in the BAR. The competent authority will consider this information, together with all other relevant environmental, social, and technical factors, when making its decision.</p> |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                               | <p><b>2.2. Inadequate Assessment of Impact on Fisheries and Livelihoods</b></p> <p>The assessment of impacts on fisheries is insufficient and not scientifically robust. This is contrary to:</p> <ul style="list-style-type: none"> <li>• Section 2(4)(a)(i) and (ii) of NEMA, which require that environmental impacts be avoided, minimised, or remedied.</li> <li>• Section 2(4)(o), which recognises that the environment is held in public trust for the people and must be protected for the benefit of present and future generations.</li> </ul> <p>The failure to adequately assess impacts on fisheries and dependent communities represents a material omission, particularly given the socio-economic vulnerability of affected communities.</p>                                        | <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>The marine specialist report includes a screening of relevant fisheries (those that are anticipated to be impacted by the proposed activity). Once identified, available catch and effort fisheries data were interrogated to determine i) the degree of overlap with fishing activity ii) the intensity of fishing within that area of overlap and iii) the negative impacts should this area of overlap be negatively impacted by proposed activities. This process included small-scale and recreational fisheries if relevant.</p>                                                                                                                                                                                                                                                                                      |
|                                                               | <p><b>2.3. Failure to Adequately Consider Ecological Connectivity</b></p> <p>The applicant does not adequately consider ecological connectivity between marine and estuarine systems.</p> <p>This is inconsistent with:</p> <ul style="list-style-type: none"> <li>• Section 2(4)(e) of NEMA, which requires a risk-averse and cautious approach (precautionary principle).</li> <li>• Section 2(4)(b), which requires that environmental management be integrated, acknowledging that all elements of the environment are interrelated.</li> </ul> <p>The omission of ecological linkages, including those associated with the Olifants River Estuary (a system under conservation consideration by CapeNature), results in an <b>incomplete assessment of indirect and cumulative impacts</b>.</p> | <p>Ecological connectivity was considered within the context of the marine environment and offshore processes relevant to the proposed activities. These include linkages such as larval dispersal, pelagic transport pathways, and broader oceanographic connectivity operating at the spatial scale of the project area.</p> <p>The assessment recognises the importance of land–sea connectivity and estuarine–marine linkages in regional ecological functioning. However, the Olifants River Estuary falls outside the spatial extent of the study area, and given the nature, scale, and offshore location of the proposed activities, no direct or indirect impact pathways linking the project to this estuarine system were identified. As such, significant ecological interactions between the project activities and the Olifants River Estuary are not anticipated.</p> |
|                                                               | <p><b>2.4. Insufficient Spatial Information and Public Participation Constraints</b></p> <p>The lack of clear spatial delineation of the proposed activities limits meaningful stakeholder engagement.</p> <p>This is contrary to:</p> <ul style="list-style-type: none"> <li>• Section 2(4)(f) of NEMA, which requires public participation in environmental governance.</li> <li>• Regulation 41 of the EIA Regulations, 2014, which requires that I&amp;APs be provided with sufficient information to participate meaningfully.</li> </ul> <p>The absence of adequate mapping and spatial clarity <b>compromises procedural fairness and transparency</b>, rendering the process procedurally deficient.</p>                                                                                     | <p><b>2026/04/28</b><br/><b>EAP</b></p> <p>It is not agreed that insufficient information was provided or that the process was procedurally deficient. The public participation process was undertaken in accordance with the EIA Regulations, and Interested and Affected Parties were provided with the Draft BAR, specialist studies, maps, project description, and the extent of the concession area.</p> <p>Prospecting is inherently phased in nature. Phase 1 comprises a desktop study and geophysical survey, the results of which will be used to identify suitable target areas, and identify environmentally sensitive areas to be avoided. The exact locations of later grab, core, or drill sampling can therefore only be determined once Phase 1 has been completed and are not yet available at this stage.</p>                                                    |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>This is typical of prospecting applications. Accordingly, the assessment considered the broader concession area and the range of activities that may occur within it, together with relevant sensitivities and mitigation measures. This approach is precautionary and ensures that no areas of potential sensitivity are excluded from assessment.</p> <p>Stakeholders were therefore provided with sufficient information on the nature, extent, and potential impacts of the proposed activities to enable meaningful participation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                               | <p><b>2.5. Inadequate Baseline Environmental Information</b></p> <p>The reliance on insufficient baseline data undermines the integrity of the assessment.</p> <p>This inconsistent with:</p> <ul style="list-style-type: none"> <li>Regulation 31(2)(l) of the EIA Regulations, which requires that an Environmental Impact Assessment Report include a description of the environment that may be affected.</li> <li>Appendix 3 of the EIA Regulations, which requires specialist reports to be based on sufficient data and appropriate methodologies.</li> </ul> <p>Without detailed, site-specific baseline data, the assessment fails to meet minimum regulatory requirements and cannot support a defensible decision.</p> | <p>The report includes a comprehensive description of the affected environment and uses the best available information, including peer-reviewed literature, baseline datasets, and previous specialist studies from comparable habitats. This includes EIA-related reports, which provide valuable empirical data on disturbance and recovery. In data-poor environments, such sources are important and are not relied on in isolation but are critically reviewed alongside more recent and published information. This ensures that impact predictions are based on a robust and up-to-date evidence base. In addition, several environmental baseline and monitoring surveys conducted in the region have characterised the benthic environment.</p> <p>Based on previous studies conducted on the continental shelf of the southern Benguela, significant variation in benthic macrofaunal community structure within the boundaries of Area 11C is not anticipated and similar recovery times from impacts associated with prospecting activities can therefore be expected. Findings from the environmental baseline survey will confirm whether these assumptions are valid.</p> <p>Furthermore, an environmental baseline study is proposed for Area 11C.</p> |
|                                                               | <p><b>2.6. Failure to Consider Climate Change and Cumulative Impacts</b></p> <p>The application does not adequately consider climate change and cumulative impacts.</p> <p>This is contrary to:</p> <ul style="list-style-type: none"> <li>Section 2(4)(e) of NEMA (precautionary principle).</li> <li>Section 24O(1)(b), which requires the competent authority to consider cumulative impacts.</li> <li>Section 2(4)(k), which requires that decisions consider the interests, needs, and values of all interested and affected parties.</li> </ul>                                                                                                                                                                             | <p><b>2026/04/20</b><br/><b>Marine specialist</b></p> <p>It is acknowledged that the potential for cumulative impacts of mining on the marine environment exists, and as such the Marine Ecology and Fisheries Impact Assessment/Specialist Study has been updated to include a “cumulative impacts” section. It should be noted that although Concession Area 11C is adjacent to Concession Areas 251 (prospecting right for phosphate), 12B and 10B (prospecting rights for diamonds), and Orange Basin (reconnaissance permit for oil and gas), prospecting and mining usually only occur in a small fraction of an entire concession area, where mineral deposits have been pre-determined to be of worthwhile mining potential. Impacts are very rarely spread across the entire block.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                               | The absence of a cumulative impact assessment in a context of increasing development pressure represents a significant regulatory gap.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                               | <p><b>2.7. Inadequate Consideration of Tourism Impacts</b></p> <p>The failure to assess tourism impacts is inconsistent with:</p> <ul style="list-style-type: none"> <li>• Section 2(4)(a)(iv) of NEMA, which requires consideration of the social and economic impacts of activities.</li> <li>• Section 2(4)(c), which requires sustainable development.</li> </ul> <p>Tourism is a key economic sector in the West Coast region, and the omission of a detailed assessment constitutes a material deficiency.</p>                                                                                                                                                                                                                    | <p><b>2026/04/28</b><br/><b>EAP</b></p> <p>The comment is noted. It is not agreed that the assessment is deficient in this regard. Potential socio-economic impacts, including relevant economic receptors, were considered as part of the BAR.</p> <p>No significant impacts on tourism are anticipated due to the offshore location and temporary nature of the proposed prospecting activities. The inner boundary of Concession Area 11C is located approximately 5 km offshore, with the area situated approximately 30–40 km from the nearest towns. Activities are therefore not expected to directly affect shoreline properties, tourism facilities, or visitor use of coastal areas.</p>                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                                               | <p><b>2.8. Absence of Strategic Environmental Assessment and Marine Spatial Planning Context</b></p> <p>The application has not been assessed within a broader strategic framework.</p> <p>This is inconsistent with:</p> <ul style="list-style-type: none"> <li>• Section 2(4)(i) of NEMA, which requires a holistic and integrated approach to environmental management.</li> <li>• Section 24O(1)(b)(i), which requires consideration of all relevant factors, including cumulative impacts and strategic context.</li> </ul> <p>In the absence of a Strategic Environmental Assessment (SEA) and an applicable Marine Spatial Plan, the competent authority is unable to make a fully informed and legally defensible decision.</p> | <p><b>2026/04/28</b><br/><b>EAP</b></p> <p>The comment is noted. It is not agreed that the application lacks strategic context. The BAR and specialist marine assessment considered the proposed activities within the broader marine planning and biodiversity context, including Ecologically and Biologically Significant Areas (EBSAs), Marine Protected Areas (MPAs), Critical Biodiversity Areas (CBAs), ecosystem threat status, and other relevant spatial sensitivities.</p> <p>Cumulative impacts were also assessed as part of the BAR and specialist studies, in accordance with the EIA requirements.</p> <p>It is further noted that a Strategic Environmental Assessment (SEA) is a separate strategic planning tool typically undertaken by the relevant authorities at a broader policy or sectoral level, and is not a mandatory component of a project-specific Basic Assessment process. The absence of an SEA does not preclude consideration of this application, provided that relevant environmental and planning factors have been assessed, which has been undertaken in this case.</p> |
|                                                               | <p><b>3. Conclusion</b></p> <p>The Municipality finds that the application:</p> <ul style="list-style-type: none"> <li>• Does not comply with key provisions of NEMA and the EIA Regulations.</li> <li>• Fails to provide adequate, reliable, and site-specific information.</li> <li>• Does not sufficiently assess or mitigate environmental and socio-economic risks.</li> <li>• Does not demonstrate adherence to the principles of sustainable development.</li> </ul>                                                                                                                                                                                                                                                             | <p>To reiterate what was outlined above:</p> <p>The BAR and supporting specialist studies have been prepared in accordance with the requirements of the NEMA and the EIA Regulations, 2014 (as amended).</p> <p>Potential environmental and socio-economic impacts, including cumulative impacts, have been identified, assessed, and addressed through proposed</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| Date of comment, format of comment name of organisation/I&AP,                                             | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                           | <p><b>4. Recommendation</b></p> <p>The Matzikama Local Municipality formally objects to the application and recommends that:</p> <ul style="list-style-type: none"> <li>• The application <b>be refused in its current form</b>; alternatively</li> <li>• The application be <b>remitted for substantial revision</b>, requiring: <ul style="list-style-type: none"> <li>○ Comprehensive baseline studies</li> <li>○ Quantified socio-economic assessments</li> <li>○ Detailed fisheries and ecological impact analyses</li> <li>○ Full consideration of cumulative and climate-related impacts</li> <li>○ Improved spatial planning and transparency</li> </ul> </li> </ul> <hr/> <p><b>5. Final Position</b></p> <p><b>In the absence of:</b></p> <ul style="list-style-type: none"> <li>○ A Strategic Environmental Assessment; and</li> <li>○ An applicable Marine Spatial Plan.</li> </ul> <p><b>The Matzikama Local Municipality maintains its objection and cannot support the approval of this application.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>mitigation measures contained in the BAR and Environmental Management Programme (EMPr).</p> <p>The report includes a comprehensive baseline description of the affected environment and incorporates best available data.</p> <p>The information provided is considered adequate to support informed decision-making, taking into account the nature and phased approach of the proposed prospecting activities. The assessment is based on available site-specific data, specialist input, and relevant spatial and environmental datasets, and applies a precautionary approach where appropriate.</p> <p>In addition, relevant biodiversity and marine spatial planning considerations have been included in the assessment.</p> <p>A SEA is a broader strategic planning tool undertaken at national or regional level and are not prerequisites for the consideration of this project-level application.</p>                                                                                                                                                                                                                                                                                                              |
| <p>2026/04/20</p> <p>Email</p> <p>Andries Maarman</p> <p>Cederberg Rastafari Movement</p> <p>I&amp;AP</p> | <p>Dear EAP</p> <p><b>COMMENT ON THE PROSPECTING APPLICATION IN SEA CONCESSION AREA 11C, BY TRANS-ATLANTIC DIAMONDS: RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)</b></p> <p>These joint submission is made by Andries Maarman, and submitted on behalf of the Cederberg Rastafari Movement (CRM) and the Coastal Heritage Indigenous Land Dwellers (CHILD)</p> <ol style="list-style-type: none"> <li>1. The CRM are Interested and Affected Parties (I&amp;AP) in relation to the proposed Project. We welcome the opportunity to submit these comments and share our views on this Project.</li> <li>2. <b>Opposition</b><br/>These comments are submitted in opposition to the proposed Project, in the interests of protecting the marine environment, our cultural rights, South Africa's climate and constitutional obligations, as well as our livelihoods as Indigenous and Coastal communities. We make these submissions in both the public, as well as our own interests as young people that stand to be affected by the proposed activities.</li> </ol> <hr/> <p><b>3. Marine Ecology and Fisheries</b></p> <ul style="list-style-type: none"> <li>• Report's claim: Impacts can be mitigated to "low" or "insignificant."</li> <li>• For Indigenous Peoples, even "low" impacts are significant. Seismic disturbance threatens whales and dolphins that hold cultural and spiritual meaning.</li> </ul> | <p><b>EAP</b><br/><b>2026/04/21</b></p> <p>Good morning Mr. Maarman</p> <p>I hope this email finds you well.</p> <p>Please accept this email as confirmation of receipt that we have received your comments. Please note that Anchor Environmental Consultants complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). All comments received, together with responses thereto, will be compiled into a Comments and Responses Report, which will be made available to the Competent Authority and the public as part of the consultation process. If you object to your name, email address, or the name of the company/organisation you represent, being made publicly available in this Report, please notify us at your earliest convenience, and no later than 24 April 2026. If no response is received, it will be assumed that you consent to your details being included.</p> <p><b>EAP</b><br/><b>2026/04/28</b></p> <p>Your comments and opposition are noted.</p> <hr/> <p><b>2026/04/24</b><br/><b>Marine specialist</b></p> <p>The report does recognise that even relatively small changes in access to marine resources or ecosystem functioning can have disproportionate effects</p> |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                 | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                               | <p>Exclusion from fishing grounds undermines subsistence livelihoods. Indigenous communities lack the financial buffer to absorb reduced catches, so any disruption deepens poverty.</p> | <p>on Indigenous and subsistence-dependent communities. Although potential temporary exclusion of fishing vessels mainly around the survey vessel might be implemented for safety reasons, the proposed activities do not involve direct exclusion from fishing grounds (e.g. through spatial closures or restricted access zones), and therefore no direct loss of access is anticipated.</p> <p>Potential indirect effects though e.g., disturbance to marine fauna (including whales and dolphins) and any knock-on implications for resource availability, have been assessed within the broader ecological impact pathways. Based on the scale, duration, and reversibility of these disturbances, as well as the absence of sustained or large-scale ecosystem change, these impacts are considered to be low.</p> <p>Importantly, the low rating does not imply negligible importance, but rather reflects the limited magnitude and extent of anticipated change under the proposed activities. The report also recommends monitoring and adaptive management measures to ensure that any unanticipated effects, particularly those affecting vulnerable communities, can be identified and addressed promptly.</p> <p><b>Heritage Specialist</b><br/><b>2026/04/28</b></p> <p>As the heritage specialist who produced the maritime heritage impact assessment for this application, I have been asked to respond to comments received from the Cederberg Rastafari Movement and West Coast Guriqua Council.</p> <p>I have reviewed both documents and find that while the Cederberg Rastafari Movement's letter does contain cultural heritage-related comments, there are no specifically cultural heritage-related comments in the West Coast Guriqua Council document. The response below is, therefore, limited to addressing the comments received from the Cederberg Rastafari Movement.</p> <p>The Cederberg Rastafari Movement's letter dated 20 April 2026 states the following in respect of the maritime HIA:</p> <p><i>'Your report claim (sic): Impacts on heritage are "very low" or "unlikely." This dismisses Indigenous heritage. Submerged prehistoric sites or marine archaeological resources may hold ancestral significance. The framing of "unlikely" ignores Indigenous oral histories and traditional knowledge, which are rarely consulted. Loss of heritage is irreversible, and Indigenous communities are already disadvantaged by historical erasure'.</i></p> <p>To address these comments, it is worth recapping what is being proposed as part of the prospecting activities and what the findings of the HIA were.</p> |

#### 4. Heritage

- Your report claim: Impacts on heritage are "very low" or "unlikely."
- This dismisses Indigenous heritage. Submerged prehistoric sites or marine archaeological resources may hold ancestral significance. The framing of "unlikely" ignores Indigenous oral histories and traditional knowledge, which are rarely consulted. Loss of heritage is irreversible, and Indigenous communities are already disadvantaged by historical erasure.

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                        |          | <p>The prospecting activities being proposed in Concession Area 11C will consist of geophysical survey and seabed sampling, both aimed at identifying potentially diamondiferous deposits within the concession area.</p> <p>The geophysical survey will use remote sensing technology (sub-bottom profiler, multibeam echosounder and magnetometer) to collect high-resolution information about the topography and composition of the seabed of the concession area. These surveys are nonintrusive and will have no direct, physical impact on the seabed or any heritage resources that may be present in or on it.</p> <p>The seabed sampling programme will recover up to 200 sediment samples from the seabed in the form of sleeved cores and, as an intrusive activity, has the potential to impact heritage resources in or on the seabed within the footprint of each core. Based on a maximum core diameter of 10 cm and a length of up to five metres per core, the maximum volume of seabed sediment that will be extracted during sampling is approximately 10 m<sup>3</sup>.</p> <p>The concession area is more than 164 000 hectares in extent, so the disturbance of seabed resulting from sampling is extremely small.</p> <p>Regardless of the size of the physical footprint of seabed sampling, however, because sampling will be intrusive in nature and disturb the seabed and because heritage resources are non-renewable and any loss is irreversible, the HIA reviewed the range of tangible heritage resources potentially present in Concession Area 11C, and assessed the probability of impacts and their significance.</p> <p>In respect of submerged stone age archaeology and maritime archaeology, to which the Cederberg Rastafari Movement addresses its comments, the HIA found the following:</p> <ul style="list-style-type: none"> <li>• <u>Submerged Prehistoric Archaeology</u> is a term which refers to archaeological sites and materials deposited on the current seabed when it was exposed as dry land during a series of periods of lower sea levels, driven by global glacial events, at various times in the last approximately 1 million years.</li> </ul> <p>There have been no specific studies of the submerged prehistoric archaeology off the West Coast, but the well-documented archaeological evidence for a long human presence along the coast and hinterland adjacent to Concession Area 11C, encompassing the Earlier, Middle and Later Stone Ages, is plentiful.</p> <p>The occupation and exploitation of the exposed continental shelf by humans during periods of lower sea level is attested by the discovery of</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                        |          | <p>submerged heritage resources in many parts of the world, and locally of Earlier Stone Age handaxes in the seabed of Table Bay.</p> <p>Together this evidence suggests that prehistoric archaeological sites and materials could be present on or in the seabed of Concession Area 11C where the water depth is less than 120 m, the approximate lowest sea level stand of the last glacial period c. 20,000 years ago.</p> <p>The prevalence and density of surviving prehistoric archaeology sites or artefacts in or on the seabed of the concession area is, however, likely to be very low. This is partly because the original archaeological sites and artefacts would have been thinly spread across the exposed continental shelf landscape, as they are on the terrestrial West Coast today, and partly because these sites and artefacts would have been subject to varying degrees of destruction, reworking and dispersal during the successive marine transgressions which inundated the exposed continental shelf at the end of each ice age.</p> <p>Nevertheless, the potential does exist for prehistoric archaeological material to be present in areas of Concession Area 11C that will be subject to seabed sampling, and it is possible that such material will be impacted by the sampling activities.</p> <p>Although the physical intrusion of the proposed cores into the seabed will be very small and any impacts will be localized and confined to the footprint or volume of the specific core, the fragile, finite and non-renewable nature of submerged prehistoric archaeological material means that any impact, regardless of how small, will be permanent and irreversible, and measures must be implemented to mitigate such negative impacts. The implementation of the mitigation measures recommended in the HIA will offset the impacts by ensuring the recovery of prehistoric archaeological material and palaeoenvironmental data from core samples. Far from dismissing indigenous heritage, therefore, the HIA seeks to ensure that information about the prehistoric human past of the West Coast is not lost because of the seabed sampling activities, but is preserved by record for the future and is thus available to all South Africans, including the local communities on the West Coast.</p> <ul style="list-style-type: none"> <li>• <b>Maritime Archaeology:</b> In respect of maritime archaeology, although the maritime history of the West Coast dates to almost the first days of the Dutch settlement in Table Bay, there are relatively few recorded wrecks in the vicinity of Concession Area 11C.</li> </ul> <p>Only two wrecks are recorded locally – the <i>Zulu Coast I</i> and the <i>Meteren</i> – and neither are inside the concession area. It is possible that the remains of currently unknown and unrecorded wrecks are present within the</p> |



| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>concession area, but the likelihood of this is very low and overall, impacts to historical shipwrecks are not expected and are assessed to be unlikely.</p> <p>It is also a fact that shipwrecks pose a danger to core sampling equipment and will be proactively identified in the geophysical survey data and, if present in the concession area, actively avoided during seabed sampling.</p> <p>As with submerged prehistoric archaeology, the implementation of the mitigation recommended in the HIA will ensure that should a shipwreck be encountered during either the geophysical survey or seabed sampling, it will be recorded, avoided and reported to SAHRA, where it will be added to the Inventory of the National Estate and will contribute to the growing sum of knowledge of our collective national cultural heritage.</p> <p>From the above, I hope it is clear the findings of the HIA do not dismiss indigenous heritage, as is claimed, but are instead a considered review of available information and an informed and impartial assessment of a) the potential for heritage resources to be present in or on the seabed and b) the likelihood of any such sites or artefacts being impacted by the proposed seabed sampling. Where there is evidence that heritage resources and sampling activity may coincide, measures are recommended to ensure that either the heritage resources are avoided and preserved in situ, or where this is not possible, any damage or loss will be offset by preservation by record through the gathering of information and the generation of knowledge which will benefit all South Africans, including indigenous and other communities with links to that heritage.</p> |
|                                                                        | <p><b>5. Socio-economic</b></p> <ul style="list-style-type: none"> <li>• Report's claim: Impacts on fisheries are "insignificant" or "very low."</li> <li>• For Indigenous fishers, even small disruptions are devastating. The report admits coastal communities are economically vulnerable, yet minimizes the risk. Indigenous households depend heavily on marine resources; exclusion zones and degraded water quality directly threaten food security and cultural practices tied to fishing. Promised "job creation" is insignificant compared to the scale of dispossession.</li> </ul> | <p><b>EAP and Marine Specialist<br/>2026/04/28</b></p> <p>We recognise that coastal and marine resources can be important to vulnerable and resource-dependent communities, and that even small changes in ecosystem functioning may require careful consideration.</p> <p>However, the proposed activities are located approximately 5 km offshore and 30–40 km from the nearest towns. No direct impacts on communities, livelihoods, or access to marine resources are therefore anticipated. The marine fisheries assessment further indicates that no significant impacts are expected on key fisheries, including tuna pole-and-line (TPL), small pelagic purse-seine, and linefish sectors, given the offshore location, depth, and limited temporal footprint of the activities.</p> <p>The significance ratings in the BAR reflect the expected magnitude, spatial extent, and duration of potential impacts under the proposed activities. A "very low" or "insignificant" significance rating does not imply that impacts</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>are unimportant, but rather that they are expected to be limited in extent and duration based on the available evidence and assessment assumptions.</p> <p>There is no overlap between the proposed activities and the TPL fishery. Impacts on the TPL fleet are therefore expected to be negligible. The surveys will occur further offshore and in deeper waters than those used by the linefishery, and are not expected to result in any meaningful socio-economic impact on the traditional linefishing sector or its dependants. Concession Area 11C is adjacent to, but does not overlap with, key anchovy and sardine purse-seine fishing areas. It does not form a significant part of annual catch effort, and no significant impacts on this fishery or associated livelihoods are anticipated. The socio-economic impact is therefore assessed as very low to insignificant after mitigation.</p> <p>Where relevant, the BAR includes mitigation measures and monitoring recommendations to ensure that any unforeseen impacts can be identified and addressed appropriately.</p> |
|                                                                        | <p><b>6. Contribution to Science</b></p> <ul style="list-style-type: none"> <li>• Report's claim: Prospecting will generate valuable scientific data.</li> <li>• Scientific benefits accrue to institutions, not Indigenous communities. Indigenous knowledge systems are sidelined, and samples are extracted without benefit-sharing. This perpetuates extractive research practices where Indigenous Peoples lose heritage and resources while outsiders gain academic prestige.</li> </ul> | <p><b>EAP<br/>2026/04/28</b></p> <p>The proposed activities are located offshore in deep marine environments, where there is no direct interaction with Indigenous or terrestrial community land use, cultural heritage sites, or areas of traditional resource use. As such, no disturbance or removal of culturally identified resources is anticipated.</p> <p>The resources being investigated are offshore and are not accessible or utilised by coastal or Indigenous communities in the manner implied by the comment.</p> <p>It is not a requirement under NEMA that all activities must result in direct or equitable community benefit in order to be considered for environmental authorisation.</p> <p>Broader questions of economic benefit distribution and resource governance fall within the mandate of the relevant decision-making authorities and policy frameworks, rather than the EIA process itself.</p>                                                                                                                                                                 |
|                                                                        | <p><b>7. Shipping</b></p> <ul style="list-style-type: none"> <li>• Report's claim: Impacts on shipping are "insignificant."</li> <li>• While shipping may not be affected, Indigenous communities are not shielded from cumulative marine industrialization. The framing of "insignificant" ignores that Indigenous Peoples bear disproportionate burdens of environmental degradation compared to commercial shipping interests.</li> </ul>                                                   | <p><b>EAP<br/>2026/04/28</b></p> <p>It is not agreed that the assessment ignores or underestimates impacts on communities. The shipping impact assessment is specifically concerned with navigational safety and interactions with existing maritime traffic. Within this context, impacts have been assessed as insignificant due to the limited spatial and temporal footprint of the proposed activities and the absence of interference with established shipping routes.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>The concerns raised regarding broader “cumulative marine industrialisation” and disproportionate burdens on Indigenous Peoples fall outside the scope of the shipping assessment and are not directly linked to the impact pathway being evaluated.</p> <p>It is also important to note that the proposed offshore activities do not involve land-based interaction, resource use by coastal communities, or any direct mechanism through which shipping-related impacts would translate into community-level effects. As such, the suggestion that this impact pathway results in community-level burden is not supported in the context of this assessment.</p> |
|                                                               | <p><b>8. Visual Integrity</b></p> <ul style="list-style-type: none"> <li>Report’s claim: Vessel presence is “negligible.”</li> <li>Visual integrity is not just about aesthetics—it is about Indigenous spiritual connection to the sea. Even temporary industrial presence disrupts sacred seascapes and traditional practices. Indigenous perspectives on landscape integrity are absent from the assessment.</li> </ul>                                                                                                                       | <p><b>EAP</b><br/><b>2026/04/28</b></p> <p>The proposed activities will occur approximately 5 km offshore and 30–40 km from the nearest towns, and the vessel will likely not be visible from land. In this context, the presence of the survey vessel will not affect cultural or spiritual interpretations of seascape integrity as suggested. Any vessels closer to shore, including existing marine traffic, would in any case be more visible than the proposed offshore operations.</p>                                                                                                                                                                        |
|                                                               | <p><b>9. Cumulative Impacts</b></p> <ul style="list-style-type: none"> <li>Report’s claim: Cumulative impacts increase significance from “medium” to “high.”</li> <li>This is critical. Indigenous Peoples already face layered disadvantages from past mining, dispossession, and poverty. Adding new cumulative impacts compounds historical injustices. The precautionary approach should prioritize Indigenous rights, yet the report treats “high” negative impacts as manageable rather than unacceptable.</li> </ul>                      | <p><b>EAP</b><br/><b>2026/04/28</b></p> <p>It should again be noted that these activities are not land-based. The inner boundary of the concession area (i.e. the closest boundary to the shoreline) is located approximately 5 km offshore, and the area is situated approximately 30–40 km from the nearest town. As such, activities associated with the concession are not expected to directly affect properties, communities, or any activities near the shoreline.</p>                                                                                                                                                                                        |
|                                                               | <p><b>10. No-Go Option</b></p> <ul style="list-style-type: none"> <li>Report’s claim: Lost scientific and economic opportunities, but no environmental harm.</li> <li>For Indigenous Peoples, the “no-go” option is the only path that safeguards livelihoods, heritage, and cultural rights. The report frames lost opportunities as negative, but Indigenous communities see preservation of the sea as a positive outcome. Economic “opportunities” promised by prospecting are negligible compared to the risks of dispossession.</li> </ul> | <p><b>EAP</b><br/><b>2026/04/28</b></p> <p>The proposed activities will not result in displacement, dispossession, or loss of livelihoods or heritage resources as activities occur offshore and further do not involve land access restriction, exclusion zones, or interference with existing coastal use.</p>                                                                                                                                                                                                                                                                                                                                                     |
|                                                               | <p><b>11. Constitutional Rights</b></p> <p>As citizens and communities, we are guaranteed, by the Supreme Law of this country, that our Rights, as enshrined in the Constitution of South Africa, the Bill of Rights, must be respected, protected, promoted and fulfilled by the State. The Bill of Rights applies to all law, and binds the legislature, the executive, the judiciary and all organs of state. It also states that no law may limit any right entrenched in the Bill of Rights.</p>                                            | <p><b>EAP</b><br/><b>2026/04/28</b></p> <p>The comment is noted. The assessment is undertaken in terms of NEMA, which gives effect to Section 24 of the Constitution and the environmental right. The BAR identifies and assesses potential impacts and provides mitigation measures in line with this framework. The competent authority will</p>                                                                                                                                                                                                                                                                                                                   |

| Date of comment, format of comment name of organisation/I&AP,                                     | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                                                   | <p><b>12. Overall Comment</b></p> <p>The Draft Basic Assessment Report systematically minimizes impacts by labeling them “low” or “insignificant.” For Indigenous Peoples, these categories erase lived realities of poverty, cultural dependence on the sea, and historical marginalization. What is “insignificant” to a corporation is existential to Indigenous communities. The report fails to apply the principle of Free, Prior, and Informed Consent (FPIC) and ignores Indigenous disadvantage in every section.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>EAP</b><br/><b>2026/04/28</b></p> <p>We acknowledge that even small environmental changes can have disproportionate effects on vulnerable or resource-dependent users.</p> <p>However, the proposed activities are located approximately 5 km offshore and 30–40 km from the nearest towns. No direct impacts on communities, livelihoods, or access to marine resources are therefore anticipated.</p> <p>The significance ratings (“low” or “insignificant”) reflect the technical EIA methodology used and do not imply that impacts are disregarded.</p> |
| <p>2026/04/20</p> <p>Email</p> <p>Michael Yaman</p> <p>Protect the West Coast</p> <p>I&amp;AP</p> | <p><b>RE: FINAL PUBLIC PARTICIPATION COMMENTS – TRANS ATLANTIC DIAMONDS (PTY) LTD SEA CONCESSION AREA 11C PROSPECTING RIGHT APPLICATION (WC30/5/1/1/2/10522 PR)</b></p> <p>Protect the West Coast (“PTWC”) is a registered Interested and Affected Party in respect of this application and submits these comments in that capacity.</p> <p>PTWC has reviewed the Draft Basic Assessment Report (“DBAR”), Environmental Management Programme (“EMPr”), Redacted Prospecting Work Programme (“PWP”), and associated documentation made available as part of the public participation process.</p> <p>PTWC objects to the granting of the application.</p> <p>These comments identify material procedural defects, substantive omissions in the environmental assessment, and failures to comply with the requirements of the National Environmental Management Act, 1998 (“NEMA”), the Environmental Impact Assessment Regulations, 2014, and the Mineral and Petroleum Resources Development Act, 2002 (“MPRDA”). Taken together, these deficiencies render the application incapable of supporting a lawful and informed decision.</p> <p><b>1. Executive summary</b></p> <p>This application concerns a large-scale offshore prospecting programme covering approximately 164,023 hectares within a sensitive marine environment along the West Coast.</p> <p>Although presented as a low-impact and discrete prospecting operation, the proposed activities involve repeated seabed disturbance, drill-based dredging, onboard processing, and</p> | <p><b>EAP</b><br/><b>2026/04/28</b></p> <p>Your objection is noted.</p> <p>Responses are provided in the relevant sections below.</p>                                                                                                                                                                                                                                                                                                                                                                                                                              |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Response from EAP/Applicant/Specialist |
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|                                                                        | <p>the discharge of tailings. When considered cumulatively, these activities give rise to a sustained and material disturbance of the marine environment.</p> <p>Protect the West Coast objects to the application on the basis that it is affected by fundamental legal, technical and environmental deficiencies which render it incapable of supporting a lawful and informed decision.</p> <p>First, the Prospecting Work Programme is not compliant with Regulation 7. It lacks a defensible geological basis, contains internal inconsistencies, and is materially underfunded. The proposed exploration programme is either technically incapable of achieving its stated objectives or has not been properly designed, as supported by “X1”.</p> <p>Second, the environmental assessment is speculative and procedurally flawed. Key aspects of the activity, including sampling locations and operational parameters, remain undefined and are deferred to future phases. Notwithstanding this, impacts are assessed as if these parameters are known. This approach is inconsistent with the EIA Regulations and undermines the integrity of the assessment process, as supported by “X2”</p> <p>Third, the application proceeds in the absence of adequate site-specific baseline data. The proposed benthic sampling programme is insufficient, sediment characteristics are unknown, and key impact pathways such as plume dispersion are not supported by empirical evidence. Impact significance is therefore assigned on assumption rather than fact, contrary to the precautionary principle under NEMA. In the absence of baseline data one simply cannot assess an impact in a meaningful and defensible manner.</p> <p>Fourth, the nature and scale of the proposed activities have been understated . The recovery, processing and disposal of substantial volumes of seabed material over an extended period constitutes bulk sampling, or an activity analogous thereto. This triggers additional regulatory requirements under the MPRDA and EIA Regulations and necessitates assessment through a Scoping and Environmental Impact Reporting process, rather than a Basic Assessment.</p> <p>Fifth, the DBAR expressly acknowledges that cumulative impacts cannot be meaningfully assessed within the Basic Assessment process (page 85), and recommends that a Strategic Environmental Assessment be undertaken (page 88 and page xii). In these circumstances, it is not open to the decision-maker to proceed with the application in isolation.</p> <p>Sixth, the application is located within an area comprising Critical Biodiversity Areas, Ecological Support Areas and an Ecologically and Biologically Significant Area. Despite this, no avoidance-based approach is adopted, and long-term ecological risks, including impacts to benthic communities, foundational to marine ecosystems, and slow-recovering habitats such as offshore reefs and cold-water corals, are not adequately assessed.</p> <p>Seventh, rehabilitation is acknowledged as not feasible, with reliance placed on natural recovery processes. The rehabilitation framework is incomplete, no standalone Environmental</p> |                                        |

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|                                                               | <p>Risk Assessment Report has been provided, and the adequacy of financial provisioning cannot be verified.</p> <p>Finally, the public participation process has been materially compromised by the redaction of key financial and technical information. This has limited the ability of Interested and Affected Parties to meaningfully assess the actual feasibility of the application and undermines the transparency required under NEMA.</p> <p>Taken together, these deficiencies are not minor or technical in nature. They go to the core of the application and prevent a proper assessment of environmental risk, regulatory compliance and decision-making.</p> <p>In these circumstances, the application should not be approved.</p> <p>At a minimum, the application should be refused, or held in abeyance pending:</p> <ul style="list-style-type: none"> <li>• the completion of a Strategic Environmental Assessment for the West Coast;</li> <li>• the submission of a revised and Regulation 7 compliant Prospecting Work Programme;</li> <li>• the collection of adequate site-specific baseline environmental data based on anticipated prospecting areas; and</li> <li>• the undertaking of a lawful and comprehensive environmental assessment aligned with the true nature and scale of the proposed activities.</li> </ul> <p>Absent these steps, any approval would be premature and inconsistent with NEMA, the EIA Regulations and the MPRDA.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                               | <p><b>2. Deficiencies in the Prospecting Work Programme</b></p> <p>The Prospecting Work Programme is required to demonstrate a coherent geological basis, a technically sound exploration strategy, and a realistic financial plan. It fails on all three fronts.</p> <p>The application lists a wide range of target minerals without providing any geological justification for their inclusion. While the application area may hold potential for alluvial diamonds and heavy mineral sands, no explanation is provided for inclusion of other commodities such as gemstones, precious metals or base metals. In particular, the potential for heavy mineral sands is not meaningfully assessed. There is no geological model, supporting data, or explanation of mineral occurrence within the application area. This is inconsistent with Regulation 7(1)(e) and undermines the credibility of the application, as supported by “X1”.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p><b>2026/04/29</b><br/> <b>Applicant and EAP</b><br/> <b>Geology and target minerals</b></p> <p>The application area has been identified based on known regional geology and the recognised mineral potential of the west coast offshore margin. The delineation of offshore concession areas along this coastline is itself informed by existing geological understanding and available historic information. As stated in the PWP, while a detailed site-specific geological map for Concession Area 11C is not presently available, this does not mean that the regional geological context is unknown. Rather, finer-scale geological information for the concession area still needs to be confirmed through prospecting. The purpose of the proposed geophysical surveys and subsequent sampling is therefore to generate site-specific geological data and assess the occurrence and potential of the minerals applied for. The geological information provided is considered appropriate for the prospecting application stage, where further geological investigation forms part of the proposed work programme.</p> |

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|                                                               | <p>The proposed geophysical programme is internally inconsistent. Page 12 of the DBAR refers to survey line spacing of 50–200 metres, while page 13 refers to 100–1000 metres. Similarly, the duration of the survey is described as both five days and approximately two months. These contradictions demonstrate that the programme has not been properly designed or costed.</p> <p>The deficiencies in the geophysical programme extend beyond internal inconsistencies. The DBAR states that high resolution geophysical data is required, yet the proposed survey design and associated budget do not support this objective. As supported by “X1”, a survey capable of producing high resolution data across the application area would require substantially greater time and cost than provided for. The programme is therefore either technically incapable of achieving its stated objectives, or materially underfunded.</p>         | <p>Also refer to Section 5.8.3 “Details of the development footprint alternatives considered” for a detailed description.</p> <p>The reference to a two-month period relates to the overall survey window within which the geophysical survey may be undertaken, allowing for mobilisation, demobilisation, weather downtime, and the need to work within suitable sea and weather conditions.</p> <p>Any minor inconsistencies identified in the draft report have been corrected in the final documentation and do not affect the substance of the assessment.</p> <p>Comment relating to budget and financial provisioning addressed below.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                               | <p>The sequencing of the exploration programme, in principle, follows a conventional approach, with geophysical surveys intended to inform the identification of target areas for subsequent drilling. However, the environmental assessment does not align with this sequencing. Benthic sampling is not proposed at each drilling location and is instead limited to approximately 50 grab samples across the entire concession area. Benthic sampling should be undertaken at each proposed drilling site to establish an adequate environmental baseline, prior to any activities being undertaken whatsoever as an absolute minimum.</p> <p>The proposed baseline sampling programme is therefore inadequate. Approximately 50 benthic grab samples across 164,023 hectares cannot possibly constitute a meaningful baseline against which impacts can be assessed and seem to suggest that the entire concession is similar in nature.</p> | <p><b>EAP and Marine specialist<br/>2026/04/28</b></p> <p>It should be recognised that prospecting will not occur across the full 164,023 ha concession area. Prospecting and mining activities typically occur within a small portion of a concession area, where targeted resources have been identified as having viable extraction potential. This more limited area of interest will therefore be prioritised for baseline and grab sampling.</p> <p>The total seabed area expected to be disturbed by invasive sampling is approximately 7,507 m<sup>2</sup> (0.75 ha), representing only 0.0005% of Concession Area 11C. The proposed grab sampling programme will therefore be done across a much smaller disturbance footprint.</p> <p>Should the grab sampling data yield insufficient information, it is proposed that data from the planned 100–200 vibracore samples be incorporated into the baseline dataset.</p> <p>In addition, several environmental baseline and monitoring surveys conducted in the region have characterised the benthic environment. It is anticipated that the benthic macrofaunal community within Area 11C is representative of the continental shelf environment of the southern Benguela, and that similar recovery times from impacts associated with prospecting activities can therefore be expected.</p> |

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|                                                               | <p>The financial assumptions are similarly flawed. The stated budget of approximately R16.8 million is inconsistent with the scope of work described. As supported by “X1” and “X2”, the actual cost is likely to be in the order of R46–48 million.</p> <p>Taken together, these deficiencies indicate that the PWP is not Regulation 7 compliant and cannot be relied upon.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p><b>2026/04/23</b><br/><b>Applicant</b><br/>TAD confirms that it possesses strong financial backing, including investors and financial guarantees from reputable institutions, and maintains good standing and proven operational capacity within the industry.<br/>Furthermore, the competent authority or Minister is the appropriate body to assess financial capability and technical competence.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                               | <p><b>3. <u>Defective Project Description and Unlawful Deferral of Environmental Assessment</u></b></p> <p>The environmental assessment is undertaken in the absence of a clearly defined and assessable activity. Key aspects of the proposed programme, including sampling locations, drilling layout and operational parameters, remain undefined and are deferred to future phases.</p> <p>Notwithstanding this, the DBAR proceeds to assess impacts as if these parameters are known. This renders the assessment inherently speculative and non-compliant with the EIA Regulations</p> <p>The assessment also proceeds in the absence of baseline data. Environmental conditions are acknowledged as unknown, yet impact significance is nevertheless assigned and mitigation proposed. Comparisons with other concession areas are relied upon without demonstrating any ecological equivalence.</p> | <p><b>2026/04/28</b><br/><b>EAP and Marine specialist</b><br/><b>Defined and assessable activity</b><br/>The comment is not agreed with. The proposed activity is clearly defined as a phased offshore prospecting programme comprising desktop studies, geophysical surveys, and targeted follow-up sampling. Prospecting applications are inherently phased, with early survey work informing later, more targeted investigations.</p> <p><b>Assessment of Impacts and availability of baseline data.</b><br/>The report included a comprehensive description of the affected environment and used the best available information, including peer-reviewed literature, baseline datasets, and previous specialist studies from comparable habitats. This includes EIA-related reports, which provide valuable empirical data on disturbance and recovery. In data-poor environments, such sources are important and were not relied on in isolation, but were critically reviewed alongside more recent published information. This ensures that impact predictions are based on a robust and up-to-date evidence base. In addition, several environmental baseline and monitoring surveys undertaken in the region have characterised the benthic environment. Furthermore, it is anticipated that the benthic macrofaunal community within Area 11C is representative of the continental shelf environment of the southern Benguela, and that similar recovery times from impacts associated with prospecting activities can therefore be expected. The assessment considered the broader concession area, the range of proposed activities, known sensitivities, appropriate mitigation measures, and potential impacts. This is a precautionary approach that ensures potential impacts are assessed and that no areas of possible sensitivity are excluded.</p> |



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|                                                               | <p>The DBAR further contains material internal inconsistencies. For example, conflicting descriptions of survey line spacing (pages 12–13) and survey duration (five days versus two months) undermine the reliability of the assessment, as supported by “X2”.</p>                                                                                                                                                                                                             | <p><b>Inconsistencies</b></p> <p>Any minor inconsistencies identified in the draft report have been corrected in the final documentation and do not affect the substance of the assessment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                               | <p>Of particular concern is the deferral of environmental assessment to post-authorisation stages. Pages 27–28 state that sensitive features will only be identified after geophysical surveys are completed. There is no provision in the EIA Regulations for a second public participation process following authorisation, and once sensitive areas may have been identified, nor for the deferral of impact identification and assessment to post-authorisation stages.</p> | <p><b>Public Participation Process</b></p> <p>All available information, including the impact assessment and information on sensitive environments, were subjected to the public participation process (PPP) and I&amp;APs therefore had the opportunity to review it and provide input, including identifying areas of sensitivity that should be avoided.</p> <p>Prospecting is inherently phased in nature. Phase 1 comprises desktop review and geophysical surveys, the results of which will be used to refine later target areas and identify environmentally sensitive features to be avoided. The exact locations of any subsequent grab, core, or drill sampling can therefore only be confirmed once Phase 1 has been completed.</p> <p>The identification of specific sampling targets following geophysical surveys does not constitute an unlawful deferral of assessment, but reflects the normal sequencing of prospecting activities. Sensitive areas identified through this process would be avoided or managed in accordance with the EMPr and authorisation conditions.</p> <p>As the assessment already adopted a precautionary approach and considered the broader concession area, proposed activities, known sensitivities, mitigation measures, and potential impacts, no additional PPP is required for this refinement process unless otherwise directed by the competent authority.</p> |
|                                                               | <p>The consideration of alternatives is similarly deficient, with the preferred alternative left undefined pending future surveys.</p>                                                                                                                                                                                                                                                                                                                                          | <p>With regard to alternatives, the EIA Regulations require the consideration of feasible and reasonable alternatives. In this instance, the location of the proposed activity is determined by the existing concession area and the mineral resource being investigated. The BAR has therefore assessed the feasible activity alternatives available within that context, including the no-go alternative.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                               | <p>Taken together, the assessment is speculative, internally inconsistent, and procedurally flawed. It does not meet the requirements of the EIA Regulations and cannot support a lawful decision.</p>                                                                                                                                                                                                                                                                          | <p>The BAR and specialist studies have been prepared in accordance with NEMA and the EIA Regulations. The EIA process is intended to ensure that activities are only authorised where impacts can be acceptably mitigated and are not expected to result in irreversible environmental harm. Based on the findings of the specialists and the EAP’s assessment, it has been confirmed that the activities are not expected to result in irreversible environmental harm and, therefore, the proposed activities are not anticipated to be inconsistent with</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|                                                               | <p><b>4. Inadequate Baseline Data and Speculative Impact Assessment</b></p> <p>As referred to above, the application proceeds in the absence of adequate site-specific baseline data.</p> <p>The DBAR relies on comparisons with other concession areas located more than 200 kilometres away, without demonstrating ecological equivalence or providing sufficient detail on sampling methodology. These comparisons cannot substitute for site-specific data. What should have been applied for was a reconnaissance permit to allow surveys to have taken place to understand and assess the seabed conditions at the various sites at which prospecting is to take place, before any prospecting activities actually take place. Assess the baseline first, and then based on that data, and understanding the actual environmental conditions, make decisions on how and where to prospect.</p> <p>The proposed benthic sampling programme is inadequate. Approximately 50 grab samples across the concession area equate to one sample per 3,280 hectares and do not provide a defensible ecological baseline. As supported by “X2”, sampling should occur at each potential drilling location.</p> <p>No site-specific sediment data is provided. In the absence of vibracore or equivalent sampling, there is no factual basis for assessing sediment composition or plume behaviour. This is material to understanding the impact of the prospecting activities.</p> <p>Similarly, the presence of offshore rocky reefs and associated communities is acknowledged, yet no mapping or ground-truthing has been undertaken.</p> <p>As a result, key impacts, including sediment dispersion and benthic disturbance, are assessed on assumptions rather than site specific evidence. This is totally inconsistent with the precautionary principle under NEMA and renders the assessment unreliable.</p> <p><b>5. Nature and Scale of the Proposed Activities</b></p> <p>The proposed activities involve drill-based dredging of seabed material, onboard processing, discharge of tailings, and repeated sampling across a large number of locations within the concession area. Individual sampling events involve the removal of approximately 9 to 15 cubic metres of material. When considered cumulatively, these activities give rise to a substantial disturbance footprint.</p> <p>The DBAR characterises these activities as discrete and low-impact on the basis that each sampling event affects a small area. This approach is misleading. The scale of the programme, including hundreds to potentially more than a thousand sampling events, must be assessed cumulatively. Repeated disturbance, in the absence of a baseline that would notionally allow one to measure the actual disturbance, combined with the discharge of processed material, results in impacts extending beyond individual sampling points, including sediment plume generation and habitat smothering.</p> | <p>the objectives of NEMA. The reports further provide sufficient information to support an informed decision by the competent authority.</p> <p>The report includes a comprehensive description of the affected environment and uses the best available information, including peer-reviewed literature, baseline datasets, and previous specialist studies from comparable habitats. This includes EIA-related reports, which provide valuable empirical data on disturbance and recovery. In data-poor environments, such sources are important and are not relied on in isolation but are critically reviewed alongside more recent and published information. This ensures that impact predictions are based on a robust and up-to-date evidence base. In addition, several environmental baseline and monitoring surveys conducted in the region have characterised the benthic environment.</p> <p>Based on previous studies conducted on the continental shelf of the southern Benguela, significant variation in benthic macrofaunal community structure within the boundaries of Area 11C is not anticipated and similar recovery times from impacts associated with prospecting activities can therefore be expected. Findings from the environmental baseline survey will confirm whether these assumptions are valid.</p> <p>Furthermore, an environmental baseline study is proposed for Area 11C. If this study yields insufficient information on sediment characteristics, it is proposed that data from the planned 100–200 vibracore samples, intended to characterise seabed geology, be incorporated into the baseline dataset. These data, combined with findings from the environmental baseline survey, would provide a sufficient basis to assess anticipated plume behaviour associated with prospecting activities.</p> <p>It should be recognised that prospecting will not occur across the full 164,023 ha concession area. Prospecting and mining activities typically occur within a small portion of a concession area, where targeted resources have been identified as having viable extraction potential. This more limited area of interest will therefore be prioritised for baseline and grab sampling. The total seabed area expected to be disturbed by invasive sampling is approximately 7,507 m<sup>2</sup> (0.75 ha), representing only 0.0005% of Concession Area 11C.</p> <p>Based on the proposed scope of work, prospecting activities are expected to occur over the short to medium term and are not typically sustained for the full project duration. Drill-based sampling, onboard processing, and tailings discharge generally occur simultaneously, and their impacts were therefore assessed cumulatively. The significance of impacts associated with seabed sampling and tailings disposal was assessed as low. It should also be noted that no dredging forms part of the prospecting activities.</p> |

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|                                                               | <p>As supported by “X2”, the proposed programme includes extensive geotechnical and resource drilling, with drilling phases extending over sustained periods. This is not a once-off or limited intervention, but an ongoing and intensive disturbance of what is an unmapped and poorly understood, at best, seabed.</p> <p>The mismatch between the scale of drilling and the limited environmental sampling further underscores the extent of disturbance relative to available baseline data.</p> <p>When the scale, duration and cumulative footprint of the programme are properly considered, the activity cannot be characterised as low-intensity prospecting. The scale, duration and cumulative footprint indicate a materially more intensive activity than presented in the DBAR.</p> <p><b>6. Cumulative Impact Failure and Marine Ecological Impacts</b></p> <p>The DBAR acknowledges that Concession Area 11C includes offshore rocky reefs supporting epifaunal (animals living on the seafloor) communities, including cold-water corals, and that recovery following disturbance is specifically noted as uncertain (page 33). Notwithstanding this, impacts on these habitats are assigned low significance without a defensible evidentiary basis. It is totally incongruous to suggest that prospecting activities would have a low impact on cold water coral, as just one example. These are crucial, high diversity habitats, providing complex habitats with multiple ecological niches in areas of enhanced hydrodynamics favoring increased food supply by locally reducing flow velocity and turbulence in the shadowed central zones of the reef improving food capture and the settlement of larvae. The impacts on environments like this would be devastating and potentially irreparable depending on the extent thereof.</p> <p>In circumstances where ecological recovery is uncertain and poorly understood, and the seabed itself is unknown, a precautionary approach is required. The assignment of low impact significance in the absence of supporting data is therefore not justified and cannot be relied upon.</p> <p>The assessment of sediment plume impacts is similarly deficient. The proposed dredging, processing and discharge of material will result in turbidity and sediment deposition, with associated risks to benthic habitats, which is uncontentious and must be accepted by the applicant. However, no site-specific sediment data or plume modelling is provided to quantify the extent of these impacts. As supported by “X2”, the assessment is therefore speculative. One needs to understand the actual sediment and ocean dynamics to assess this impact and neither are addressed</p> <p>The most significant deficiency relates to cumulative impacts. Page 85 of the DBAR states that it is not possible to obtain sufficient information to meaningfully assess cumulative impacts within the Basic Assessment process. This is a critical admission.</p> <p>Page 88 and page xii of the DBAR further recommend that a Strategic Environmental Assessment (“SEA”) be undertaken to assess cumulative impacts at a regional level. PTWC agrees with this recommendation.</p> | <p>Sediment plumes primarily affect the water column by increasing turbidity, reducing light penetration, and releasing dissolved substances from seabed sediments. Elevated turbidity can suppress phytoplankton growth and potentially alter community composition. However, such effects are only likely to be significant where plumes are extensive, persistent, and exceed natural turbidity levels. Recent studies indicate that this is unlikely for mining operations off the southern Namibian coast (Wright et al., 2024). Sediment plumes generated by prospecting activities would be considerably smaller and are expected to be negligible relative to natural background turbidity.</p> <p>These reefs are considered sensitive habitat and may be directly impacted should prospecting indicate economically viable resources and the project proceeds to production phase. However, at the prospecting phase potential direct impacts on reefs due to core and grab sampling are rated low negative significance and indirect impacts by smothering from tailings disposal as very low negative significance. Impacts from sampling are likely to result in localised removal of benthic organisms and their habitat within the footprint of the sampling tool, which due to the relatively small size of the various coring tools, is expected to be virtually negligible. The impacts from drill sampling are expected to be more extensive. These impacts include direct habitat loss and smothering of the benthos adjacent to sampling sites associated with localised tailings discard. The samples are discrete (not contiguous), and as a result, recolonisation from adjacent undisturbed areas is possible. Considering the available area of similar habitat on the continental shelf of the West Coast, the reduction in benthic biodiversity through sediment removal can be considered negligible. No direct mitigation is considered necessary for seabed sampling and localised smothering of the benthos (tailings disposal). However, it is possible to implement careful planning and management of potential discharges to ensure that tailings are not discarded onto sensitive reef habitat. It is understood that the Prospecting Right will not provide the required environmental authorisation for mining activities to be undertaken.</p> <p>The marine specialist report recommends that sensitive reef habitats are avoided during prospecting operations.</p> <p>As set out in the BAR, cumulative impacts have been assessed to the extent possible based on available regional data and publicly accessible information on existing and proposed activities. However, detailed and comprehensive quantification of all adjacent and future prospecting activities across the broader offshore region is not fully possible within the scope of a project-specific Basic Assessment, given that such information is not consistently available or centralised.</p> |

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|                                                               | <p>In circumstances where cumulative impacts cannot be assessed, it is not open to the decision-maker to proceed with this application in isolation. To do so would be inconsistent with the precautionary principle under NEMA. The SEA needs to happen as a precursor to applications being granted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>The potential for cumulative impacts arising from multiple activities across adjacent concession areas is recognised as a matter that extends beyond the scope of a single project-level assessment.</p> <p>In this regard, we recommend that a Strategic Environmental Assessment (SEA) and marine spatial planning assessment be commissioned. A SEA is a broader strategic planning tool undertaken at national or regional level and are not prerequisites for the consideration of this project-level application. As this will fall within the mandate of the authorities, including the DFFE, we respectfully refer to the DFFE for consideration within their broader planning and strategic assessment frameworks.</p> <p>The BAR and specialist studies have been prepared in accordance with NEMA and the EIA Regulations. The EIA process is intended to ensure that activities are only authorised where impacts can be acceptably mitigated and are not expected to result in irreversible environmental harm. Based on the findings of the specialists and the EAP's assessment, it has been confirmed that the activities are not expected to result in irreversible environmental harm and, therefore, the proposed activities are not anticipated to be inconsistent with the objectives of NEMA.</p> |
|                                                               | <p><b>7. Impact on Benthic Communities</b></p> <p>The DBAR explicitly notes the following: “Studies undertaking assessments of prospecting and mining-related impacts on these habitats in this region are relatively new and the time taken for disturbed epifaunal communities inhabiting offshore rocky reefs to recover has not yet been determined (Biccard et al. 2021).”</p> <p>This statement, read together with section 7.2.4 (pages 69–70) of the DBAR dealing with seabed sampling and tailings disposal, constitutes an acknowledgement that prospecting and mining activities will result in impacts to benthic communities within Concession Area 11C, while the extent of those impacts and the associated recovery rates remain uncertain. This is notwithstanding earlier work such as Penney et al. (2007), which indicates benthic recovery periods of between 6 and 15 years in post-mining environments.</p> <p>In these circumstances, it is essential that benthic communities within Concession Area 11C are properly surveyed and classified prior to the commencement of prospecting activities.</p> <p>The DBAR indicates that Van Veen grab sampling will be used to collect samples for biological, environmental and geotechnical studies. While the Van Veen grab is a widely accepted and commonly used sampling tool, its application is subject to important methodological limitations. Grab sampling produces a disturbed sediment sample and does not preserve sediment structure, vertical stratification, or the natural positioning of benthic organisms. This may result in the underrepresentation of deeper-dwelling species and provides limited insight into vertical habitat structure.</p> | <p><b>2026/04/28</b><br/><b>EAP and Marine specialist</b><br/>Comments relating to potential impacts on the benthic environment have been addressed in detail above and are not repeated here.</p> <p><b>2026/04/23</b><br/><b>Applicant and EAP</b><br/><b>Baseline study methodology</b></p> <p>TAD acknowledges the comment regarding the potential use of an OSIL multicorer system for benthic sampling. The multicorer method is recognised as a high-resolution sampling technique capable of preserving sediment stratification and in situ ecological structure. While this approach offers advantages for detailed scientific investigations, it is generally applied in advanced baseline studies and research contexts where fine-scale ecological characterisation is required.</p> <p>The methodology proposed in the Draft Basic Assessment Report, is a widely accepted and industry-standard technique and considered appropriate for the current prospecting phase, where the objective is to establish a broad and representative baseline across a large concession area. The method allows for efficient spatial coverage and provides sufficient data to inform impact</p>                                                                                                                           |

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|                                                               | <p>An alternative sampling method that should be considered is the use of an OSIL (Ocean Scientific International Ltd., UK) multicorer. This method enables the collection of multiple undisturbed sediment cores that preserve the sediment–water interface and in situ ecological structure, thereby providing a more accurate and functionally relevant baseline.</p> <p>The DBAR further states that offshore reefs within Concession Area 11C should be visually assessed by means of drop camera deployments or remotely operated underwater vehicles during the baseline environmental survey, with repeat surveys following mining activities. While this is identified as an appropriate methodology by the Environmental Assessment Practitioner, it has not been incorporated into the proposed sampling programme.</p> <p>There is therefore a disconnect between the assessment of impacts and the proposed methodology for establishing baseline conditions.</p> <p>In addition, the financial provision does not adequately support the proposed benthic sampling and analysis programme. Section 9 (page 120) and Table 29 of the DBAR set out the estimated expenditure for each phase of the prospecting operation. While Phase 2 includes Van Veen grab sampling, the costs associated with biological analysis of these samples are not clearly itemised.</p> <p>Table 30 refers to “Annual biophysical monitoring”, including benthic macrofauna and fish sampling, sample collection and laboratory analysis. However, these costs are not clearly linked to the relevant project phases and the associated methodologies are not specified. On the information provided, it is unclear whether biological sample analysis has been adequately budgeted for.</p> <p>To the extent that biological analyses are included under “Annual biophysical monitoring”, the allocated amount of R100,000 per annum (R500,000 over five years) appears inadequate when compared to previous benthic survey and monitoring cost estimates provided in the Algoa Bay Sea-Based Aquaculture Development Zone Final Basic Assessment Report. 1 The expected costs for benthic surveying and monitoring by CLS Southern Africa and Anchor Research and Monitoring were R18,037,402 and R8,267,331.30, respectively, over a period of 36 months (three years).</p> <p>Furthermore, the independent environmental consultancy responsible for undertaking the biological analyses has not been identified or appointed.</p> <p>In the absence of clearly defined sampling methodologies, appropriate survey techniques, adequate financial provision, and identified specialists, it cannot be concluded that the proposed baseline and monitoring programme is capable of generating reliable ecological data.</p> | <p>assessment and management at this stage. Therefore, the selected methodology is fit-for-purpose and aligned with standard environmental assessment practices for prospecting activities. Should the project advance to subsequent phases, the incorporation of more advanced sampling techniques, including multicorer systems, may be considered where warranted by site-specific conditions and regulatory requirements.</p> <p>TAD actively monitors developments in marine sampling methodologies and technologies and remains committed to continuous improvement in its environmental practices, including the adoption of approaches that minimise environmental disturbance. Where appropriate and practicable, TAD will consider the integration of newer, less invasive or more advanced technologies as part of its ongoing environmental management and monitoring programmes, in alignment with best practice and regulatory expectations.</p> <p>The Prospecting Work Programme and sampling programme primarily describe the proposed prospecting methods and operational activities, and do not necessarily set out all specialist scientific methodologies that may be applied for baseline surveys, monitoring, or impact verification.</p> <p>The reference in the DBAR to the possible use of drop cameras or remotely operated underwater vehicles identifies appropriate tools that may be utilised, where necessary, during environmental baseline or follow-up investigations. This does not mean that such methods must form part of the prospecting methodology itself.</p> <p>Environmental monitoring methodologies may be refined and implemented as appropriate in consultation with specialists and in accordance with the EMPr and any conditions of authorisation.</p> <p><b>Financial provisioning</b></p> <p>TAD confirms that it possesses strong financial backing, including investors and financial guarantees from reputable institutions, and maintains good standing and proven operational capacity within the industry. TAD further confirms that adequate financial provision has been made for the proposed activities. In addition, in terms of NEMA, the competent authority or Minister is the appropriate body to assess and approve the adequacy of financial provisioning, including the calculation methodology, as well as the applicant’s financial and technical capability. There is no legal requirement for the full financial provisioning model or detailed calculation methodology to be disclosed as part of the public participation process.</p> |

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|                                                               | <p><b>8. Biodiversity Sensitivity</b></p> <p>The proposed activities are located within an area identified as comprising Critical Biodiversity Areas, Ecological Support Areas, and part of the Namaqua Coastal Ecologically and Biologically Significant Area.</p> <p>These designations identify areas of high ecological importance and are intended to guide development away from sensitive environments. The DBAR itself acknowledges that the area is significant in terms of EBSA criteria, including productivity, naturalness, and importance for threatened or declining species.</p> <p>Despite this, no avoidance-based approach is adopted. Instead, the assessment relies on the assumption that impacts will be limited due to the small footprint of individual sampling events. As set out above, this approach fails to account for the cumulative and long-term nature of the disturbance.</p> <p>The DBAR and EMPr acknowledge that recovery of offshore benthic environments may take years to decades, and that long-lived species may take significantly longer to re-establish. In such circumstances, even localised disturbance may result in long-term or irreversible impacts.</p> <p>In the absence of adequate baseline data and a spatially defined avoidance strategy aligned with mapped biodiversity priorities, and no go areas, the assessment does not meet the requirements of the EIA Regulations or the precautionary principle under NEMA. We are nowhere told what the criteria ought to be that would, for example, preclude prospecting from taking place at a particular site due to the environmental considerations.</p> | <p><b>Appointment of independent environmental consultancy</b></p> <p>The appointment of specialist service providers for detailed baseline sampling or biological analyses typically takes place once authorisation is granted and the project proceeds to implementation. It is therefore not uncommon that such appointments have not yet been finalised at the application stage. The environmental assessment has nevertheless been undertaken by suitably qualified specialists using the best available information, and any future specialist appointments would be required to meet the necessary professional and technical standards.</p> <p><b>Absence of information</b></p> <p>This comment is not agreed with. It has further been addressed in detail above and are not repeated here.</p> <p><b>2026/04/28</b><br/> <b>EAP and Marine specialist</b></p> <p>Regarding prospecting in EBSAs and CBAs, please note that prospecting is not necessarily precluded within CBAs or EBSAs. The most recent best-practice guidelines for prospecting in CBAs, namely the Draft Marine Sector Plan published by the DFFE, indicate that non-destructive prospecting may be allowed, but that it has “Restricted Compatibility” within CBAs. The Draft Marine Sector Plan says that “Activities that have restricted compatibility should be specified as a Consent use. Consent to operate within the proposed zones will be dependant on the site-specific, and context-specific assessment of the impact of the activity on the underlying biodiversity, taking into consideration the biodiversity objectives of the area. Therefore strict regulations over and above the general rules and legislation may be required to avoid unacceptable impacts on biodiversity features.” Examples of such controls may include avoiding intensification or expansion of current impact footprints, exclusions of activities in portions of the zone, additional gear restrictions, and temporal closures during sensitive periods.</p> <p>Although these guidelines are not legislated, they indicate that any approval of prospecting within such areas would be evaluated by the relevant authorities (DFFE), taking into account the findings and recommendations of the Marine Specialist Report, relevant baseline studies and geophysical survey results, and the need for appropriate controls and mitigation measures and the strict regulations mentioned above.</p> <p>It should also be noted that the guidelines identify destructive prospecting, such as bulk sampling, as non-compatible with CBAs. However, bulk sampling generally refers to the removal of sediment in the order of tonnes, using specific sampling methodologies, which is materially different from what is proposed for this survey. The CBA guidelines were developed with</p> |



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|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>consideration of the EBSA process and are therefore also applicable to areas designated as CBAs within EBSAs.</p> <p>The Marine Specialists therefore agree that the planning of prospecting locations, particularly within EBSAs and CBAs, should take into consideration all sensitive receptors, protected areas, and areas of conservation concern, so that, where possible, these can be avoided and buffers can be applied. Ideally, these areas should be given lower priority for prospecting and mining and only considered as a last resort. The report has been updated to clarify these preferences.</p> <p>It should further be noted that prospecting usually only occurs in a small fraction of an entire concession area, where mineral deposits have been pre-determined to be of worthwhile mining potential.</p> <p>Additionally, a mitigation measure has been added to the report requiring that data gathered from seabed sampling, reef identification and seabed video/camera assessments during the proposed prospecting, particularly data that pertaining to benthic environments, be submitted in a usable format to the DFFE and SANBI to aid in future marine spatial planning, confirmation of CBA status and identification of sensitive habitats, especially within EBSAs and CBAs.</p> <p>The remainder of the comments have been addressed in detail above and are not repeated here.</p> |
|                                                                        | <p><b>9. Bulk Sampling and Mischaracterisation of the Activity</b></p> <p>As set out above, the scale and methodology of the proposed activities extend beyond limited prospecting.</p> <p>The programme involves the recovery, processing and disposal of substantial volumes of seabed material over an extended period and area. This is more appropriately characterised as bulk sampling, or an activity analogous thereto.</p> <p>This distinction has direct regulatory implications under the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA"). Section 20(2) requires Ministerial consent for the removal and disposal of minerals, including bulk samples, during prospecting operations.</p> <p>Where section 20(2) is triggered, the activity falls within Listing Notice 2 Activity 19 of the EIA Regulations, which requires environmental authorisation through a Scoping and Environmental Impact Reporting ("S&amp;EIR") process.</p> <p>The proposed removal of more than 5 cubic metres of seabed material also triggers Listing Notice 1 Activity 19A. However, Listing Notice 1 does not displace Listing Notice 2 where both apply. The applicable listed activities must be considered cumulatively.</p> | <p><b>2026/04/29</b><br/><b>EAP</b></p> <p>The DMPP, as the competent authority, has determined and confirmed that the proposed activities do not constitute bulk sampling, and has also confirmed the applicable assessment process for this application, i.e., a Basic Assessment Process</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|                                                               | <p>The classification of the activity must be determined objectively, based on its nature and scale, and not on the applicant's characterisation.</p> <p>In these circumstances, the use of a Basic Assessment process is inappropriate. The application has been assessed under a lower level of scrutiny than required, constituting a material procedural defect.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                               | <p><b>10. Rehabilitation, Closure and Financial Provision</b></p> <p>Environmental rehabilitation and financial provisioning are governed by the Financial Provisioning Regulations (GNR 1147) which require the preparation of an Annual Rehabilitation Plan, a Final Rehabilitation and Closure Plan, and an Environmental Risk Assessment Report.</p> <p>The documentation provided does not demonstrate compliance with these requirements.</p> <p>The applicant has stated that rehabilitation of the seabed is not feasible and that recovery will occur naturally over time ("X3"). This does not discharge the obligations under GNR 1147. Where rehabilitation is not feasible, the risk profile of the activity is elevated and requires more rigorous assessment and financial provisioning or alternatively no prospecting is to take place there.</p> <p>No standalone Environmental Risk Assessment Report has been provided, and the rehabilitation framework is high-level and not capable of being audited or implemented. There would have to at the very least be ongoing monitoring to actually measure the rehabilitation that it is contended is going to place over time.</p> <p>The methodology used to calculate financial provision is not disclosed, and it is not possible to determine whether long-term monitoring, remediation or residual impacts have been adequately provided for.</p> <p>In addition, the professional qualifications of those responsible for the financial provisioning have not been disclosed.</p> <p>In these circumstances, it cannot be determined whether adequate financial security exists to address environmental impacts. The application is therefore materially deficient.</p> | <p><b>2026/04/13</b><br/><b>Applicant</b></p> <p>TAD acknowledges the concerns raised but submits that this assertion is not accurate when considered within the applicable regulatory framework.</p> <p>In terms of the Financial Provisioning Regulations, 2015 (GNR 1147) under NEMA , there is an obligation to make financial provision sufficient to cover the rehabilitation, remediation, and management of environmental impacts . The competent authority must assess and approve the calculation methodology and financial provisioning submitted. It is to be noted that there is no legal requirement for the full financial provisioning model or calculation methodology to be disclosed as part of the public participation process.</p> <p>The Draft BAR and associated documentation clearly outline that financial provision has been made for monitoring, environmental management and contingency remediation. These documents reflect the nature of offshore prospecting, where active rehabilitation is limited and monitoring and natural recovery serve as the primary mechanisms. Furthermore, in terms of NEMA, the adequacy of financial provision is a matter for the Minister or competent authority to determine .</p> |
|                                                               | <p><b>11. Public participation and Access to Information</b></p> <p>PTWC formally requested access to key documents, including the Prospecting Work Programme, rehabilitation plans and budgets, and spatial data relating to the proposed activities. Only a redacted version of the PWP was provided.</p> <p>Financial and technical information has been withheld on the basis that it is not required for public participation. This position is untenable. Financial information is critically important and directly relevant to the feasibility of the project, the adequacy of environmental management measures, and the applicant's ability to meet closure and rehabilitation obligations.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>2026/04/23</b><br/><b>Applicant</b></p> <p>TAD rejects the assertion provided. All environmentally relevant information necessary to evaluate impacts has been disclosed. The withheld information does not impede meaningful participation as required under NEMA and public participation is intended to evaluate environmental impacts rather than audit commercial viability or internal financial models with the competent authority or Minister being the appropriate body to assess financial capability and technical competence. Furthermore, TAD confirms that it possesses strong</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



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|                                                               | <p>As reflected in correspondence with the Environmental Assessment Practitioner (“X3”), the withholding of this information has materially limited the ability of Interested and Affected Parties to participate meaningfully in the process.</p> <p>The DBAR asserts that the proposed sampling programme will contribute to scientific knowledge. However, no mechanism is provided for the disclosure or sharing of data with the scientific community or Interested and Affected Parties. This is particularly concerning in light of the redaction of information during the public participation process. In the absence of transparency and data accessibility, the claimed scientific benefit is totally unsubstantiated and simply meaningless.</p> | <p>financial backing, including investors and financial guarantees from reputable institutions, and maintains good standing and proven operational capacity within the industry.</p> <p>The legal position regarding disclosure is clear under the following frameworks:</p> <p><b>NEMA (EIA Regulations, 2014):</b><br/>The Public Participation Process requires the disclosure of sufficient information to assess environmental impacts. It does not require the disclosure of commercially sensitive, financial, or proprietary information.</p> <p><b>MPRDA and Broader Legal Framework:</b><br/>Information relating to financial capability, technical competence and commercial strategy is submitted to the DMRE for regulatory assessment and is not intended for public dissemination.</p> <p><b>Protection of Information:</b><br/>Disclosure is lawfully limited in accordance with the Promotion of Access to Information Act (PAIA), the Protection of Personal Information Act (POPIA) and the protection of commercially sensitive data.</p> <p>Your objection appears to be based on the view that access to information was compromised and that, as a result, meaningful participation and/or consultation by you during the environmental authorisation application process was not possible. This is not correct. At no stage during the environmental authorisation application process was access to relevant information denied. It has repeatedly been stated that all information necessary to understand the proposed activity and to facilitate meaningful comment on potential environmental impacts was made available through the Basic Assessment Report (BAR), specialist studies, and the appendices thereto. This includes the information contained in the Prospecting Work Programme (PWP), which was made available to you. The limited redactions related only to administrative, technical, financial, and commercially sensitive information submitted to the Department of Mineral and Petroleum Resources (DMPR) for purposes of assessing the applicant’s financial and technical ability to undertake the proposed activity. Such information is not required to be disclosed as part of the Public Participation Process (PPP), which is focused on the assessment of environmental impacts rather than the full disclosure of all application details.</p> <p>To ensure compliance, guidance was obtained from the DMPR. On this basis, it is confirmed that the PPP is required to provide access to information</p> |

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|                                                                        | <p><b>12. Conclusion and Recommendation</b></p> <p>The application is affected by material legal, technical and environmental deficiencies. This is an application that is somewhat novel in that it is taking place offshore and requires careful consideration given the obvious limits on the available knowledge to the parties and the decision makers.</p> <p>The Prospecting Work Programme is not compliant with Regulation 7. The environmental assessment is speculative and unsupported by adequate baseline data. Cumulative impacts cannot be assessed, yet the application proceeds. The rehabilitation framework is incomplete and financial provisioning cannot be verified.</p> <p>The DBAR itself recommends that a Strategic Environmental Assessment be undertaken. PTWC agrees that such an assessment is required before applications of this nature can be considered.</p> <p>In these circumstances, the application should not be approved.</p> <p>At a minimum, the application should be refused or placed on hold pending:</p> <ul style="list-style-type: none"> <li>• a Strategic Environmental Assessment;</li> <li>• a revised and compliant Prospecting Work Programme;</li> <li>• adequate site-specific baseline studies are done by qualified specialists; and</li> <li>• a lawful and comprehensive environmental assessment.</li> </ul> <p>Until these deficiencies are addressed, any approval would be premature and inconsistent with NEMA, the EIA Regulations and the MPRDA.</p> <p>Kindly acknowledge receipt of this correspondence.</p> <p>Yours faithfully.</p> | <p>reasonably necessary to enable informed comment on environmental impacts, but does not require the disclosure of documents that contain, administrative, confidential, financial or commercially sensitive information. Accordingly, the disclosure obligation is limited to information relevant to assessing the environmental impacts and may exclude confidential or commercially sensitive information. On this basis, the Environmental Authorisation application form and PWP were provided to you on 13 April 2026, subject to limited redactions applied in accordance with this guidance.</p> <p>These comments have been addressed in detail above and are not repeated here.</p> |
| 2026/04/20<br><br>Email                                                | <p><b>COMMENTS ON TRANS ATLANTIC'S EXPLORATION PLAN AND BUDGET FOR THE SEA CONCESSION 11C (WC30/5/1/1/2/10522PR)</b></p> <p><b>1. EXECUTIVE SUMMARY</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b>Geology and target minerals</b></p> <p>The application area has been identified based on known regional geology and the recognised mineral potential of the west coast offshore margin. The delineation of offshore concession areas along this coastline is itself</p>                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <p>Michael Yaman</p> <p>Protect the West Coast</p> <p>I&amp;AP</p> | <p>Prospecting for minerals is a high-risk, multi-stage endeavour with numerous technical, environmental and financial risks. In a PWP the applicant must prove to government that he has the expertise, technical skills and financial resources to promote proper exploration and responsible resource development.</p> <p>The content and detail that must be provided in the PWP is governed by Regulation 7. <sup>1</sup> Trans Atlantic's PWP falls way short of the minimum standards contemplated under Regulation 7. Information called for under Regulation 7(1) (d), Regulation 7(1) (e), Regulation 7(1) (f), Regulation 7(1) (h), Regulation 7(1) (i), Regulation 7(1) (j)(i) and Regulation 7 (1) (k) has not been provided.</p> <p>Minerals listed in an application must be motivated using robust geological models and verified geological data. Trans Atlantic has offered no geological motivation for listing gemstones, industrial minerals, precious metals or base metals in the application. There is no evidence to suggest that these commodities occur in the application area.</p> <p>Trans Atlantic prospecting budgeted of R16.8 million is woefully inadequate because prospecting activities have not been planned and scheduled in sufficient detail. The budget of R16.8 million shown in table 29 of the dBAR is inadequate because the cost of hiring survey vessels has been underestimated. This poorly designed and underfunded exploration program points to a lack of geological expertise in Trans Atlantic.</p> <p>A PWP is a geological report in which topics such as target generation, economic potential, mineral distribution, prospecting methods, exploration budget and exploration schedule, must be analysed and weaved into the exploration plan. A PWP must therefore be drawn up by a geologist registered as geological scientists with the South African Council for Natural Scientific Professions (SACNASP) as contemplated in the Natural Scientific Professions Act (Act no. 27 of 2003).</p> <p>The geological content, work program and budget in this PWP is flawed. It is unlikely that the PWP was drawn up by a suitably qualified professional geologist.</p> <p><b>Trans Atlantic's prospecting right application must be rejected because its Prospecting Work Programme lacks the detail and content called for under Regulation 7. This document must be reconstituted by a SACNASP registered Professional Geologist as contemplated in the Natural Scientific Professions Act (Act no. 27 of 2003).</b></p> <hr/> <p><b>2. TRANS ATLANTIC'S PROSPECTING WORK PROGRAMME</b></p> <p>The format, content and detail on an exploration program are governed by Regulation 7. Trans Atlantic's exploration program does not meet Regulation 7 requirements.</p> <p><b>2.1. Target minerals</b></p> | <p>informed by existing geological understanding and available historic information.</p> <p>As stated in the PWP, while a detailed site-specific geological map for Concession Area 11C is not presently available, this does not mean that the regional geological context is unknown. Rather, finer-scale geological information for the concession area still needs to be confirmed through prospecting. The purpose of the proposed geophysical surveys and subsequent sampling is therefore to generate site-specific geological data and assess the occurrence and potential of the minerals applied for.</p> <p>The geological information provided is considered appropriate for the prospecting application stage, where further geological investigation forms part of the proposed work programme.</p> <p>Also refer to Section 5.8.3 "Details of the development footprint alternatives considered" for a detailed description.</p> <p><b>Technical ability, Methodology and PWP</b></p> <p>TAD strongly rejects the comments raised regarding the alleged lack of technical expertise and non-compliance with Regulation 7 in relation to the PWP.</p> <p>TAD confirms that the company possesses the necessary technical capability to conduct prospecting activities. Supported by over 50 years of cumulative industry experience our operations are managed by qualified geologists, specialist consultants and established technical working relationships.</p> <p>It is important to clarify that Regulation 7 requires a reasonable and technically sound programme rather than a mining-level feasibility study. The PWP is compliant as it identifies target minerals consistent with regional geology, describes prospecting methods, including geophysics, sampling, and drilling; and provides a phased work programme in line with standard industry practice.</p> <p>Regarding the geological scope, the inclusion of multiple minerals reflects broad exploration targeting common in early-stage prospecting. This approach ensures regulatory flexibility should mineralisation be encountered.</p> <p>At the prospecting stage, activities are inherently iterative and data-driven. Detailed scheduling evolves as new data becomes available; therefore, over-specification at this stage would be technically inappropriate and impractical.</p> |

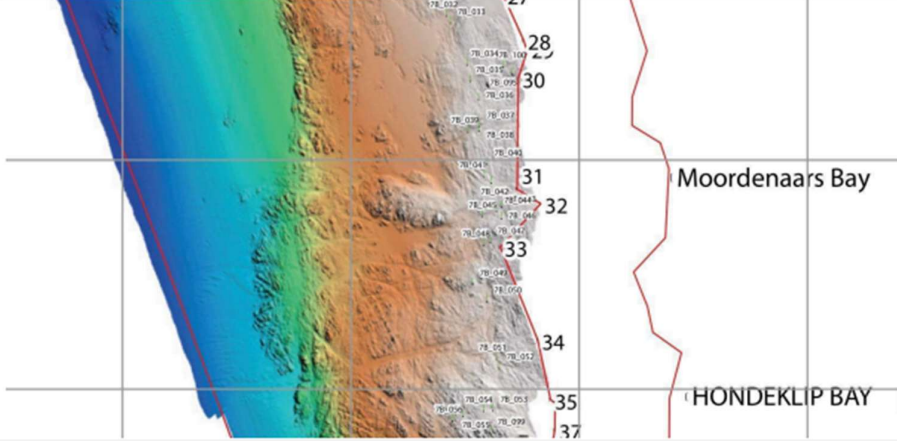
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|                                                               | <p>Regulation 7(1) (d) requires that minerals to be prospected for are listed. Trans Atlantic has listed alluvial diamonds, gemstones, heavy minerals, industrial minerals, precious metals, ferrous and base metals.</p> <p>The application area has alluvial diamond and heavy mineral potential. There is no indication of any gemstones, industrial minerals, precious metals or base metals potential in the application area.</p> <p><b><i>There is no indication that the application area holds any gemstones, industrial minerals, precious metals or base metal potential.</i></b></p> <p><b>2.2. Geology and economic potential</b></p> <p>Under Regulation 7(1) (e) the geological motivation behind the application must be explained. The geology and economic potential of the application area must be discussed in context of the regional geology and illustrated on a map.</p> <p>The geology map in the PWP has been redacted. From the size of the redacted area it is clear that the map does not meet the stipulated requirements.</p> <p><b>The geological content and map included in the PWP by Trans Atlantic does not provide the detail contemplated under Regulation 7(1) (e).</b></p> <p><b>2.3. Prospecting methods and activities</b></p> <p>Under Regulation 7(1) (f), (g) and (h) technical details of prospecting methods and activities must be discussed in detail.</p> <p>Geophysical techniques are summarised rather superficially in the PWP as seismics and echosounding. There are a host of seismic and echosounding tools that could be used. The technical detail of the geophysics tools Trans Atlantic plan to use has not been discussed in detail.</p> <p>The purpose of the geophysical survey is to collect high resolution data. DP Star that is earmarked for this survey costs ~\$20,000 per day. It is said that the geophysics survey will take two months to complete. The geophysics program will cost ~\$1,2 million or R19.7 million. There has only been R1.5 million (table 29 in dBAR) budgeted for geophysics.</p> <p>Van Veen grab samples will be taken to establish baseline benthic data. A maximum of 50 samples will be taken which equates to one benthic sample per 3,280 hectares.</p> <p>A geotechnical sampling program of 100 to 200 sonic or vibracore holes are planned.</p> <p>1,200 resource definition holes are planned which will take 40 days to complete. The MS Explorer earmarked for this work costs \$40,000 per day. The resource definition drilling</p> | <p>We maintain that the PWP provides the appropriate and sufficient detail required for its intended purpose.</p> <p><b>Budgeting and financial provisioning</b></p> <p>The critique suggesting a budget shortfall appears to rely on assumed vessel rates and worst-case continuous deployment scenarios. However, our exploration programmes are phased, adaptive and scaled according to results. Costs are further optimised through contractor selection and operational efficiencies.</p> <p>Under MPRDA Regulation 7(1)(k), the requirement is to provide a reasonable estimate of expenditure, which TAD have executed. There is no legislative requirement for a prospecting budget to reflect maximum theoretical expenditure. Furthermore, vessel selection is tender-based and survey designs are optimised for efficiency, making fixed-cost comparisons speculative.</p> <p>The budget figures in the PWP represent initial estimates rather than funding limits. We maintain access to additional funding capacity and financial backing through investors and guarantees. The assertion of underfunding does not reflect our actual financial capability.</p> <p>TAD have adequately provided for the proposed activities, environmental monitoring, impact management and contingency remediation. Our financial provision is aligned with the scale and risk of the activity. Furthermore, TAD confirms that it possesses strong financial backing, including investors and financial guarantees from reputable institutions, and maintains good standing and proven operational capacity within the industry.</p> <p>At the prospecting stage, it is not possible to fully itemise all future actions and regulations allow for the progressive refinement of financial provision as new data becomes available.</p> <p>Furthermore, there is no legal requirement for the full financial provisioning model or detailed calculation methodology to be disclosed as part of the public participation process.</p> <p>In addition, in terms of NEMA and the MPRDA, the competent authority or Minister is the appropriate body to assess and approve the adequacy of</p> |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Response from EAP/Applicant/Specialist                                                                                                              |
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|                                                               | <p>will cost ~\$1,6 million or R26.4 million. There has only been R12.8 million (table 29 in dBAR) budgeted for resource definition drilling.</p> <p>Under Regulation 7(1) (f), (g) and (h) Trans Atlantic has listed prospecting activities and tabulated the results and come up with a very rudimentary schedule as depicted in table 5. Trans Atlantic's budgeted of R16.8 million is hopelessly inadequate.</p> <p><b><i>The exploration budget of R16.8 million shown in table 29 of the dBAR is incorrect. Approximately R48 million will be needed to complete the planned exploration program.</i></b></p> <hr/> <p><b>Scheduling and budgeting</b></p> <p>Under Regulation 7(1) (i) technical details of the prospecting methods and the time required to complete each activity must be discussed in detail. This detailed plan is an essential component of drawing up a realistic prospecting budget. Trans Atlantic has not provided the detail required under Regulation 7(1) (i).</p> <p>Scheduling activities in a mineral exploration program is critical for both technical and financial success. It means breaking the exploration process into logical, sequential stages, each designed to reduce uncertainty, manage cost, and make informed go/no-go decisions before moving to the next step.</p> <p>Trans Atlantic has not planned or scheduled the proposed prospecting program in sufficient detail. The budget of R16.8 million shown in table 29 of the dBAR is inadequate because the cost of hiring survey vessels has been underestimated.</p> <hr/> <p><b>2.4. Technical ability</b></p> <p>Under Regulation 7(1) (j)(i) details and proof of the applicants technical ability must be provided. The detail required under Regulation 7(1) (j)(i) has not been provided.</p> <p>The "PWP" submitted with a prospecting right application is required to be detailed technical report. It is a technical report in which the geological topics prescribed in Regulation 7, such as target generation, economic potential, mineral distribution, prospecting methods, exploration budget and exploration schedule, must be analysed and reported on. A legitimate analysis of these topics can only be done by a SACNASP registered geologist as stipulated in the Natural Scientific Professions Act (Act no. 27 of 2003).</p> <p>The geological content, work program and budget in this PWP is flawed. It is unlikely that the PWP was drawn up by a suitable qualified professional geologist.</p> <hr/> <p><b>2.5. Prospecting budget</b></p> <p>REGULATION 7 (1) (k) requires applicant to estimate prospecting expenditure. Trans Atlantic's exploration budget is woefully inadequate because the cost of hiring survey vessels has been underestimated.</p> | <p>financial provisioning, including the calculation methodology, as well as the applicant's financial and technical capability and competence.</p> |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Response from EAP/Applicant/Specialist |
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|                                                                        | <p>Obvious shortcoming in the exploration budget are:</p> <ul style="list-style-type: none"> <li>Phase 1 geophysics has been budgeted at \$90,000. The DP Star that is earmarked for this survey costs ~\$20,000 per day. It is said that the geophysics survey will take two months to complete. The geophysics program will cost ~\$1,2 million or R19.7 million</li> <li>Phase 3 resource definition drilling has been budgeted at \$835,000. The 1,200 resource definition holes that are planned which will take 40 days to complete. The MS Explorer earmarked for this work costs \$40,000 per day. The resource definition drilling will cost ~\$1,6 million or R26.4 million.</li> </ul> <p>Trans Atlantic's budget of R16.8 million is woefully inadequate. It will cost ~R48 million to take this project to feasibility.</p> <hr/> <p><b>2.6. Conclusion</b></p> <p>Prospecting for minerals is a high-risk, multi-stage endeavour with numerous technical, environmental and financial risks. Phasing activities in a mineral exploration program is critical to technical and financial success. Finding an ore body requires specialised technical skills, significant funding and systematic work practices. This critically flawed PWP points to a lack of technical expertise in Trans Atlantic.</p> <p>Trans Atlantic's PWP is not Regulation 7 compliant. Information called for under Regulation 7(1) (e), Regulation 7(1) (f), Regulation 7(1) (h), Regulation 7(1) (i), Regulation 7(1) (j)(i) and Regulation 7 (1) (k) has not been provided in the required detail.</p> <p>Under Regulation 7(1) (e) geological motivation behind the minerals listed in the application must be explained. Trans Atlantic has offered no geological explanation for listing gemstones, industrial minerals, precious metals or base metals in the application.</p> <p>Under Regulation 7(1) (i) technical details of the prospecting methods and the time required to complete each activity must be discussed in detail. Trans Atlantic has not provided the detail required under Regulation 7(1) (i). The budget of R16.8 million shown in table 29 of the dBAR is inadequate because prospecting activities have not been planned and scheduled in sufficient detail</p> <p>Under Regulation 7(1) (j)(i) details and proof of the applicants technical ability must be provided. The detail required under Regulation 7(1) (j)(i) has not been provided. This scientifically flawed PWP points to a lack of technical expertise in Trans Atlantic</p> <p>Regulation 7(1) (k) requires applicant to estimate prospecting expenditure. The budget of R16.8 million shown in table 29 of the dBAR is inadequate because the cost of hiring survey vessels has been underestimated. It will cost ~R48 million to take this project to feasibility.</p> |                                        |

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|                                                               | <p>Trans Atlantic's PWP was not compiled by a suitable experienced exploration geologist as contemplated in the Natural Scientific Professions Act (Act no. 27 of 2003).</p> <p><b>This application must be rejected. The PWP must be redone by a SACNASP registered Professional Geologist as stipulated in the Natural Scientific Professions Act (Act no. 27 of 2003).</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2026/04/20                                                    | <b>Comments on Trans Atlantic's DBAR for Sea Concession 11C (WC30/5/1/1/2/10522PR)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Email                                                         | <b>Minerals to be prospected for</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Allen Lyons<br>Protect the West Coast<br>I&AP                 | <p>Statement: Trans Atlantic Diamonds (Pty) Ltd is proposing to prospect for precious metals (gold, silver and platinum), gemstones (alluvial diamonds, sapphires and garnets), ferrous and base metals such as rare earths (monasite mineral), black sand minerals (titanium minerals e.g. ilmenite and rutile), zirconium ore (zircon) and iron ore (magnetite)) within Sea Concession area 11C. Comment: Rare earths are not base metals. It is heavy mineral sands, not black sand minerals. I am nit-picking but it irritates when consultants send out reports that have not been proof read.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Thank you for your comment. This has been corrected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                               | <p><b><u>Geophysics</u></b></p> <p>On page 12 it is said that survey lines will be 50m to 200m apart. On page 13 it is said that survey lines will be 100m to 1,000m apart. So are the survey traverses going to be 50m, 100m, 200m, 250m, 500m or 1,000m apart? It would be nonsensical to run the survey at 50m line spacing because the survey traverse will be 33,800km long, take 280 days to complete and cost \$5.6 million. A survey done at 1,000 metre line spacing will not deliver the high resolution geophysics map Trans Atlantic is hoping for. The applicant has clearly not put any thought into the geophysics plan.</p> <p>On page 13 it is stated that the geophysics survey will take 5 days to complete. On page 13 of the PWP it states that the geophysics survey will take two months to complete. Comment: Is the geophysics survey going to take 5 days or 60 days? The budget implications are significant because the survey vessel costs ~\$20,000 per day. The applicant has clearly not put any thought into the geophysics survey.</p> <p>In the PWP it is stated on page 12 that the purpose of the geophysics program is to collect high resolution data. Figure 1 is an example of a high resolution geophysics map.</p> | <p>Geophysical surveying will be undertaken along survey lines spaced 100 m to 1000 m apart across select sections throughout the concession area.</p> <p>Any minor inconsistencies identified in the draft report have been corrected in the final documentation and do not affect the substance of the assessment.</p> <p>The reference to a two-month period relates to the overall survey window within which the geophysical survey may be undertaken, allowing for mobilisation, demobilisation, weather downtime, and the need to work within suitable sea and weather conditions. The actual survey itself may only take a couple of days.</p> <p><b>Budgeting and financial provisioning</b></p> <p>The critique suggesting a budget shortfall appears to rely on assumed vessel rates and worst-case continuous deployment scenarios. However, our exploration programmes are phased, adaptive and scaled according to results. Costs are further optimised through contractor selection and operational efficiencies.</p> <p>Under MPRDA Regulation 7(1)(k), the requirement is to provide a reasonable estimate of expenditure, which TAD have executed. There is no legislative requirement for a prospecting budget to reflect maximum theoretical expenditure. Furthermore, vessel selection is tender-based and survey designs are optimised for efficiency, making fixed-cost comparisons speculative.</p> <p>The budget figures in the PWP represent initial estimates rather than funding limits. We maintain access to additional funding capacity and financial backing</p> |



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|                                                               |  <p>Figure 1: High resolution geophysics map west of Hondeklipbaai.</p> <p>For Trans Atlantic to collect high resolution geophysics data line spacing should not be more than 250m. To cover the 26km x 65km application area on a grid spacing of 250m will require survey traverses totalling 6,760 kilometres. At 120km per day the high resolution geophysics survey of 11C it will take 56 days to complete and cost ~\$1.12 million. There are insufficient funds in the budget to complete a high resolution geophysics survey.</p> <p><b>Van Veen grab sampling</b></p> <p>The application area is 164,023 hectares in size. The planned Van Veen grab sampling program of 50 samples equates to 1 sample per 3,280 hectares. In my opinion 1 Van Veen sample every 3,280 hectares does not constitute a detailed benthic study. There has been no work done over 11C so the ecological risks associated with mining are unknown. Benthic sampling must be done at each geotechnical and resource borehole site during prospecting. So that there is quality benthic data available, on which ecological risks can be assessed, when Trans Atlantic apply for a mining right.</p> <p><b>Geotechnical drilling</b></p> <p>100-200 vibracoring, gravity or sonic drill holes are planned. The Sonic head can penetrate some subsurface rock, whilst gravity and vibracoring can only sample unconsolidated material. The sampling of 200 cores will take approximately ten workdays. The MS Explorer</p> | <p>through investors and guarantees. The assertion of underfunding does not reflect our actual financial capability.</p> <p>TAD have adequately provided for the proposed activities, environmental monitoring, impact management and contingency remediation. Our financial provision is aligned with the scale and risk of the activity. Furthermore, TAD confirms that it possesses strong financial backing, including investors and financial guarantees from reputable institutions, and maintains good standing and proven operational capacity within the industry.</p> <p>At the prospecting stage, it is not possible to fully itemise all future actions and regulations allow for the progressive refinement of financial provision as new data becomes available.</p> <p>Furthermore, there is no legal requirement for the full financial provisioning model or detailed calculation methodology to be disclosed as part of the public participation process.</p> <p>In addition, in terms of NEMA and the MPRDA, the competent authority or Minister is the appropriate body to assess and approve the adequacy of financial provisioning, including the calculation methodology, as well as the applicant's financial and technical capability and competence.</p> <p>It should be recognised that prospecting will not occur across the full 164,023 ha concession area. Prospecting and mining activities typically occur within a small portion of a concession area, where targeted resources have been identified as having viable extraction potential. This more limited area of interest will therefore be prioritised for baseline and grab sampling. The total seabed area expected to be disturbed by invasive sampling is approximately 7,507 m<sup>2</sup> (0.75 ha), representing only 0.0005% of Concession Area 11C. The proposed grab sampling programme will therefore be done across a much smaller disturbance footprint.</p> <p>Should the grab sampling data yield insufficient information, it is proposed that data from the planned 100–200 vibracore samples be incorporated into the baseline dataset.</p> <p>Budgeting and financial provisioning comment addressed above.</p> |



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|                                                               | <p>earmarked for this work costs \$40,000 per day. Geotechnical sampling program will cost \$0.4 million.</p> <p><b>Resource drilling</b></p> <p>Geotechnical results will determine where resource drill holes are sited. Initial 150 samples will be collected. Follow-up sampling will require an additional 150 samples. Over high priority targets another 1,200 holes will be drilled. Comment: At 30 holes per day it will take 50 days to complete this sampling. The MS Explorer earmarked for this work costs \$40,000 per day. Resource definition drilling will cost \$2.0 million.</p> <p><b>Need and desirability</b></p> <p>The positive picture painted of the diamond industry on page 56 is based on statistics that are at least 10 years old and therefore misleading. Diamond prices have been under pressure for the last 6 years. According to some analysts natural diamond prices have dropped 8-12% from 2020 to 2026. Lab grown diamonds is thought to be an important factor forcing down the price of natural diamonds.</p>                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Budgeting and financial provisioning comment addressed above.</p> <p>This comment is acknowledged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                               | <p><b>Alternatives considered</b></p> <p>Statement on page 27: As no geophysical sampling has been conducted in this area to date, the exact position of reefs and other areas that need to be avoided have not yet been identified. These areas will be identified only after the non-invasive seismic surveys have been completed. Consultation with stakeholders during the Public Participation Process will further elucidate areas that need to be avoided. The preferred alternative within the site is thus subject to change pending results from the geophysical survey and consultation with stakeholders. Comment: Once the application has been approved by DMPR is there really going to be another PPP when the geophysics program has been completed? Is there anything in the legislation that provides the scope for a 2nd PPP after the right has been approved?</p> <p>Statement on page 28: As no geophysical sampling have been conducted in this area to date, the exact position of reefs and other areas that need to be avoided have not yet been identified. Consultation with stakeholder during the Public Participation Process will further elucidate areas that need to be avoided. Comment: Once the application has been approved by DMPR is there really going to be another PPP when the geophysics program has been completed? Is there anything in the legislation that provides the scope for a 2nd PPP after the right has been approved?</p> | <p>The report does not state that a second Public Participation Process (PPP) will be undertaken after authorisation. Rather, it states that consultation with stakeholders during the current PPP may assist in identifying areas of sensitivity to be avoided. The report included a comprehensive description of the affected environment and used the best available information, including peer-reviewed literature, baseline datasets, and previous specialist studies from comparable habitats. This includes EIA-related reports, which provide valuable empirical data on disturbance and recovery. In data-poor environments, such sources are important and were not relied on in isolation, but were critically reviewed alongside more recent published information. This ensures that impact predictions are based on a robust and up-to-date evidence base. In addition, several environmental baseline and monitoring surveys undertaken in the region have characterised the benthic environment.</p> <p>Accordingly, the assessment considered the broader concession area, the range of proposed activities, known sensitivities, appropriate mitigation measures, and potential impacts. This precautionary approach ensured that impacts were assessed without excluding any areas of possible sensitivity.</p> <p>This information was subjected to the PPP and I&amp;APs therefore had the opportunity to review it and provide input, including identifying areas of sensitivity that should be avoided.</p> <p>Prospecting is inherently phased in nature. Phase 1 comprises desktop review and geophysical surveys, the results of which will be used to refine later target areas and identify environmentally sensitive features to be avoided. The exact locations of any subsequent grab, core, or drill sampling can therefore only be confirmed once Phase 1 has been completed.</p> <p>As the assessment already adopted a precautionary approach and considered the broader concession area, proposed activities, known</p> |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | sensitivities, mitigation measures, and potential impacts, no additional PPP is required for this refinement process unless otherwise directed by the competent authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                                               | <p><b>Contribution to Science</b></p> <p>It is claimed that the Van Veen sampling program will contribute towards scientific and environmental knowledge. For this program to be of scientific benefit the data must be shared with the scientific community. Trans Atlantic has thus far been reluctant to share its in house data with stakeholders. How will this data and knowledge be shared with the scientific and environmental community?</p> <p><b>No-go option</b></p> <p>Statement: If the project does not precede the baseline data that will not be collected is seen as a lost opportunity in term of scientific data. Comment: Scientific data is meaningless data if it is not made available to the scientific community. Should this application be approved baseline environmental data must be shared with stakeholders and the scientific community.</p>                                                                                                                                                                                             | <p><b>2026/04/28</b><br/><b>EAP</b></p> <p>This recommendation has been added as a mitigation measure and is strongly recommended. Furthermore, should any heritage or palaeontological resources be identified during the proposed activities, the applicant will be required to notify the South African Heritage Resources Agency (SAHRA) in accordance with applicable legislation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                               | <p><b>Subtidal sandy benthic habitat</b></p> <p>Statement on page 33: Benthic sampling undertaken by Anchor in concessions 1B, 1C and 2C (similar depth range and biogeographical zone as Concession Area 11C) yielded a benthic macrofaunal community consisting of 45 species with an average biomass of 86 g/m<sup>2</sup> (1B), 32 g/m<sup>2</sup> (1C) and 39 g/m<sup>2</sup> (2C) respectively (Mostert et al. 2016, Biccard et al. 2020a). Available evidence suggests that the macrofaunal communities of Concession Area 11C are more similar to those found in the offshore, open coast areas such as 1C and 2C than the sheltered, productive west coast bays, but this will be confirmed during the proposed baseline sampling. Comment: How many samples were taken at 1C and 2C? Is this really a valid comparison because the two areas are more than 200km apart? What type of samples and how many samples will be taken during the baseline sampling program at 11C? Has the cost of 11C sampling program been included in the GNR 1147 closure plan?</p> | <p><b>2026/04/28</b><br/><b>Marine Specialist:</b></p> <p>To date more than 500 benthic samples have been collected and analysed over 11 sampling campaigns that have been undertaken in area 1C and 2C since 2003. The faunal communities present are typical of the continental shelf within the southern Benguela and are indeed different to those sampled in sheltered, productive west coast bays (Malan et al. 2024). It is highly likely that this will be the case for benthic macrofaunal communities within 11C – indeed this will be confirmed with adequate, comparable baseline sampling.</p> <p>Budgeting and financial provisioning comments have been addressed above. Please note that baseline sampling forms part of the overall project budgeting and financial planning.</p> <p>TAD has made adequate financial provision for the proposed activities, environmental monitoring, impact management, and contingency remediation. The financial provision is considered appropriate and proportionate to the scale and risk profile of the proposed activity.</p> |
|                                                               | <p><b>Offshore rocky reefs</b></p> <p>Statement on page 33: Concession Area 11C lies within what is mostly classified as sandy inner shelf habitat interspersed with rocky outcrops (Figure 6.4). The sandy inner shelf habitat type has the greatest extent within our EEZ, with muddy, gravel and mixed sediment habitat types constituting smaller areas (Sink et al. 2012). These offshore rocky reefs are colonised by a range of epifauna including bryozoans, encrusting and upright sponges, solitary and colonial</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>This comment is noted and a baseline survey has been recommended.</p> <p>The significance of impacts associated with seabed sampling and tailings disposal was assessed as low. The marine specialist report further recommends that sensitive reef habitats are avoided during prospecting operations.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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|                                                               | <p>ascidians, sea anemones and cold-water coral colonies – the latter being slow-growing and taking many years to become established (Biccard et al. 2021). Studies undertaking assessments of prospecting and mining-related impacts on these habitats in this region are relatively new and the time taken for disturbed epifaunal communities inhabiting offshore rocky reefs to recover has not yet been determined (Biccard et al. 2021). Comment: Absolutely nothing is known about the ecology of 11C. A detailed benthic sampling program must be designed by a marine ecologist once the geophysics has been interpreted and drill targets identified. Biccard et al. 2021 is not listed in the references.</p> <p>Statement on page 34: These offshore reefs within Concession Area 11C should be visually assessed (by means of drop camera deployments or remotely operated underwater vehicle) during the baseline environmental survey with regular repeat surveys following mining operations in the area – offshore reefs may not be directly impacted (mined) but are at risk of being indirectly impacted by tailings disposal. Comment: Which of the survey vessels carries this equipment and how much will such a survey cost? There does not appear to be any money in the budget for such a survey.</p> | <p>It is also understood that prospecting will not be undertaken on reef structures, as the activity specifically targets soft sediment environments where the relevant deposits are expected to occur.</p> <p>Budgeting and financial provisioning comments have been addressed above. Detailed financial information regarding the cost of each project component is not required to be disclosed as part of the Public Participation Process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                               | <p><b>Cumulative impacts</b></p> <p>Statement on page 85: Obtaining detailed information on the scale, extent, methodology (and hence intensity) of various current and pending applications is, however, not possible within the prescribed timeframes of a Basic Assessment Process for a single application (such as this one). Comment: This statement is incriminating. Anchor has been writing reports up and down the West Coast for ~10 years. Anchor not having its own data base of current and pending applications after 10 years in the area borders on negligence.</p> <p>Statement on page 88: It is recommended that a strategic level Environmental Impact Assessment (EIA) process based on marine spatial planning principles be undertaken to assess and manage potential cumulative impacts in a holistic manner and to identify and implement regional level mitigation measures. The decision making authority (DMPR) must take cognisance of this recommendation to do a strategic level EIA in order for Specialists and Environmental Assessment Practitioners to accurately assess cumulative impacts. Comment: I though the purpose of an EMPr is for EAP to quantify the cumulative impacts and come up with recommendations.</p>                                                                 | <p><b>2026/04/28</b><br/> <b>EAP and Marine Specialist:</b></p> <p>The statement does not imply negligence, but rather recognises the practical limitations of assessing cumulative impacts for a single application within the prescribed timeframes of a Basic Assessment process.</p> <p>The west coast offshore environment extends across an extremely large marine area comprising many thousands of square kilometres. Therefore, detailed, current information on all activities, pending applications, methodologies, timing, and spatial overlap is not always publicly available or within the control of the EAP.</p> <p>In addition, it is not feasible for a private consultancy to independently survey or maintain real-time baseline datasets for every part of this coastline at its own cost, particularly where access to offshore areas depends on project-specific vessels, permissions to access the areas, and client-appointed survey programmes. Baseline data collection is typically undertaken when project-specific baseline surveys are undertaken and there is access to survey vessels and sites.</p> <p>Anchor has, however, drawn on the best available information, including previous studies undertaken in the region, publicly available datasets, scientific literature, historical project knowledge, and project-specific specialist input. This existing knowledge has informed the cumulative impact assessment in the BAR.</p> <p>It should further be noted that even the relevant authorities and national institutions do not currently have complete, fine-scale, real-time datasets for</p> |

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|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>the entire offshore west coast, largely due to the scale, cost, and logistical constraints of marine data collection. Accordingly, cumulative impact assessment in offshore environments must necessarily rely on the best available information at the time of assessment.</p> <p>With regard to the recommendation for a strategic assessment, this reflects the recognised need for broader regional planning tools to assess cumulative impacts across multiple sectors and applications. Such strategic assessments or marine spatial planning processes fall within the mandate of the relevant authorities and are separate from the project-specific EIAs and EMPs, which addresses management and mitigation measures for the proposed activity.</p> <p>Anchor Environmental Consultants therefore strongly recommends that the DMPR commissions an updated Strategic Environmental Assessment to better understand and manage cumulative impacts of marine and coastal mining along the South African West Coast.</p> <p>Biccard et al. 2021 has been added to the report.</p> |
|                                                               | <p><b>Aspects for inclusion as conditions of Authorisation.</b></p> <p>Statement: Baseline grab samples should be collected before core samples to determine the nature of benthic communities before disturbance. Comment: Agree 100%. The 50 planned Van Veen grab samples are however hopelessly inadequate. 100 to 200 geotechnical holes are planned and 300 resource definition holes. Van Veen grab samples must be taken at every geotechnical and resource drill sites.</p> <p>Another condition that must be included that has been overlooked is the public participation process mentioned on page 27 and 28. Targets identified from the geophysics must be discussed with affected parties and the general public before geotechnical and resource drilling commences.</p> | <p>Comment related to baseline grab sampling has been responded to above, and will not be repeated here.</p> <p>Regarding your comment on the public participation process mentioned on pages 27 and 28, this appears to be a misinterpretation. The report states that “consultation with stakeholders during the Public Participation Process will further elucidate areas that need to be avoided.” This refers to stakeholder input informing the identification of sensitivities and avoidance measures during the current assessment process, and not to any deferral of assessment or a future public participation process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                               | <p><b>Financial provision</b></p> <p>The exploration budget of R16.79 million is inadequate because the time it will take to complete a high resolution geophysics survey has been under estimated. DP Star that is earmarked for this survey costs ~\$20,000 per day. It is said that the geophysics survey will take two months to complete. The geophysics program will cost ~\$1,2 million or R19.7 million. There has only been R3.698 million (table 29 in dBAR) budgeted for geophysics.</p>                                                                                                                                                                                                                                                                                      | <p>The critique suggesting a budget shortfall appears to rely on assumed vessel rates and worst-case continuous deployment scenarios. However, our exploration programmes are phased, adaptive and scaled according to results. Costs are further optimised through contractor selection and operational efficiencies.</p> <p>Under MPRDA Regulation 7(1)(k), the requirement is to provide a reasonable estimate of expenditure, which TAD have executed. There is no legislative</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|                                                               | <p>The 1,200 resource definition holes that are planned which will take 40 days to complete. The MS Explorer earmarked for this work costs \$40,000 per day. The resource definition drilling will cost ~\$1,6 million or R26.4 million. There has only been R12.8 million (table 29 in dBAR) budgeted for resource definition drilling.</p> <p>To completing a high resolution geophysics survey, 300 geotechnical boreholes, 1,200 resource boreholes and a feasibility study will cost R46.39 million. The exploration budget of R16.79 shown in table 29 is therefore woefully inadequate.</p> <p>The rehabilitation plan presented in table 30 is not GNR 1147 compliant. In terms of Regulation 11 (1) of GNR 1147, three distinct plans are required per prospecting right with financial provisioning required for each. Rehabilitation activities must be itemised, scheduled and budgeted in detail. This is in order that rehabilitation activities can be reviewed and audited annually. Table 29 does not provide the detail contemplated under GNR 1147.</p> | <p>requirement for a prospecting budget to reflect maximum theoretical expenditure. Furthermore, vessel selection is tender-based and survey designs are optimised for efficiency, making fixed-cost comparisons speculative.</p> <p>The budget figures in the PWP represent initial estimates rather than funding limits. We maintain access to additional funding capacity and financial backing through investors and guarantees. The assertion of underfunding does not reflect our actual financial capability.</p> <p>Regarding the concerns on Regulation 11(1) compliance, we submit that the level of detail provided is appropriate for offshore prospecting. Unlike land-based mining, active rehabilitation in deep marine environments is not feasible; environmental recovery occurs naturally through sediment transport and oceanographic processes.</p> <p>TAD have adequately provided for the proposed activities, environmental monitoring, impact management and contingency remediation. Our financial provision is aligned with the scale and risk of the activity. Furthermore, TAD confirms that it possesses strong financial backing, including investors and financial guarantees from reputable institutions, and maintains good standing and proven operational capacity within the industry.</p> <p>At the prospecting stage, it is not possible to fully itemise all future actions and regulations allow for the progressive refinement of financial provision as new data becomes available.</p> <p>Furthermore, there is no legal requirement for the full financial provisioning model or detailed calculation methodology to be disclosed as part of the public participation process.</p> <p>In addition, in terms of NEMA, the competent authority or Minister is the appropriate body to assess and approve the adequacy of financial provisioning, including the calculation methodology, as well as the applicant's financial and technical capability and competence.</p> |
| <b>Recommendation</b>                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                               | <p>Statement on page xii: Anchor Environmental Consultants strongly recommends that the DMPR commissions an updated Strategic Environmental Impact Assessment to better understand and manage cumulative impacts of marine and coastal mining along the South African West Coast. Comment: PTWC fully agrees. This application must be put on holds until a regional cumulative impact study has been completed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>This comment is noted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| <p><b>Afrikaans Comment.</b></p> <p>Refer to English comment and responses below the Afrikaans one.</p> <p>2026/04/20</p> <p>Email</p> <p>P.C. Anthony Andrews (Paramount Chief)</p> <p>West Coast Guriqua Council</p> <p>I&amp;AP</p> | <p><b>1. Inleiding</b></p> <p>Ons verteenwoordig Vissersgemeenskappe en Inheemse Mense wat 'n historiese, geestelike en kulturele verbintenis met die see het.</p> <p>Die aansoek van Trans Atlantic Diamonds om onderwater diamantmynaktiwiteite te onderneem, word hiermee formeel teengestaan.</p> <p><b>2. Historiese en Maatskaplike Konteks</b></p> <ul style="list-style-type: none"> <li>• Mynbou in Suid-Afrika het oor dekades heen kapitaal opgebou ten koste van Inheemse en plaaslike gemeenskappe.</li> <li>• Hierdie gemeenskappe, wat reeds volkslagting en historiese onteiening oorleef het, bly armlastig terwyl buitelandse en kapitalistiese maatskappye hulself verryk.</li> <li>• Die regering se praktyk om aansoeke goed te keur ondanks gemeenskapsbesware, ondermyn die reg op selfbeskikking en die beginsel van vrye, voorafgaande en ingeligte toestemming (FPIC).</li> </ul> <p><b>3. Omgewings- en Ekologiese Impak</b></p> <ul style="list-style-type: none"> <li>• Die seegebiede waar myn beplan word, bevat unieke natuurlike habitate, onderwater rotse en ekosisteme wat noodsaaklik is vir biodiversiteit.</li> <li>• Mynaktiwiteite bedreig die volhoubaarheid van visserye, wat die primêre bestaansbron van gemeenskappe is.</li> <li>• Die besoedeling en vernietiging van mariene ekosisteme het langtermyn gevolge wat nie deur maatskappye herstel word nadat minerale uitgeput is nie.</li> </ul> | <p><b>EAP</b><br/><b>2026/04/21</b></p> <p>Good morning Mr. Maarman<br/>I hope this email finds you well.<br/>Please accept this email as confirmation of receipt that we have received your comments.<br/>Please note that Anchor Environmental Consultants complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). All comments received, together with responses thereto, will be compiled into a Comments and Responses Report, which will be made available to the Competent Authority and the public as part of the consultation process.<br/>If you object to your name, email address, or the name of the company/organisation you represent, being made publicly available in this Report, please notify us at your earliest convenience, and no later than 24 April 2026. If no response is received, it will be assumed that you consent to your details being included.</p> <p>Hierdie opmerking word genoteer en is 'n aangeleentheid vir oorweging deur die DMPR as die bevoegde owerheid.</p> <p>Hierdie opmerking word genoteer en is 'n aangeleentheid vir oorweging deur die DMPR as die bevoegde owerheid.</p> <p>U kommer word erken. Neem asseblief kennis dat die huidige aansoek slegs geld vir die prospekteringsfase, wat tydelik en van lae intensiteit is. Enige toekomstige mynbou-aktiwiteite sal afsonderlike en meer gedetailleerde EIA-prosesse vereis ingevolge NEMA.</p> <p>Prospektering sal nie oor die volle 164 023 ha plaasvind nie, maar slegs in kleiner geteikende gebiede waar potensiële hulpbronne geïdentifiseer is. Die impakte van seabodemmonsters (sampling) en ander aktiwiteite (tailings disposal) is as laag betekenisvol beoordeel (low significance). Sedimentpluime word as minimaal verwag en aansienlik kleiner as natuurlike troebelheid in die gebied.</p> |

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|                                                                                                                                                                                                                                                                                                                                                             |          | <p>Die impakstudie wat deur die mariene ekologie- en visserspesialiste uitgevoer is, het die potensiele impakte van seismiese versteuring op ongewerwelde diere, visse, mariene soogdiere, seevoëls en skilpaaie nagegaan, asook die potensiaal vir botsings tussen ander vaartuie en groot mariene fauna, potensiele impakte van seabodemversteuring (sampling) en “tailings disposal” sedimentpluime, afval van vaartuie, en die potensiele impak op visserye. Al hierdie potensiele impakte is na implementering van versagtingsmaatreëls as “onbeduidend” tot “laag” in betekenisvolheid beoordeel. Gegewe hierdie bevindings is die algehele impak op die mariene omgewing, wanneer versagtingsmaatreëls toegepas word, waarskynlik nie 'n rede tot kommer nie.</p> <p>Rifhabitate (reef habitats) is wel sensitief, maar kan slegs moontlik geraak word indien die projek tot 'n produksiefase sou vorder, maar tydens prospektering is direkte en indirekte impakte as laag tot baie laag beoordeel. “Sampling” veroorsaak slegs gelokaliseerde en beperkte versteuring, met herstel moontlik deur herkolonisering uit omliggende gebiede. Gegewe die groot beskikbare area van soortgelyke habitat, word die algehele impak as onbeduidend beskou. Geen direkte versagtingsmaatreëls vir seabodemsteuring word nodig geag nie, behalwe sorgvuldige beplanning om sensitiewe rifgebiede te vermy.</p> <p>Dit word ook verstaan dat prospektering op sagte sediment gerig is waar die hulpbronne voorkom, nie op rifhabitat nie.</p> <p>Let daarop dat rehabilitasie van die seabodem tipies nie haalbaar is nie, as gevolg van die diepte en aard van die ontvangende omgewing. In sulke stelsels vind herstel natuurlik oor tyd plaas deur dinamiese fisiese prosesse, insluitend sedimentbeweging, veral in sagte sedimenthabitats waar die voorgestelde prospektering sal plaasvind. Gegewe die baie beperkte en gelokaliseerde versteuring wat met die voorgestelde aktiwiteite geassosieer word, word natuurlike herstel verwag. Onlangse wetenskaplike studies toon dat, hoewel prospektering meetbare korttermynversteuring van bentiese gemeenskappe kan veroorsaak, hierdie effekte na ongeveer 6–15 jaar nie opmerkbaar is nie, in vergelyking met verwysingsgebiede. Die stelsel herstel dus tot 'n funksionerende ekologiese toestand.</p> |
| <p><b>4. Gemeenskapbelange en Regte</b></p> <ul style="list-style-type: none"> <li>• Vissersgemeenskappe het 'n reg op toegang tot seegebiede, wat nie net ekonomies nie maar ook kultureel en geestelik van waarde is.</li> <li>• Die aansoek ignoreer die kollektiewe stem van gemeenskappe wat reeds “nee” gesê het vir soortgelyke projekte.</li> </ul> |          | <p>Let asseblief daarop dat die voorgestelde aktiwiteite ongeveer 5 km see in en 30–40 km vanaf die naaste dorpe geleë is. Dit sal nie lei tot nie lei tot verplasing, onteining of verlies van lewensbestaan of erfenishulpbronne nie, aangesien die aktiwiteite in die see plaasvind en nie grondtoegangbeperkings, uitsluitingsones of inmenging met bestaande kusgebruik behels nie.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|                                                               | <ul style="list-style-type: none"> <li>Die praktyk van maatskappye om te verdwyn nadat hulpbronne uitgeput is, laat gemeenskappe met armoede en ekologiese skade.</li> </ul>                                                                                                                                                                                                                                                                                                                                  | <p>Alhoewel moontlike tydelike uitsluiting van visvangvaartuie hoofsaaklik rondom die opnamevaartuig vir veiligheidsredes ingestel mag word, behels die voorgestelde aktiwiteite nie direkte uitsluiting van visvanggebiede nie (bv. deur ruimtelike sluitings of beperkte toegangsone), en daarom word geen direkte verlies aan toegang verwag nie.</p> <p>Verder het die mariene- en vissery-spesialisstudie aangedui dat geen beduidende impakte op sleutelvisserye verwag word nie, insluitend tuna-pool-en-lyn (TPL), klein pelagiese purse-seine en lynvissektore, gegewe die ligging, diepte en beperkte tydsduur van die aktiwiteite.</p> <p>Daar is geen oorvleueling tussen die voorgestelde aktiwiteite en die TPL-visserie nie, en impakte op die TPL-vloot word dus as onbeduidend beskou. Die prospektering sal verder see toe en in dieper water plaasvind as dié wat deur die lynvisserie gebruik word, en sal nie betekenisvolle sosio-ekonomiese impakte op die tradisionele lynvissektor of sy afhanklikes hê nie.</p> <p>Konsepsiegebied 11C grens aan, maar oorvleuel nie met, sleutel ansjovis- en sardyn purse-seine visvanggebiede nie. Dit vorm nie 'n beduidende deel van die jaarlikse vangste nie, en geen beduidende impakte op hierdie visserie of verwante lewensbestaansaktiwiteite word verwag nie.</p> <p>Soos hierbo genoem, word die impakte van prospektering as gering geag en word natuurlike herstel van die omgewing verwag.</p> |
| <p><b>5. Beleids en Regsoortredings</b></p>                   | <ul style="list-style-type: none"> <li>Trans Atlantic Diamonds voldoen nie aan die vereistes van volhoubare ontwikkeling en gemeenskapskonsultasie nie.</li> <li>Die regering se goedkeuring van sulke aansoeke, ondanks besware, is 'n skending van internasionale norme en die Grondwetlike regte van Inheemse en plaaslike gemeenskappe.</li> <li>Die aansoek weerspieël 'n patroon van buitelandse maatskappye wat plaaslike hulpbronne uitbuit sonder werklike voordeel vir die gemeenskappe.</li> </ul> | <p>Die aansoek is voorberei en beoordeel in ooreenstemming met die Wet op Nasionale Omgewingsbestuur (NEMA), die EIA Regulasies en ander toepaslike wetgewing. Die Omgewingsimpakbeoordelingsproses vereis spesifiek die oorweging van omgewings-, sosiale en ekonomiese impakte, sowel as betekenisvolle openbare deelname, wat in hierdie geval uitgevoer is.</p> <p>Belanghebbende betrokkenheid is in ooreenstemming met regulatoriese vereistes gedoen, en alle Geïnteresseerde en Geaffekteerde Partye (I&amp;APs) is toegang tot relevante inligting gegee om ingeligte deelname aan die proses moontlik te maak.</p> <p>Die bewering dat die aansoek nie in lyn is met die beginsels van volhoubare ontwikkeling of grondwetlike vereistes nie, word nie ondersteun nie, aangesien die beoordeling toon dat potensiële impakte geïdentifiseer en beoordeel is, en toepaslik bestuur kan word deur versagtingsmaatreëls.</p> <p>Verder berus die besluitneming by die bevoegde owerheid, wat verplig is om alle relevante faktore ingevolge NEMA te oorweeg voordat 'n besluit geneem word.</p>                                                                                                                                                                                                                                                                                                                                                                    |



| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP,                                                                                               | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                                                                                                                      | <p><b>6. Gevolgtrekking en Aanbeveling</b></p> <p>Ons versoek dat die aansoek van Trans Atlantic Diamonds ten sterkste afgekeur word. Die beskerming van mariene ekosisteme, die erkenning van Inheemse regte, en die bevordering van volhoubare gemeenskapsontwikkeling moet prioriteit geniet bo korttermyn winsbejag.</p>                                                                                                                                                                                                                                                                             | <p>Hierdie opmerking word genoteer en is 'n aangeleentheid vir oorweging deur die DMPR as die bevoegde owerheid.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>English Comment</b></p> <p>2026/04/20</p> <p>Email</p> <p>P.C. Anthony Andrews<br/>(Paramount Chief)</p> <p>West Coast Guriqua<br/>Council</p> <p>I&amp;AP</p> | <p><b>1. Introduction</b></p> <p>We represent Fishing Communities and Indigenous Peoples who have a historical, spiritual, and cultural connection with the sea. The application by Trans Atlantic Diamonds to undertake underwater diamond mining activities is hereby formally opposed.</p>                                                                                                                                                                                                                                                                                                            | <p>This comment is noted and is a matter for the consideration of the DMPR as the competent authority.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                      | <p><b>2. Historical and Social Context</b></p> <ul style="list-style-type: none"> <li>• Mining in South Africa has, over decades, accumulated capital at the expense of Indigenous and local communities.</li> <li>• These communities, which have already survived genocide and historical dispossession, remain impoverished while foreign and capitalist companies enrich themselves.</li> <li>• The government's practice of approving applications despite community objections undermines the right to self-determination and the principle of Free, Prior and Informed Consent (FPIC).</li> </ul> | <p>This comment is noted and is a matter for the consideration of the DMPR as the competent authority.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                      | <p><b>3. Environmental and Ecological Impact</b></p> <ul style="list-style-type: none"> <li>• The marine areas where mining is planned contain unique natural habitats, underwater reefs, and ecosystems that are essential for biodiversity.</li> <li>• Mining activities threaten the sustainability of fisheries, which are the primary source of livelihood for communities.</li> <li>• Pollution and destruction of marine ecosystems have long-term consequences that are not remedied by companies once minerals are depleted.</li> </ul>                                                         | <p>The concern is noted. However, this assessment applies only to the prospecting phase, which is temporary and low intensity. Any subsequent exploration or mining activities would require separate and more detailed EIAs under the NEMA and associated regulations.</p> <p>It should be recognised that prospecting will not occur across the full 164,023 ha concession area, but within a small portion of a concession area, where targeted resources have been identified as having viable extraction potential.</p> <p>The impact assessment conducted by the marine ecology and fisheries specialists reviewed the potential impacts of seismic disturbance to invertebrates, fish, marine mammals, seabirds and turtles, the potential for survey vessel collisions with marine megafauna, potential impacts of seabed sampling and tailings disposal, sediment plumes, waste from vessels, and the potential impact on fisheries. All of these potential impacts were assessed as having 'insignificant' to 'low' significance after implementation of mitigation measures to reduce impacts. Given these assessments, overall</p> |

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|                                                                        |          | <p>impact on the marine environment, when mitigation measures are put in place, is not likely to be of concern.</p> <p>Based on the proposed scope of work, prospecting activities are expected to occur over the short to medium term and are not typically sustained for the full project duration. The significance of impacts associated with seabed sampling and tailings disposal was assessed as low.</p> <p>Sediment plumes primarily affect the water column by increasing turbidity, reducing light penetration, and releasing dissolved substances from seabed sediments. Elevated turbidity can suppress phytoplankton growth and potentially alter community composition. However, such effects are only likely to be significant where plumes are extensive, persistent, and exceed natural turbidity levels. Recent studies indicate that this is unlikely for mining operations off the southern Namibian coast (Wright et al., 2024). Sediment plumes generated by prospecting activities would be considerably smaller and are expected to be negligible relative to natural background turbidity.</p> <p>These reefs are considered sensitive habitat and may be directly impacted should prospecting indicate economically viable resources and the project proceeds to production phase. However, at the prospecting phase potential direct impacts on reefs due to core and grab sampling are rated low negative significance and indirect impacts by smothering from tailings disposal as very low negative significance. Impacts from sampling are likely to result in localised removal of benthic organisms and their habitat within the footprint of the sampling tool, which due to the relatively small size of the various coring tools, is expected to be virtually negligible. The impacts from drill sampling are expected to be more extensive. These impacts include direct habitat loss and smothering of the benthos adjacent to sampling sites associated with localised tailings discard. The samples are discrete (not contiguous), and as a result, recolonisation from adjacent undisturbed areas is possible. Considering the available area of similar habitat on the continental shelf of the West Coast, the reduction in benthic biodiversity through sediment removal can be considered negligible. No direct mitigation is considered necessary for seabed sampling and localised smothering of the benthos (tailings disposal). However, it is possible to implement careful planning and management of potential discharges to ensure that tailings are not discarded onto sensitive reef habitat. It is understood that the Prospecting Right will not provide the required environmental authorisation for mining activities to be undertaken.</p> <p>The marine specialist report recommends that sensitive reef habitats are avoided during prospecting operations. It is also understood that prospecting will not be undertaken on reef structures, as the activity specifically targets</p> |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          | <p>soft sediment environments where the relevant deposits are expected to occur.</p> <p>Also note that rehabilitation of the seabed is typically not feasible due to the depth and nature of the receiving environment. In such systems, recovery occurs naturally over time through dynamic physical processes, including sediment movement and redistribution, particularly within soft sediment habitats where the proposed prospecting activities will take place. Given the very limited and localised disturbance associated with the proposed activities, natural recovery is anticipated. Recent scientific studies indicate that, although prospecting activities can cause measurable short-term disturbance to benthic communities, these effects were not detectable after approximately 6-15 years when compared with reference sites, with the system demonstrating recovery to a functioning ecological state.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>4. Community Interests and Rights</b></p> <ul style="list-style-type: none"> <li>Fishing communities have a right of access to marine areas, which are valuable not only economically, but also culturally and spiritually.</li> <li>The application ignores the collective voice of communities that have already said “no” to similar projects.</li> <li>The practice of companies disappearing after resources are exhausted leaves communities with poverty and ecological damage.</li> </ul> |          | <p>It should be noted that the proposed activities are located approximately 5 km offshore and 30–40 km from the nearest towns. It will not result in displacement, dispossession, or loss of livelihoods or heritage resources as activities occur offshore and further do not involve land access restriction, exclusion zones, or interference with existing coastal use.</p> <p>Although potential temporary exclusion of fishing vessels mainly around the survey vessel might be implemented for safety reasons, the proposed activities do not involve direct exclusion from fishing grounds (e.g. through spatial closures or restricted access zones), and therefore no direct loss of access is anticipated.</p> <p>In addition, the marine fisheries assessment indicated that no significant impacts are expected on key fisheries, including tuna pole-and-line (TPL), small pelagic purse-seine, and linefish sectors, given the offshore location, depth, and limited temporal footprint of the activities.</p> <p>This is because there is no overlap between the proposed activities and the TPL fishery. Impacts on the TPL fleet are therefore expected to be negligible. The surveys will occur further offshore and in deeper waters than those used by the linefishery, and are not expected to result in any meaningful socio-economic impact on the traditional linefishing sector or its dependants. Concession Area 11C is adjacent to, but does not overlap with, key anchovy and sardine purse-seine fishing areas. It does not form a significant part of annual catch effort, and no significant impacts on this fishery or associated livelihoods are anticipated.</p> <p>As noted above, impacts of prospecting is expected to be minor and natural recovery is anticipated.</p> |

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|                                                                                  | <p><b>5. Policy and Legal Violations</b></p> <ul style="list-style-type: none"> <li>Trans Atlantic Diamonds does not comply with the requirements of sustainable development and community consultation.</li> <li>Government approval of such applications, despite objections, is a violation of international norms and the constitutional rights of Indigenous and local communities.</li> <li>The application reflects a pattern of foreign companies exploiting local resources without real benefit to communities.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The application has been prepared and assessed in accordance with the National Environmental Management Act (NEMA), the EIA Regulations, and other applicable legislation. The Environmental Impact Assessment process specifically requires the consideration of environmental, social, and economic impacts, as well as meaningful public participation, all of which have been undertaken in this case.</p> <p>Stakeholder engagement has been conducted in line with regulatory requirements, and all Interested and Affected Parties (I&amp;APs) have been provided with access to relevant information necessary to enable informed participation in the process.</p> <p>The assertion that the application is inconsistent with sustainable development principles or constitutional requirements is not supported, as the assessment demonstrates that potential impacts have been identified, assessed, and are capable of being appropriately managed through mitigation measures.</p> <p>Furthermore, the authorisation decision rests with the competent authority, which is required to consider all relevant factors in terms of NEMA before reaching a decision.</p> |
|                                                                                  | <p><b>6. Conclusion and Recommendation</b></p> <p>We strongly request that the application by Trans Atlantic Diamonds be refused. The protection of marine ecosystems, the recognition of Indigenous rights, and the promotion of sustainable community development must take priority over short-term profit seeking.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>This comment is noted and is a matter for the consideration of the DMPR as the competent authority.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>2026/04/21</p> <p>Email</p> <p>Alexis Osborne</p> <p>DFFE</p> <p>I&amp;AP</p> | <p>Dear Cheruscha Swart</p> <p><b>RE: APPLICATION FOR A PROPOSED PROSPECTING RIGHT APPLICATION IN SEA CONCESSION AREA 11C, WEST COAST, SOUTH AFRICA</b></p> <p>The Directorate: Sustainable Aquaculture Management of the Department of Forestry, Fisheries and the Environment ("DFFE") have reviewed the Basic Assessment Report and associated reports for the Trans Atlantic Diamonds Prospecting Right Application in Sea Concession 11C, West Coast, South Africa.</p> <p>The comment of the DFFE are as follows:</p> <ol style="list-style-type: none"> <li>The DFFE, Branch: Fisheries Management has a mandate in the development and management of aquaculture in South Africa, please register the Directorate: Sustainable Aquaculture Management as an Interested and Affected Party (I&amp;AP) to be included for further communication (EnvironAssessment@dffe.gov.za).</li> <li>The Department has noted that it has previously commented on other EIAs close to the proposed site for this activity and would therefore request these comments be read in conjunction with the previous submission on adjacent concession areas (11A, 12A, 13A, 11B, 12B and 13B), as the current application is geographically contiguous</li> </ol> | <p><b>2026/04/28</b></p> <p><b>EAP</b></p> <p>Thank you for your comments below; they are noted.</p> <p>We thank the Department for highlighting the relevance of broader regional context.</p> <p>Please note that comments relating to adjacent concession areas were not accessible to the EAP within the timeframe of this assessment. However, we confirm that this is a resubmission of the application for Concession Area</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|                                                               | and forms part of a broader area subject to prospecting activities along the West Coast.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>11C, and that previous comments received from the Department in 2021/2022 relating specifically to this application have been reviewed and considered in the updated BAR and specialist studies.</p> <p>It is further assumed that these previous comments for 11C would be broadly consistent with those from the department on adjacent concession areas, and therefore the updated documentation is considered to have adequately addressed similar concerns where relevant.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                               | <p>3. While the impacts associated with the proposed prospecting activities are assessed as low at an individual project level, the Department reiterates its concern regarding the potential cumulative impacts arising from multiple prospecting applications across adjacent concession areas. The inclusion of Concession Area 11C, in addition to previously assessed concession areas may result in increased cumulative impacts such as:</p> <ul style="list-style-type: none"> <li>• Repeated and overlapping disturbance of the seabed;</li> <li>• Increased frequency and spatial extent of sediment plume generation; and</li> <li>• Broader-scale alteration of benthic habitats and associated ecosystem processes.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>As set out in the BAR, cumulative impacts have been assessed to the extent possible based on available regional data and publicly accessible information on existing and proposed activities. However, detailed and comprehensive quantification of all adjacent and future prospecting activities across the broader offshore region is not fully possible within the scope of a project-specific Basic Assessment, given that such information is not consistently available or centralised.</p> <p>The potential for cumulative impacts arising from multiple activities across adjacent concession areas is recognised as a matter that extends beyond the scope of a single project-level assessment.</p> <p>In this regard, we recommend that a Strategic Environmental Assessment (SEA) and marine spatial planning assessment be commissioned. As this will fall within the mandate of the authorities, including the DFFE, we respectfully refer to the DFFE for consideration within their broader planning and strategic assessment frameworks.</p> |
|                                                               | <p>4. It should be noted that the proposed Trans Atlantic Diamonds Prospecting Right Application in Sea Concession 11C area falls within the Doring Bay Abalone (Pty) Ltd aquaculture reaching sea concession area and the proposed Papendorp ranching sea concession area that was recently published on 26 February 2025 (Government Notice (GN) No. 52199).</p> <p>5. Doring Bay Abalone (Pty) Ltd has a valid ranching abalone right and permit issued by the Department. The ranching concession area is approximately seven (7) kilometers along the coastline between Doring Bay and Strandfontein Bay located at co-ordinates (Point A: 31°45'26.34"S; 18°13'25.35"E, Point B 31°49'14.43"S; 18°13'54.44"E [see GN No. 44636])</p> <p>6. Doring Bay Abalone Farm (Pty) Ltd also has a land-based facility abstracting and discharging sea water in close proximity to the proposed prospecting area. Please do ensure that Doring Bay Abalone Farm (Pty) Ltd is included as an Interested and Affected Party (I&amp;AP).</p> <p>7. The Papendorp abalone ranching sea concession area stretching from the North-West of Doring Bay, extending south of MSR Tormin mine (31°35'20.00"S, 15°6'49.00"E) to 17 km North-West of Strandfontein (31°37'25.00"S; 18°7'50.00"E) overlapping with 11 C.</p> | <p>The 11C concession does not overlap with any ranching areas and is considered too far offshore to have any impacts on ranching.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| Date of comment, format of comment name of organisation/I&AP,                                             | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Response from EAP/Applicant/Specialist                                                                                                                                                                                                                          |
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|                                                                                                           | <p>8. The Department has noted that concession areas 11C overlaps with the abalone ranching sites and will be likely to have an impact on the ranching sites in Doring Bay and North-West of Doring Bay. It is therefore recommended that monitoring of heavy metal and resuspension from the sediments emanating from the prospecting and/or mining activity taking place near the ranching site, which have the potential to impact the ranched abalone by accumulating heavy metals in the flesh of the animal is monitored to ensure that impact to the seeded abalone is mitigated at all stages of the operations.</p> <p>9. It is also recommended that when the applicant want to apply for the mining activity, the Department be consulted as this activity would have more impact than the proposed prospecting activity being currently applied for.</p> <p>10. The applicant must coordinate and plan prospecting activities not to occur during sensitive periods for when aquaculture ranching (grow out) and abalone farming activities occur.</p> <p>Please note that the Directorate: Sustainable Aquaculture Management reserves the right to review and/or provide additional comments in future. Enquiries may be directed to the contacts provided at the top of this correspondence.</p> <p>Yours sincerely.</p> | <p>Should a mining activity application be submitted, the DFFE will be consulted.</p> <p>As the 11C concession does not overlap with any ranching areas and is considered too far offshore to have any impacts on ranching, this is considered unnecessary.</p> |
| <p>2026/04/23</p> <p>Email</p> <p>Aaron Larkens</p> <p>Trans Hex Operations (Pty) Ltd</p> <p>I&amp;AP</p> | <p>Hi Steve</p> <p>THO's position / views differ, for the below reason/s.</p> <p>As we understand it, TAD / Anchor's contention that the withheld technical and operational information is irrelevant to the environmental assessment is contradicted by TAD's own BAR and EMPr.</p> <p>The BAR and EMPr expressly assume a contractor-based operational model, including the appoint of a sampling contractor(s), contractor personnel and vessel crew and further claim potential local and regional socio-economic benefits, including job creation, preferential procurement and socio-economic development.</p> <p>Yet the disclosed documents contain no meaningful project-specific indication as to who the contractor(s) will be, whether local contractors or local employees will be used, what employment opportunities are in fact contemplated or how any such community benefits will actually be realised.</p> <p>In those circumstances, the information THO has requested is not collateral; it is precisely the information required to test whether the benefits asserted in the BAR / EMPr are real, or merely aspirational – I believe that THO has made this point previously.</p>                                                                                                                               | <p><b>2026/04/23</b><br/><b>EAP</b><br/>Please refer to the EAP's response dated 23 April 2026 to the letter from THO dated 17 April 2026, which addresses the comments raised herein.</p>                                                                      |

| Date of comment,<br>format of comment<br>name of<br>organisation/I&AP,              | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Response from EAP/Applicant/Specialist                                                                                                                                                                                  |
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|                                                                                     | <p>Be that as it may, THO has belaboured the point and trust the above will be properly captured in the comments and responses report.</p> <p>Kind Regards</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                         |
| <p>2026/04/24</p> <p>Email</p> <p>Nastasha Higgitt</p> <p>SAHRA</p> <p>I&amp;AP</p> | <p><b>In terms of Section 38(4) of the National Heritage Resources Act (Act 25 of 1999)/In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999)</b></p> <p>Anchor Environmental Consultants were appointed by Trans Atlantic Diamonds (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for proposed prospecting activities in Sea Concession Area 11C (WC30/5/1/1/2/10522 PR).</p> <p>A revised Draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed prospecting right application area will cover 164 023 ha, and will target minerals such as precious metals, gemstones, ferrous and base metals, black sand minerals, zirconium ore and iron ore.</p> <p>A previous EA was granted for these activities; however, it was not renewed within the prescribed timeframes. The current application is a resubmission of the previous application. Invasive activities will include Van Veen grab and core sampling, and drilling.</p> <p>As part of the previous application, a Heritage Impact Assessment (HIA) was conducted that assessed the impact of the proposed development on heritage resources (Gribble, 2021). A summary of that report is as follows:</p> <p>Palaeontology within the development area may include shell casts, fossilised bones and teeth of sharks and other fishes, skulls of extinct whale species and occasional remains of ice-age animals. Fossils may be present within core samples and it was recommended that these fossils be recorded and identified by a specialist. Additional recommendations included that a set of core samples be provided for fossil research.</p> | <p><b>2026/04/28</b><br/><b>EAP</b></p> <p>We thank you for your comment and note that you have no objections. We also take note of your additional conditions to be considered in terms of reporting of any finds.</p> |
|                                                                                     | <p>Submerged heritage resources that may include Stone Age material due to the long term occupation of the West Coast. No shipwrecks are expected to be present.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                         |
|                                                                                     | <p><b>Final Comment</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>38(4)a – The SAHRA Development Applications Unit (DAU) has no objections to the proposed development;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                         |

| Date of comment, format of comment name of organisation/I&AP, | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Response from EAP/Applicant/Specialist                                                                                                             |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                               | <ul style="list-style-type: none"> <li>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:</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                    |
|                                                               | <ul style="list-style-type: none"> <li>38(4)c(i) – If any evidence of archaeological sites or remains (e.g. fossils, shipwrecks, Stone Age material) or other categories of heritage resources are found during the proposed development, SAHRA DAU (Natasha Higgitt/Nokukhanya Khumalo) 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;</li> </ul>                                                                                                                                                  |                                                                                                                                                    |
|                                                               | <ul style="list-style-type: none"> <li>38(4)d – See section 51(1) of the NHRA regarding offences;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                    |
|                                                               | <ul style="list-style-type: none"> <li>38(4)e – The following conditions apply with regards to the appointment of specialists:</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                    |
|                                                               | <ul style="list-style-type: none"> <li>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, these materials must be conserved onboard the vessel and handed over to Iziko Museums Maritime Lab for inspection. The approximate location and depth of the find must be recorded and provided in a report to SAHRA;</li> </ul> |                                                                                                                                                    |
|                                                               | <ul style="list-style-type: none"> <li>The Final BAR and EMPr must be submitted to SAHRA for record purposes;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                    |
|                                                               | <ul style="list-style-type: none"> <li>The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                    |
|                                                               | Should you have any further queries, please contact the designated official using the case number quoted above in the case header.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | We take note of this and will upload the documents onto the SAHRIS system and will communicate the decision regarding the EA Application to SAHRA. |
|                                                               | Yours faithfully                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                    |



### 3 COMPLIANCE WITH REGULATION 39, 40, 41, 42, 43 AND 44 OF THE EIA REGULATIONS, 2014

| GN 982                                                          | Content                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | How Requirement Was / Will Be Fulfilled                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CHAPTER 6- PUBLIC PARTICIPATION</b>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>39 Activity on land owned by person other than proponent</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>39(1)</b>                                                    | If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain the written consent of the landowner or person in control of the land to undertake such activity on that land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | N/A. The location of the prospecting site is located in the ocean.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>39 (2)</b>                                                   | (2) Subregulation (1) does not apply in respect of-<br>(a) linear activities; and (b) ..... (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>40 Purpose of public participation</b>                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>40 (1)</b>                                                   | The public participation process to which the<br>(a) basic assessment report and EMPr, and the closure plan in the case of a closure activity, submitted in terms of regulation 19; and<br>(b) Scoping report submitted in terms of regulation 21, the environmental impact assessment report, EMPr, and the closure plan in the case of a closure activity, submitted in terms of regulation 23;<br>was subjected to must give all potential or registered interested and affected parties, including the competent authority, a period of at least 30 days to submit comments on each of the basic assessment report, EMPr, scoping report and environmental impact assessment report, and the closure plan in the case of a closure activity, as well as the report contemplated in regulation 32, if such reports or plans are submitted at different times. | A single 30-day Public Participation period was undertaken.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>40(2)</b>                                                    | The public participation process contemplated in this regulation must provide access to all information that reasonably has or may have the potential to influence any decision with regard to an application unless access to that information is protected by law and must include consultation with (a) the competent authority; (b) Every State department that administers a law relating to a matter affecting the environment relevant to an application for an environmental authorisation; (c) All organs of state which have jurisdiction in respect of the activity to which the application relates; and (d) All potential, or, where relevant, registered interested and affected parties.                                                                                                                                                          | Documents containing all relevant information that could influence decision-making was made publicly accessible throughout the public participation process. Hard copies were available at the Strandfontein West Coast Information Centre and Doringbaai WCG eCentre and digital versions was accessible on Anchor Environmental's website.<br><br>All potential I&APs listed in the compiled database were directly notified of the availability of the reports and invited to participate. These included relevant authorities such as the competent authority, State departments responsible for environmental matters, and organs of state with jurisdiction over aspects of the proposed development. In addition, broader notification was achieved through a newspaper advertisement, the placement of A2 site notices, and A4 posters to |

| GN 982                                 | Content                                                                                                                                                                                                                                                                                                                                                                       | How Requirement Was / Will Be Fulfilled                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                        |                                                                                                                                                                                                                                                                                                                                                                               | ensure that any additional potential I&APs are informed and given an opportunity to register and comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 40(3)                                  | Potential or registered interested and affected parties, including the competent authority, may be provided with an opportunity to comment on reports and plans contemplated in subregulation (1) prior to submission of an application but must be provided with an opportunity to comment on such reports once an application has been submitted to the competent authority | No pre-app PPP was conducted, only an official 30-day PPP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>41 Public participation process</b> |                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 41 (2) (a)                             | Fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of —                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                        | (i) the site where the activity to which the application or proposed application relates is or is to be undertaken; and                                                                                                                                                                                                                                                       | An A2 notice board was placed in Strandfontein, at the R362 and Kreef Road intersection, and along the R362 in front of the SAPS Doring Bay Police Station in Doringbaai.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                        | (ii) any alternative site;                                                                                                                                                                                                                                                                                                                                                    | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 41 (2) (b)                             | Giving written notice, in any of the manners provided for in section 47D of the Act, to—                                                                                                                                                                                                                                                                                      | <p><b>Section 47D of NEMA: Delivery of documents</b></p> <p>(1) A notice or other document in terms of this Act or a specific environmental management Act may be issued to a person</p> <p>-(a) by delivering it by hand;</p> <p>-(b) by sending it by registered mail</p> <p>    (i) to that person's business or residential address; or</p> <p>    (ii) in the case of a juristic person, to its registered address or principal place of business;</p> <p>-(bA) by faxing a copy of the notice or other document to the person, if the person has a fax number;</p> <p>-(bB) by e-mailing a copy of the notice or other document to the person, if the person has an e-mail address; or</p> <p>-(bC) by posting a copy of the notice or other document to the person by ordinary mail, if the person has a postal address;</p> <p>-(c) where an address is unknown despite reasonable enquiry, by publishing it once in the Gazette and once in a local newspaper circulating in the area of that person's last known residential or business address.</p> <p>(2) A notice or other document issued in terms of subsection (1) (b), (bA), (bB), (bC) or (c) must be regarded as having come to the notice of the person, unless the contrary is proved.</p> |
| (i)                                    | the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;                                                                       | The proposed prospecting site is located in the ocean, therefore, the site has no owner, as well as no adjacent landowners.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| (ii)                                   | owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken                                                                                                                                                                                                                                                        | The proposed prospecting site is located in the ocean, therefore, the site has no owner, as well as no adjacent landowners.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| GN 982            | Content                                                                                                                                                                                                                                                                                                                                                                                                        | How Requirement Was / Will Be Fulfilled                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (iii)             | the municipal councillor of the ward in which the site and alternative site is situated and any organisation of ratepayers that represent the community in the area;                                                                                                                                                                                                                                           | Closest municipality to the proposed prospecting site is the Matzikama Municipality. The site is located the closest to Ward 8 of the Matzikama Municipality, and at the time that the PPP was lodged, the ward had to ward councillor. However, email notifications were sent to the municipality to inform the municipality of the PPP and availability of the BAR in accordance with Section 47D(1)(bB) of the NEMA. The Strandfontein and Doringbaai ratepayers' associations were also notified of the PPP and Draft BAR, as they are the closest towns and coastal towns to the proposed prospecting site. |
| (iv)              | the municipality which has jurisdiction in the area;                                                                                                                                                                                                                                                                                                                                                           | Email notifications were sent to several environmental and land use branches within the Municipality. This notification was issued in accordance with Section 47D(1)(bB) of NEMA.                                                                                                                                                                                                                                                                                                                                                                                                                                |
| (v)               | any organ of state having jurisdiction in respect of any aspect of the activity; and                                                                                                                                                                                                                                                                                                                           | Written notice was provided via email (in accordance with Section 47D(1)(bB) of NEMA) to all relevant organs of state that have jurisdiction over aspects of the proposed activity.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| (vi)              | any other party as required by the competent authority;                                                                                                                                                                                                                                                                                                                                                        | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>41 (2) (c)</b> | Placing an advertisement in                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                   | <ul style="list-style-type: none"> <li>i. one local newspaper; or</li> <li>ii. (ii) Any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;</li> </ul>                                                                                                                                         | A notice was placed in the <i>Ons Kontrei</i> , a local Afrikaans newspaper circulated in the district.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>41 (2) (d)</b> | Placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken: Provided that this paragraph need not be complied with if an advertisement has been placed in an official Gazette referred to in paragraph (c)(ii); and   | A notice was placed the <i>Cape Argus</i> , a provincial newspaper circulated in the Western Cape.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>41 (2) (e)</b> | using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.                                                                                                                                                                      | This requirement was not applicable at that stage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>41 (3) (a)</b> | A notice, notice board or advertisement referred to in subregulation (2) must give details of the application or proposed application which is subjected to public participation; and                                                                                                                                                                                                                          | This requirement was complied with.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>41 (3) (b)</b> | State (i) whether basic assessment or S&EIR procedures are being applied to the application; (ii) The nature and location of the activity to which the application relates; (iii) Where further information on the application or proposed application can be obtained; and (iv) The manner in which and the person to whom representations in respect of the application or proposed application may be made. | These requirements were complied with.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>41 (4)</b>     | A notice board referred to in subregulation (2) must<br><b>(a)</b> be of a size of at least 60 cm by 42 cm; and                                                                                                                                                                                                                                                                                                | These requirements were complied with. A2 notice boards were used.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| GN 982                                                | Content                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | How Requirement Was / Will Be Fulfilled                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                       | (b) Display the required information in lettering and in a format as may be determined by the competent authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                           |
| 41 (5)                                                | <p>Where public participation is conducted in terms of this regulation for an application or proposed application, subregulation (2)(a), (b), (c) and (d) need not be complied with again during the additional public participation process contemplated in regulations 19(1)(b) or 23(1)(b) or the public participation process contemplated in regulation 21(2)(d), on condition that</p> <ul style="list-style-type: none"> <li>(a) such process has been preceded by a public participation process which included compliance with subregulation (2)(a), (b), (c) and (d); and</li> <li>(b) Written notice is given to registered interested and affected parties regarding where the <ul style="list-style-type: none"> <li>i. Revised documents as contemplated in regulation 19(1)(b);</li> <li>ii. Revised documents as contemplated in regulation 23(1)(b); or</li> <li>iii. environmental impact assessment report and documents as contemplated in regulation 21(2)(d); may be obtained, the manner in which and the person to whom representations on these reports or plans may be made and the date on which such representations are due.</li> </ul> </li> </ul> | This condition was noted.                                                                                                                                                                                                                                                                                                                                                 |
| 41 (6)                                                | <p>When complying with this regulation, the person conducting the public participation process must ensure that</p> <ul style="list-style-type: none"> <li>(a) information containing all relevant facts in respect of the application or proposed application is made available to potential interested and affected parties; and</li> <li>(b) participation by potential or registered interested and affected parties is facilitated in such a manner that all potential or registered interested and affected parties are provided with a reasonable opportunity to comment on the application or proposed application.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>These requirements were complied with.</p> <p>A single 30-day Public Participation period was undertaken.</p> <p>During these periods, the draft reports were made available in both hard copy and digital formats. I&amp;APs were able to submit comments via email, post, by handing in written comments, telephonically, or verbally during the public meeting.</p> |
| 41 (7)                                                | Where an environmental authorisation is required in terms of these Regulations and an authorisation, permit or licence is required in terms of a specific environmental management Act, the public participation process contemplated in this Chapter may be combined with any public participation processes prescribed in terms of a specific environmental management Act, on condition that all relevant authorities agree to such combination of processes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                                                                                                                                                                                                                                                                                                                                                       |
| <b>42 Register of interested and affected parties</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                           |
| 42 (2)                                                | A proponent or applicant must ensure the opening and maintenance of a register of interested and affected parties and submit such a register to the competent authority, which register must contain the names, contact details and addresses of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | This requirement was complied with. Please refer to the I&AP database.                                                                                                                                                                                                                                                                                                    |

| GN 982                                                                                        | Content                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | How Requirement Was / Will Be Fulfilled                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                               | <ul style="list-style-type: none"> <li>(a) all persons who, as a consequence of the public participation process conducted in respect of that application, have submitted written comments or attended meetings with the proponent, applicant or EAP;</li> <li>(b) All persons who have requested the proponent or applicant, in writing, for their names to be placed on the register; and</li> <li>(c) All organs of state which have jurisdiction in respect of the activity to which the application relates.</li> </ul>                                            |                                                                                                                                                                                                              |
| <b>43 Registered interested and affected parties entitled to comment on reports and plans</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                              |
| <b>43(1)</b>                                                                                  | A registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application. | Comments were received and incorporated into this CRR, with responses from the EAP, specialists, and/ or Applicant. All comments were considered in the updated of the update of the reports where relevant. |
| <b>43 (2)</b>                                                                                 | In order to give effect to section 24O of the Act, any State department that administers a law relating to a matter affecting the environment must be requested, subject to regulation 7(2), to comment within 30 days.                                                                                                                                                                                                                                                                                                                                                 | All relevant State departments were contacted for comment.                                                                                                                                                   |
| <b>44 Comments of interested and affected parties to be recorded in reports and plans</b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                              |
| <b>44 (1)</b>                                                                                 | The applicant must ensure that the comments of interested and affected parties are recorded in reports and plans and that such written comments, including responses to such comments and records of meetings, are attached to the reports and plans that are submitted to the competent authority in terms of these Regulations.                                                                                                                                                                                                                                       | A CRR (this document) has been compiled and will be submitted with the final BAR.                                                                                                                            |
| <b>44 (2)</b>                                                                                 | <p>Where a person desires but is unable to access written comments as contemplated in subregulation (1) due to</p> <ul style="list-style-type: none"> <li>(a) A lack of skills to read or write;</li> <li>(b) Disability; or</li> <li>(c) Any other disadvantage,</li> </ul> <p>reasonable alternative methods of recording comments must be provided for.</p>                                                                                                                                                                                                          | This requirement was not applicable at that stage.                                                                                                                                                           |

## **4 APPENDICES**

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### **APPENDIX A: Proof of Notification —emails, notices and newspaper ads**

## Steve September

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**From:** Steve September  
**Sent:** Tuesday, 17 March 2026 09:53  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)  
**Attachments:** BID -Prospecting 11C\_2026.03.17.pdf

**Tracking:**

**Recipient**

**Read**

Talia Norvall  
Cheruscha Swart  
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hhfbester@wcdm.gov.za  
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azcpedro@wcdm.gov.za  
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**DIE AFRIKAANSE VERTALING VAN HIERDIE E-POS VOLG NA DIE ENGELS**

Dear Interested and Affected Party,

You have been identified as a potential interested and affected (I&AP) on the following NEMA EIA Application:

**RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)**

**APPLICANT: Trans Atlantic Diamonds (Pty) Ltd**

**NEW EA APPLICATION REF. NO.: WC30/5/1/1/2/10522 PR**

Trans Atlantic Diamonds (Pty) Ltd (TAD) was granted Environmental Authorisation (EA) and Prospecting Rights (PR) to prospect minerals in Concession Area 11C (Ref. No. (WC30/5/1/1/2/10384 PR). As the PR was not renewed within the prescribed timeframe, the EA and PR lapsed and TAD was required to reapply for EA and PR. A new application was lodged in December 2025 (Ref. No. WC30/5/1/1/2/10522 PR) to the Department of Mineral and Petroleum Resources (DMPR) in terms of the National Environmental Management Act, 107 of 1999 (NEMA) and the Mineral and Petroleum Resource Development Act, 28 of 2002 (MPRDA). Anchor Environmental Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to assist TAD with the re-application and to conduct the Public Participation Process (PPP) prior to submission of the final documentation to the DMPR.

Please refer to the attached Background Information Document (BID) for further details.

**Interested and Affected Parties are hereby invited to review the Draft BAR and associated documents and to submit comments on the re-application during the PPP: From 19 March 2026 to 23:59 on 20 April 2026.**

The documents can be accessed digitally on Anchor Environmental Consultants' website at:  
<https://www.anchorenvironmental.co.za/public-documents>

Submit your comments to the contact person below via email, post or telephonically. Ensure that your name, contact details, your interest in this activity (e.g. resident, fisherman, etc.) and manner in which you wish to be contacted (phone/ WhatsApp/ post/ email) is provided.

*You are also requested to contact the person below should you wish to remain on the project database and receive further updates on this project. If no response is received, your details will be removed from the distribution list.*

**AFRIKAANS**

Geagte Belangstellende en Geaffekteerde Party,

Ek vertrou dit gaan goed.

U is as 'n belanghebbende en geaffekteerde (I&AP) op die volgende NEMA EIA-aansoek geregistreer as gevolg van u posisie in 'n relevante staatsdepartement, of u nabyheid aan die voorgestelde ontwikkelingsterrein:

**HERAANSOEK VIR OMGEWINGSMAGTIGING EN PROSPEKTEREGTE VIR SEEKONSESSIEGEBIED 11C, WESKUS, WES-KAAP, (40KM NOORD VAN STRANDFONTEIN, VANRHYNSDORP LANDDROSDISTRIK)**

**AANSOEKER: Trans Atlantic Diamonds (Edms) Bpk.**

## NUWE EA AANSOEK REF. NO.: WC30/5/1/1/2/10522 PR

Trans Atlantic Diamonds (Edms) Bpk (TAD) is Omgewingsmagtigings (EA) en Prospekterregte (PR) toegestaan om minerale in Konsesioneerarea 11C (Verw. Nr. (WC30/5/1/1/2/10384 PR) te prospekter. Aangesien die PR nie binne die voorgeskrewe tydsraamwerk hernu is nie, het die EA en PR verval en moes TAD weer aansoek doen vir EA en PR. 'n Nuwe aansoek is in Desember 2025 (Verw. Nr. WC30/5/1/1/2/10522 PR) by die Departement van Minerale en Petroleumbronne (DMPR) ingedien ingevolge die Wet op Nasionale Omgewingsbestuur, 107 van 1999 (NEMA) en die Wet op Minerale en Petroleumbronne-ontwikkeling, 28 van 2002 (MPRDA). Anchor Environmental Consultants is aangestel as die onafhanklike Omgewingsassesseringspraktisyn (EAP) om TAD met die heraansoek by te staan en die Openbare Deelnameproses (PPP) uit te voer voor die indiening van die finale dokumentasie aan die DMPR.

Verwys asseblief na die aangehegte Agtergrondinligtingsdokument (BID) vir verdere besonderhede.

Belangstellende en Geaffekteerde Partye (I&APs) word hiermee uitgenooi om die Konsep-BAR en gepaardgaande dokumente te hersien en kommentaar oor die heraansoek in te dien tydens die PPP: Van 19 Maart 2026 tot 23:59 op 20 April 2026.

Die dokumente kan digitaal verkry word op Anchor Environmental Consultants se webwerf by:

<https://www.anchorenvironmental.co.za/public-documents>

Dien u kommentaar per e-pos, pos of telefonies aan die onderstaande kontakpersoon in. Maak seker dat u naam, kontakbesonderhede, u belangstelling in hierdie aktiwiteit (bv. inwoner, visserman, ens.) en die manier waarop u gekontak wil word (telefoon/WhatsApp/pos/e-pos) verskaf word.

*U word ook versoek om die onderstaande persoon te kontak indien u op die projekdatabasis wil bly en verdere opdaterings oor hierdie projek wil ontvang. Indien geen reaksie ontvang word nie, sal u besonderhede van die verspreidingslys verwyder word.*

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

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# Newspaper Advertisements

## Cape Argus – English Provincial Newspaper

CAPE ARGUS

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Friday, March 13 2026



**CITY OF CAPE TOWN**  
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### CLOSURE, DISPOSAL AND TRANSFERS

#### Proposed closure and disposal of a portion of public street, erf 64538 Cape Town, situated at Second Avenue, Kenilworth, to the abutting owners of erf 157898 Cape Town: Paresh Bhana Keshav and Heide Kunzmann

Notice is hereby given that the Council is, in terms of section 4 of the City of Cape Town Immovable Property by Law, 2015, considering the closure of a Portion of Public Street, being Erf 64538 Cape Town, abutting Erf 157898 Cape Town and in terms of the Policy on the Management of Certain of the City of Cape Town's Immovable Property (approved on 26 August 2010), considering the disposal of the following:

- Closure and disposal of a Portion of Public Street, being Erf 64538 Cape Town, situated at Second Avenue, Kenilworth, to the owners of the abutting Erf 157898 Cape Town, Paresh Bhana Keshav & Heide Kunzmann or their successors-in-title, for parking and security purposes.
- The property, in extent approximately 75 m<sup>2</sup> will be disposed of at a purchase price of R125 000.00 (excluding VAT), escalating at 6% per annum compounded annually on a pro rata basis commencing from 01 July 2026 until date of registration.

#### Information Statement:

- The valuation of the capital asset to be transferred or disposed of is R125 000.00 exclusive of VAT and costs. The comparable sales method of valuation was used to determine that valuation.
- The reason for the proposal to dispose of the capital asset is that the City received an unsolicited application by an abutting property owner to acquire the subject property. The proposal is to extend the applicant's yard space for parking and security purposes.
- The property is considered to be non-viable and can only be utilized by the abutting owner (the applicant).
- After due consideration, the subject proposal is supported by internal departments and the land is not required for the provision of basic municipal services.
- The expected benefits to the Municipality that result from the proposed disposal are that Council will be relieved of the maintenance burden in terms of the subject property and security will be enhanced.
- The expected proceeds to be received by the Municipality from the disposal is a financial benefit in the form of a market related purchase price of R125 000.00 exclusive of VAT, which consideration will

- escalate at 6% per annum compounded annually on a pro rata basis commencing from 01 July 2026 until date of registration.
- The expected gain that will be realized by the Municipality arising from the proposed sale is fair market value and future rates and taxes.

For further details of the transaction, contact Daniel Kanjeda on 021 444 8242 between the hours 07:00 and 15:30 on weekdays. Any comments/objections to the proposed disposal must be submitted in writing, together with the reasons therefor, to Daniel Kanjeda: PO Box 4557 Cape Town or emailed to Daniel.Kanjeda@capetown.gov.za on or before 13 April 2026.

**LUNGEO MBANDAZO**  
CITY MANAGER  
13 March 2026



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**AANLYN-KALENDER 2026**

Ons dateer die aanlyn kalender weekliks op.  
Alle kerke, skole, sportklubs en instansies stuur julle belangrike datums na  
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## Citrusdal eSentrum vier graduasie

Berig: Mariana Smuts  
Foto: Verskaf

**CITRUSDAL:** Die Wes-Kaapse Regering se eSentrum op Citrusdal het op Dinsdag, 3 Maart die graduasieseremonie vir die Basiese Digitale Vaardigheidsopleiding aangebied, 'n geleentheid wat die prestasies van die ses gegradueerdes gevier het en die eSentrum se belangrike rol in gemeenskapsbetrokkenheid vir digitale opleiding beklemtoon. Die eSentrum het sy waardering uitgespreek teenoor die rolspeleers en vennote wat die geleentheid ondersteun het, met bywoning deur onder andere die West Coast College in samewerking met plaaslike organisasies soos die Cederberg Geïntegreerde Menslike Nedersettings, die Sonstraalijes ECD Speelgroep, die Cederberg/Matzikama Vigsnetwerk, die Citrusdal Biblioteek, Badisa Citrusdal, Arise with Crizaan SA en die Wes-Kaapse Regering Mobile eCentre, wat almal bygedra het om digitale insluiting in die streek te bevorder. Die gasspreker, Crizaan Sampson, het die studente aangemoedig om hul nuwe digitale vaardighede met vertroue te gebruik en voort te gaan om te leer, terwyl die ontwikkelingsbestuurder Elroy Reuters en die bestuurder van die Wes-Kaapse Regering Citrusdal eSentrum, Chawin Fransman, die gegradueerdes gelukgewens het. "Baie geluk aan al die gegradueerdes wat die program suksesvol voltooi het. Julle toewyding om julle digitale vaardighede te verbeter, is 'n belangrike

stap in die rigting van groter geleenthede en groei." Die eSentrum gaan voort met sy missie om toegang tot die digitale wêreld te vergroot en positiewe stories in die streek te skryf.



Agter is Citrusdal belanghebbendes en vennote. Voor is die ses gegradueerdes saam met die ontwikkelingsbestuurder in die middel, Elroy Reuters.

## Booyensdal stel VRL bekend

Berig en foto: Verskaf

**VREDENDAL:** Booyensdal Primêr is trots om die nuwe Verteenwoordigende Raad van Leerders (VRL) vir 2026 aan te kondig. Die verkiesing het op Vrydag, 27 Februarie, plaasgevind en leerders het entoesiasies hul stemme uitgebring. Die volgende leerders is verkies: hoofseun: Jqvano Beukes en hoofdogter: Amenia Beukes. Die VRL leerders is Edwano van der Byl (graad

4), Juliane Engelbrecht (graad 5) en Alicia Bocks (graad 6). Die nuwe VRL-span (foto onder) sien uit daarna om saam met die skoolbestuur en personeel te werk om 'n positiewe verskil in die skool te maak. Die personeel wens die verkose leerders geluk en sterkte toe met hul verantwoordelikhede.



**PUBLIC PARTICIPATION PROCESS/PUBLIEKE DEELNAME PROSES**  
Maintenance Management Plan for maintenance and repairs for flood damage in the Cederberg Wilderness Area, specifically the Algeria Campsite, Boshersberg Accommodation, Sneeuweg, Sneekop and Heuningsvlei Roads.  
Notice is hereby given of a public participation process in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended, and the Environmental Impact Assessment Regulations, 2014 (as amended) including the National Water Act, 1998 (Act No. 36 of 1998) as amended, and the "Regulations Regarding the Procedural Requirements for Water Use Licence Applications and Appeals", dated 2017.

**English:**  
The Cederberg Wilderness Area is located on various properties, situated within the Cederberg Local Municipality and the West Coast District Municipality. The proposed works are for the maintenance and repair works for various roads/tracks and campsites that took place during flood damage.  
This notification is for I&APs to register, should they wish to receive more information on the availability of the draft EMP. The 30-day pre-application Public Participation Process for the environmental application will be from Monday, 16 March 2026, until Wednesday, 22 April 2026 (30 days).  
More information is available from the EAP, and the draft EMP may be accessed at <https://www.groenbergenviro.co.za/projects/?dir=3949>

**Afrikaans:**  
Die Cederberg Wildernisgebied is geleë op verskeie eiendomme, wat geleë is in die Cederberg Plaaslike Munisipaliteit, asook die Weskus Distrikse Munisipaliteit. Die voorgestelde werke is vir die instandhouding en herstel van verskeie paaie en kampeerterreine wat skade opgedoen het weens oorstromings.

Hierdie advertensie dien vir I&APs om te registreer indien hulle meer inligting wil ontvang en van die beskikbaarheid van die konsep Bestuur en Herstel Plan (30 dae). Die 30-dae Openbare Deelnameproses sal wees vanaf Maandag 16 Maart 2026 tot Woensdag 22 April 2026 duur.

Meer inligting is beskikbaar by die OBP en die vooraansoek konsep Bestuur en Herstelplan kan verkry word by <https://www.groenbergenviro.co.za/projects/?dir=3949>.

**NEMA:** The following National Environmental Management Act (NEMA) listed activities are triggered:  
• Listing Notice 1: Activity 19 and 27  
• Listing Notice 3: Activity 12

**Date of this notice:** 12 March 2026  
**WULA:** The proposed maintenance activities will take place within or in proximity to watercourses and therefore activate listed activities as in Section 21 of the National Water Act, 1998. Section 21(c): Impeding or diverting the flow of water in a watercourse; and Section 21(f): Altering the bed, banks, course, or characteristics of a watercourse.

GroenbergEnviro (Pty) Ltd  
PO Box 1058, Wellington, 7654  
Details of EAP/OBP: Elaine Kühn, Cell: 082 746 5627,  
E-mail: [elanie@groenbergenviro.co.za](mailto:elanie@groenbergenviro.co.za)  
Details of WULA Consultant: Hendri Badenhorst; Cell: 072 178 6835;  
Email: [hendri@groenbergenviro.co.za](mailto:hendri@groenbergenviro.co.za)

## KENNISGEWING: UITNODIGING OM KOMMENTAAR TE LEWER OP DIE HERAANSOEK VIR OMGEWINGSMAGTIGING EN PROSPEKTEREGTE VIR SEEKONSSESGEBIED 11C, 40KM NOORD VAN STRANDFONTEIN LANGS DIE WESKUS

Trans Atlantic Diamonds (Edms) Bpk. is Omgewingsmagtiging (EA) en Prospekteregte toegestaan om diamante, edelstene, swaar en industriële minerale; en yster, basis- en edelmetale in Konsessiegebied 11C (Verw. Nr. (WC) 30/5/1/1/2/10384 PR) te prospekter. Die EA en prospekteregte het egter verval, en die klient het in Desember 2025 'n nuwe aansoek vir EA en Prospekteregte (Verw. Nr. (WC) 30/5/1/1/2/10522 PR) ingedien by die Departement van Minerale en Petroleumhulpbronne (DMPR) ingevolge die Nasionale Wet op Omgewingsbestuur (107 van 1998) en die Wet op die Ontwikkeling van Minerale en Petroleumhulpbronne (28 van 2002).

Anchor Environmental Consultants (Edms) Bpk. is aangestel as die onafhanklike Omgewingsassesseringspraktisyn (EAP) om die 2022 Basiese Assesseringsverslag (BAR) wat onveranderd bly, en die opgedateerde spesialisverslag (waar van toepassing) vir die voorgestelde aktiwiteit en die potensiële impakte daarvan, weer in te dien, tesame met die uitvoering van 'n Openbare Deelnameproses met die indiening van die bevindinge as 'n verslag aan die DMPR.

U word hiermee uitgenooi om u kommentaar oor die heraansoek en aktiwiteit in te dien gedurende die 30-dae openbare kommentaarperiode: Van 19 Maart 2026 tot 23:59 op 20 April 2026.

'n Agtergrondinligtingsdokument, spesialisstudies en 'n BAR met besonderhede oor die projek sal elektronies beskikbaar wees vanaf die onderstaande webwerf en as gedrukte kopieë by die Doringbaai WGC eSentrum en Strandfontein Weskus Inligtingsentrum gedurende hierdie tyd.

**METODE OM KOMMENTAAR TE LEWER:** Dien u kommentaar in by die onderstaande kontakpersoon per e-pos, pos of telefonies. Maak seker dat u naam, kontakbesonderhede, u belangstelling in hierdie aktiwiteit (bv. inwoner, visserman, ens.) en die manier waarop u gekontak wil word (telefoon/WhatsApp/e-pos) verskaf word.

**Kontakpersoon:**  
Steve September: 021 701 3420  
Posadres: Suite 8, Steenberg House, Steenberg Office Park, Silverwood Close, Tokai, 7945  
E-pos: [steve@anchorenviromental.co.za](mailto:steve@anchorenviromental.co.za)  
Besook: <https://anchorenviromental.co.za>



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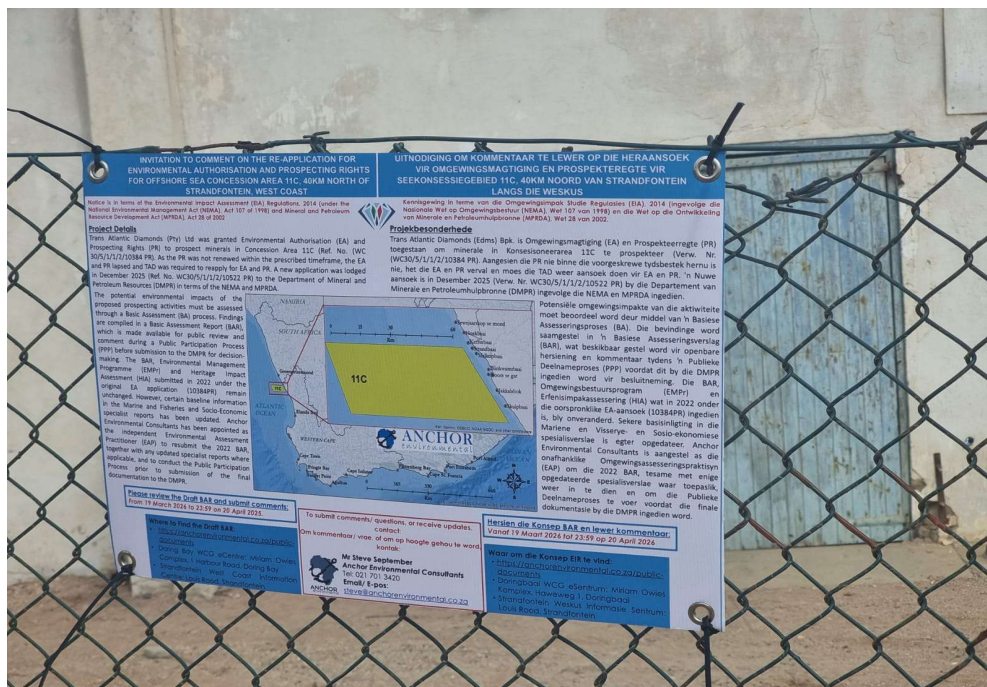


## Site Notices

## Strandfontein – On the c/o the R362 and Kreef Road



Doringbaai – On the R362, across the SAPS Doring Bay Police Station





# Posters

## Doringbaai

### Doringbaai VGK Church

**INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST**

Notice is in terms of the Environmental Impact Assessment (EIA) Regulations, 2014 (under the National Environmental Management Act (NEMA), Act 107 of 1998) and Mineral and Petroleum Resource Development Act (MPRDA), Act 28 of 2002.

**Project Details**  
Trans Atlantic Diamonds (Pty) Ltd was granted Environmental Authorisation (EA) and Prospecting Rights (PR) to prospect minerals in Concession Area 11C (Ref. No. (WC 30/5/1/1/2/10384 PR). As the PR was not renewed within the prescribed timeframe, the EA and PR lapsed and TAD was required to reapply for EA and PR. A new application was lodged in December 2025 (Ref. No. WC30/5/1/1/2/10522 PR) to the Department of Mineral and Petroleum Resources (DMPR) in terms of the NEMA and MPRDA.

The potential environmental impacts of the proposed prospecting activities must be assessed through a Basic Assessment (BA) process. Findings are compiled in a Basic Assessment Report (BAR), which is made available for public review and comment during a Public Participation Process (PPP) before submission to the DMPR for decision-making. The BAR, Environmental Management Programme (EMP) and Heritage Impact Assessment (HIA) submitted in 2022 under the original EA application (10384PR) remain unchanged. However, certain baseline information in the Marine and Fisheries and Socio-Economic specialist reports has been updated. Anchor Environmental Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to resubmit the 2022 BAR, together with any updated specialist reports where applicable, and to conduct the Public Participation Process prior to submission of the final documentation to the DMPR.

**Please review the Draft BAR and submit comments:**  
From 19 March 2026 to 23:59 on 20 April 2026.

**Where to find the Draft BAR:**  
• <https://anchorenvironmental.co.za/public-documents>  
• Doring Bay WCG eSentrum: Msimi Owies Complex, 1 Harbour Road, Doring Bay  
• Strandfontein West Coast Information Centre: Louis Road, Strandfontein

**To submit comments/ questions, or receive updates, contact:**  
Om kommentaar/ vrae, of om op hoogte gehou te word kontak:  
**Mr Steve September**  
Anchor Environmental Consultants  
Tel: 021 701 3420  
Email/ E-pos: [steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)

**UITNODIGING OM KOMMENTAAR TE LEWER OP DIE HERAANSOEK VIR OMGEWINGSMACTIGING EN PROSPEKTEREGTE VIR SEKONSSIEGEBIED 11C, 40KM NOORD VAN STRANDFONTEIN LANGS DIE WESKUS**

Kennisgewing in terme van die Omgewingsimpak Studie Regulasies (EIA) 2014 (ingevolge die Nasionale Wet op Omgewingsbeheer (NEMA), Wet 107 van 1998) en die Wet op die Ontwikkeling van Minerale en Petoeliumhulpbronne (MPRDA), Wet 28 van 2002.

**Projekbesonderhede**  
Trans Atlantic Diamonds (Edms) Bpk. is Omgewingsmagtiging (EA) en Prospekteregte (PR) toegestaan om minerale in Konsessieera 11C te prospekter (Verw. Nr. (WC30/5/1/1/2/10384 PR). Aangesien die PR nie binne die voorgeskryde tydbestek hernu is (WC30/5/1/1/2/10384 PR) vervel en moes die TAD weer aansoek doen vir EA en PR. 'n Nuwe aansoek is in Desember 2025 (Verw. Nr. WC30/5/1/1/2/10522 PR) by die Departement van Minerale en Petoeliumhulpbronne (DMPR) ingevolge die NEMA en MPRDA ingedien.

Potensieel omgewingsimpakte van die aktiviteite moet beoordeel word deur middel van 'n Basiese Assesseringsproses (BA). Die bevindinge word saamgestel in 'n Basiese Assesseringsverslag (BAR), wat beskikbaar gestel word vir openbare hersiening en kommentaar tydens 'n Publieke Deelnemingsproses (PPP) voordat dit by die DMPR ingedien word vir besluitneming. Die BAR, Omgewingsbestuursprogram (EMP) en Erfenisimpakassessering (HIA) wat in 2022 onder die oorspronklike EA-aansoek (10384PR) ingedien is, bly onveranderd. Sekere basisinligting in die Mariene en Visserye- en Sosio-ekonomiese spesialisverslae is egter opgedateer. Anchor Environmental Consultants is aangestel as die onafhanklike Omgewingsassesseringspraktijk (EAP) om die 2022 BAR, tesame met enige opgedateerde spesialisverslae waar toepaslik, weer in te dien en om die Publieke Deelnemingsproses te voer voordat die finale dokumentasie by die DMPR ingedien word.

**Hierdie die Konsep BAR en lewer kommentaar:**  
Vanaf 19 Maart 2026 tot 23:59 op 20 April 2026

**Waar om die Konsep EIR te vind:**  
• <https://anchorenvironmental.co.za/public-documents>  
• Doringbaai WCG eSentrum: Msimi Owies Komplex, Howeweg 1, Doringbaai  
• Strandfontein Weskus Informasie Sentrum: Louis Road, Strandfontein

### SAPS Doring Bay Police Station

**INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST**

Notice is in terms of the Environmental Impact Assessment (EIA) Regulations, 2014 (under the National Environmental Management Act (NEMA), Act 107 of 1998) and Mineral and Petroleum Resource Development Act (MPRDA), Act 28 of 2002.

**Project Details**  
Trans Atlantic Diamonds (Pty) Ltd was granted Environmental Authorisation (EA) and Prospecting Rights (PR) to prospect minerals in Concession Area 11C (Ref. No. (WC 30/5/1/1/2/10384 PR). As the PR was not renewed within the prescribed timeframe, the EA and PR lapsed and TAD was required to reapply for EA and PR. A new application was lodged in December 2025 (Ref. No. WC30/5/1/1/2/10522 PR) to the Department of Mineral and Petroleum Resources (DMPR) in terms of the NEMA and MPRDA.

The potential environmental impacts of the proposed prospecting activities must be assessed through a Basic Assessment (BA) process. Findings are compiled in a Basic Assessment Report (BAR), which is made available for public review and comment during a Public Participation Process (PPP) before submission to the DMPR for decision-making. The BAR, Environmental Management Programme (EMP) and Heritage Impact Assessment (HIA) submitted in 2022 under the original EA application (10384PR) remain unchanged. However, certain baseline information in the Marine and Fisheries and Socio-Economic specialist reports has been updated. Anchor Environmental Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to resubmit the 2022 BAR, together with any updated specialist reports where applicable, and to conduct the Public Participation Process prior to submission of the final documentation to the DMPR.

**Please review the Draft BAR and submit comments:**  
From 19 March 2026 to 23:59 on 20 April 2026.

**Where to find the Draft BAR:**  
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Tel: 021 701 3420  
Email/ E-pos: [steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)

**UITNODIGING OM KOMMENTAAR TE LEWER OP DIE HERAANSOEK VIR OMGEWINGSMACTIGING EN PROSPEKTEREGTE VIR SEKONSSIEGEBIED 11C, 40KM NOORD VAN STRANDFONTEIN LANGS DIE WESKUS**

Kennisgewing in terme van die Omgewingsimpak Studie Regulasies (EIA) 2014 (ingevolge die Nasionale Wet op Omgewingsbeheer (NEMA), Wet 107 van 1998) en die Wet op die Ontwikkeling van Minerale en Petoeliumhulpbronne (MPRDA), Wet 28 van 2002.

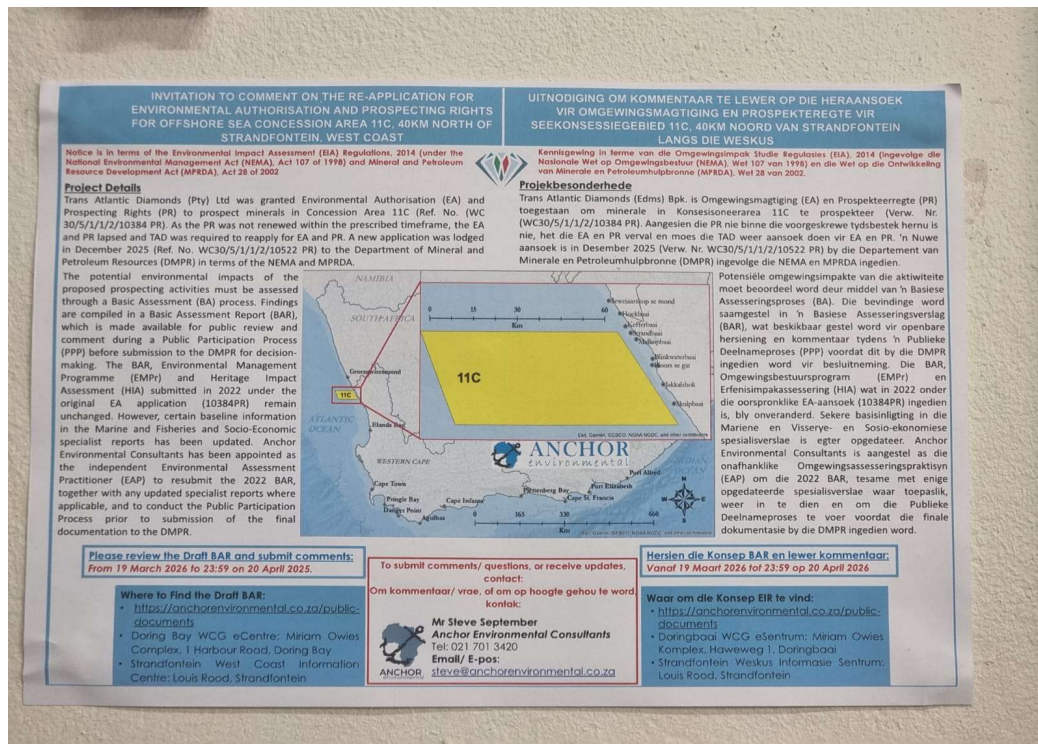
**Projekbesonderhede**  
Trans Atlantic Diamonds (Edms) Bpk. is Omgewingsmagtiging (EA) en Prospekteregte (PR) toegestaan om minerale in Konsessieera 11C te prospekter (Verw. Nr. (WC30/5/1/1/2/10384 PR). Aangesien die PR nie binne die voorgeskryde tydbestek hernu is (WC30/5/1/1/2/10384 PR) vervel en moes die TAD weer aansoek doen vir EA en PR. 'n Nuwe aansoek is in Desember 2025 (Verw. Nr. WC30/5/1/1/2/10522 PR) by die Departement van Minerale en Petoeliumhulpbronne (DMPR) ingevolge die NEMA en MPRDA ingedien.

Potensieel omgewingsimpakte van die aktiviteite moet beoordeel word deur middel van 'n Basiese Assesseringsproses (BA). Die bevindinge word saamgestel in 'n Basiese Assesseringsverslag (BAR), wat beskikbaar gestel word vir openbare hersiening en kommentaar tydens 'n Publieke Deelnemingsproses (PPP) voordat dit by die DMPR ingedien word vir besluitneming. Die BAR, Omgewingsbestuursprogram (EMP) en Erfenisimpakassessering (HIA) wat in 2022 onder die oorspronklike EA-aansoek (10384PR) ingedien is, bly onveranderd. Sekere basisinligting in die Mariene en Visserye- en Sosio-ekonomiese spesialisverslae is egter opgedateer. Anchor Environmental Consultants is aangestel as die onafhanklike Omgewingsassesseringspraktijk (EAP) om die 2022 BAR, tesame met enige opgedateerde spesialisverslae waar toepaslik, weer in te dien en om die Publieke Deelnemingsproses te voer voordat die finale dokumentasie by die DMPR ingedien word.

**Hierdie die Konsep BAR en lewer kommentaar:**  
Vanaf 19 Maart 2026 tot 23:59 op 20 April 2026

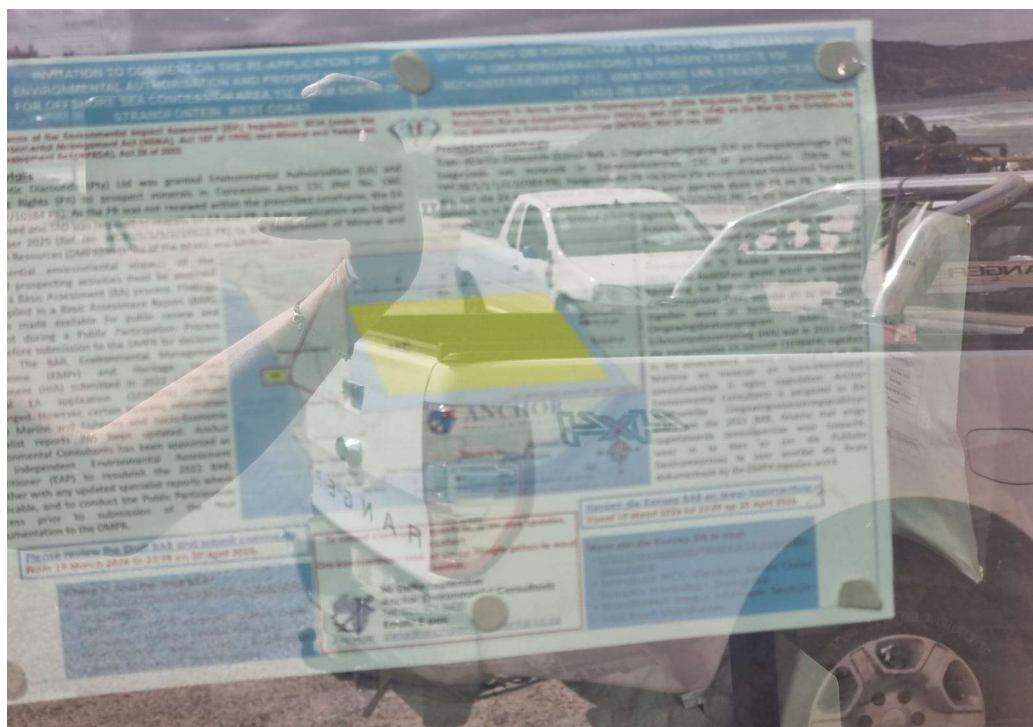
**Waar om die Konsep EIR te vind:**  
• <https://anchorenvironmental.co.za/public-documents>  
• Doringbaai WCG eSentrum: Msimi Owies Komplex, Howeweg 1, Doringbaai  
• Strandfontein Weskus Informasie Sentrum: Louis Road, Strandfontein

## Doringbaai WCG eCentre



# Strandfontein

## Strandfontein Kafee





## Strandfontein West Coast Information Centre

### INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST

Notice is in terms of the Environmental Impact Assessment (EIA) Regulations, 2014 (under the National Environmental Management Act (NEMA), Act 107 of 1998) and Mineral and Petroleum Resource Development Act (MPRDA), Act 28 of 2002.

**Project Details**

Trans Atlantic Diamonds (Pty) Ltd was granted Environmental Authorisation (EA) and Prospecting Rights (PR) to prospect minerals in Concession Area 11C (Ref. No. WC 30/5/1/12/10384 PR). As the PR was not renewed within the prescribed timeframe, the EA and PR lapsed and TAD was required to reapply for EA and PR. A new application was lodged in December 2025 (Ref. No. WC30/5/1/12/10522 PR) to the Department of Mineral and Petroleum Resources (DMPR) in terms of the NEMA and MPRDA.

The potential environmental impacts of the proposed prospecting activities must be assessed through a Basic Assessment (BA) process. Findings are compiled in a Basic Assessment Report (BAR), which is made available for public review and comment during a Public Participation Process (PPP) before submission to the DMPR for decision-making. The BAR, Environmental Management Programme (EMP) and Heritage Impact Assessment (HIA) submitted in 2022 under the original EA application (10384PR) remain unchanged. However, certain baseline information in the Marine and Fisheries and Socio-Economic specialist reports has been updated. Anchor Environmental Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to resubmit the 2022 BAR, together with any updated specialist reports where applicable, and to conduct the Public Participation Process prior to submission of the final documentation to the DMPR.

### UITNODIGING OM KOMMENTAAR TE LEWER OP DIE HERAANSOEK VIR OMGEWINGSMACTIGING EN PROSPEKTEREGTE VIR SEEKONSESSIEGEBIED 11C, 40KM NOORD VAN STRANDFONTEIN LANGS DIE WESKUS

Kenniggewing in terme van die Omgewingsimpak Studie Regulasies (EIA), 2014 (ingevolge die Nasionale Wet op Omgewingsbestuur (NEMA), Wet 107 van 1998) en die Wet op die Ontwikkeling van Minerale en Petooleumhulpbronne (MPRDA), Wet 28 van 2002.

**Projekbesonderhede**

Trans Atlantic Diamonds (Edms) Bpk. is Omgewingsmagtigting (EA) en Prospekteregte (PR) toegestaan om minerale in Konsessiegebied 11C te prospekter (Verw. Nr. WC30/5/1/12/10384 PR). Aangesien die PR nie binne die voorgeskryde tydskedule herno is nie, het die EA en PR verval en moet die TAD weer aansoek doen vir EA en PR. 'n Nuwe aansoek is in Desember 2025 (Verw. Nr. WC30/5/1/12/10522 PR) by die Departement van Minerale en Petooleumhulpbronne (DMPR) ingedien.

Potensiële omgewingsimpakte van die aktiwiteite moet beoordeel word deur middel van 'n Basiese Assesseringsproses (BA). Die bevindinge word saamgestel in 'n Basiese Assesseringsverslag (BAR), wat beskikbaar gestel word vir openbare hersiening en kommentaar tydens 'n Publieke Deelnemeproses (PPP) voordat dit by die DMPR ingedien word vir besluitneming. Die BAR, Omgewingsbestuursprogram (EMP) en Erfenisimpak assessering (HIA) wat in 2022 onder die oorspronklike EA-aansoek (10384PR) ingedien is, bly onveranderd. Sekere basiese inligting in die Mariene en Visserye- en Sosio-ekonomiese spesialisverslae is egter opgedateer. Anchor Environmental Consultants is aangestel as die onafhanklike Omgewingsassesseringspraktisyn (EAP) om die 2022 BAR, tesame met enige opgedateerde spesialisverslae waar toepaslik, weer in te dien en om die Publieke Deelnemeproses te voer voordat die finale dokumentasie by die DMPR ingedien word.

**Please review the Draft BAR and submit comments. From 19 March 2026 to 23:59 on 20 April 2026.**

**Where to find the Draft BAR:**

- <https://anchorenvironmental.co.za/public-documents>
- Doring Bay WCG eCentre: Miriam Owies Complex, 1 Harbour Road, Doring Bay
- Strandfontein West Coast Information Centre: Louis Road, Strandfontein

**To submit comments/ questions, or receive updates, contact:**

**Om kommentaar/ vrae, of om op hoogte gehou te word kontak:**

**Mr Steve September**  
**Anchor Environmental Consultants**  
 Tel: 021 701 3420  
 Email/ E-pos: [steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)

**Hierdie die Konsep BAR en lewer kommentaar. Vanaf 19 Maart 2026 tot 23:59 op 20 April 2026.**

**Waar om die Konsep ER te vind:**

- <https://anchorenvironmental.co.za/public-documents>
- Doringbaai WCG eSentrum: Miriam Owies Komplex, Haweweg 1, Doringbaai
- Strandfontein Weskus Informatie Sentrum: Louis Road, Strandfontein

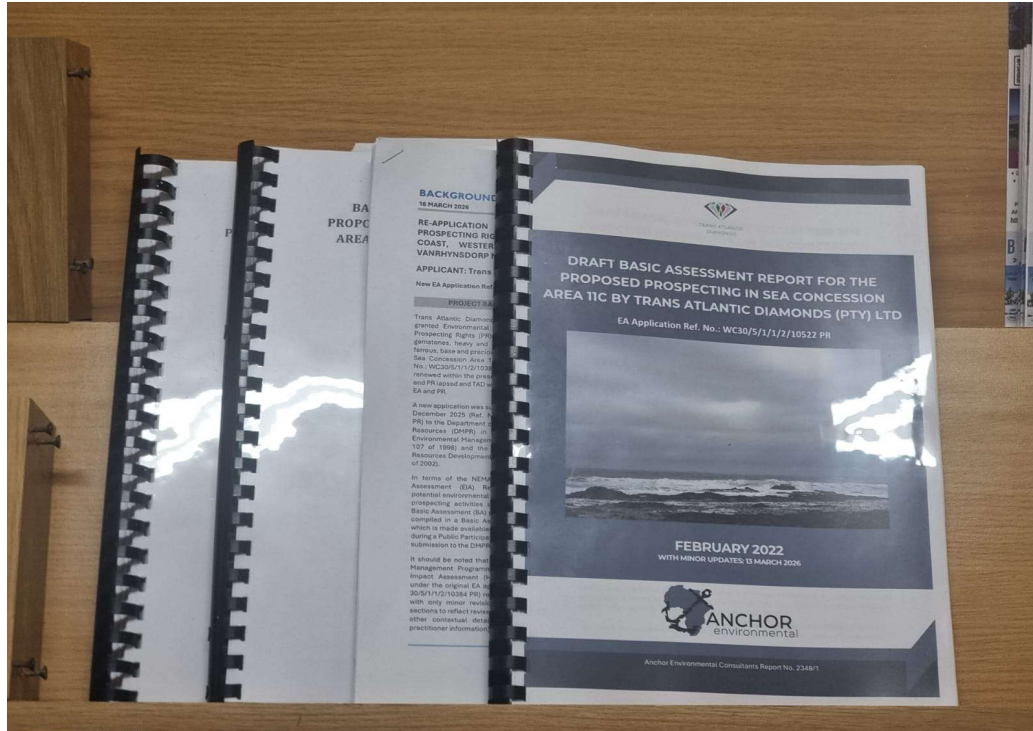
**To submit comments/ questions, or receive updates, contact:**

**Om kommentaar/ vrae, of om op hoogte gehou te word kontak:**

**Mr Steve September**  
**Anchor Environmental Consultants**  
 Tel: 021 701 3420  
 Email/ E-pos: [steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)

# BID and Draft BAR

Doringbaai WCG eCentre and Library



Strandfrontein West Coast Information Centre



**APPENDIX B:**  
**Proof of Correspondence — comments and**  
**emails received**





**mineral &  
petroleum resources**

Department:  
Mineral and Petroleum Resources  
REPUBLIC OF SOUTH AFRICA

**WESTERN CAPE REGION**

Tel: 021 427 1000; Fax: 021 427 1046

Private Bag X9 Roggebaai, 8012; 7<sup>th</sup> Floor, MAP House, 44 Strand Street, Cape Town, 8012

From: Mineral Regulation Sub-Directorate: Mine Environmental Management

Enquiries: Linda Njemla EAPASA Reg No: 2019/1312 E-mail: [Linda.Njemla@dmp.r.gov.za](mailto:Linda.Njemla@dmp.r.gov.za)

Ref No.: WC30/5/1/1/2/10522PR

**THE DIRECTORS**

**TRANS ATLANTIC DIAMONDS (PTY) LTD**

**4 BREE STRRET**

**OFFICE 1603 PORTSIDE**

**CAPE TOWN**

**8001**

Attention: Cheruscha Swart

E-mail: [cher@anchorenvironmental.co.za](mailto:cher@anchorenvironmental.co.za)

**ACKNOWLEDGEMENT OF APPLICATIONS FOR AN ENVIRONMENTAL AUTHORISATION  
LODGED IN TERMS OF SECTION 24 OF NATIONAL ENVIRONMENTAL MANAGEMENT  
ACT, 1998 (ACT 107 OF 1998) READ WITH REGULATION 19 OF THE ENVIRONMENTAL  
IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AS AMENDED FOR A PROSPECTING  
RIGHT AND RELATED INFRASTRUCTURAL ACTIVITIES ON SEA CONCESSION AREA 11C,  
IN THE MAGISTERIAL DISTRICT OF VANRYHSDORP: WESTERN CAPE REGION**

1. I refer to the abovementioned matter and confirm that your applications for an Environmental Authorisation herein referred to as "EA" lodged on **03<sup>rd</sup> December 2025** is hereby acknowledged.
2. Acknowledgement of your application does not grant you permission to commence with mining activities. Commencement of a listed activity without an environmental authorisation constitutes an offence in terms of Section 49A (1) (a) of NEMA, 1998 (Act 107 of 1998) as amended and upon conviction for such an offence, a person is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding ten years, or to both such fine and such imprisonment.
3. Kindly note that timeframe as prescribed in terms of Regulation 3 of the EIA Regulation will commence from the date of the acceptance of the application in terms of Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002). Minimum requirements as

stipulated on Regulation 16 (1) & (2) of the EIA 2014 Regulations, as amended, provides that an EA application must be accompanied by an acceptance letter in line with Sub Regulation 16 (1) (ix) of the MPRDA regulations, as amended. You are therefore advised to submit a Basic Assessment Report (BAR) within 90 days from the date of acceptance of the application in terms of Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) which will be inclusive of weekends but exclusive of public holidays.

4. Please ensure that acceptance letter of an MPRDA application, comments from all interested and affected parties, including relevant stakeholders, are submitted together with the relevant Environmental Report/s to the department in order for the department to consider and come to an informed decision, and to effectively effect the correct NEMA stipulated timelines in respect of your application.

*NB: Regulation 45 of 2014 EIA Regulations stipulates that "an application in terms of these Regulations lapses and a competent authority will deem the application as having lapsed, if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless extension has been granted in terms of regulation 3(7)."*

Hope that this letter will receive your utmost attention.

**REGIONAL MANAGER: MINERAL REGULATION**

**WESTERN CAPE REGION**

DATE... 03/12/2025

*Please quote this office file number for any correspondence as reference*



## mineral & petroleum resources

Department:  
Mineral and Petroleum Resources  
REPUBLIC OF SOUTH AFRICA

Private Bag X9, Rogge Bay, 8012, Tel: 021 427 1000, Fax 021 427 1046, 44 Strand Street, 07<sup>th</sup> Floor, Cape Town, 8012,  
**Directorate:** Mineral Regulation: Western Cape Region, **Sub directorate:** Mineral Laws **Enquiries:** S. Njapha,  
Email: [Sandile.njapha@dmre.gov.za](mailto:Sandile.njapha@dmre.gov.za), **File Ref:** WC 30/5/1/1/2/10522 PR

Per Registered Mail

### THE MANAGER

TRANS ATLANTIC DIAMONDS (PTY) LTD  
SUITE 8, STEENBERG HOUSE,  
STEENBERG BUSINESS PARK,  
SILVERWOOD CL, STEENBERG, TOKAI,  
CAPE TOWN  
7945

Attention: Cheruscha Swart

Tel No. : 021 701 3420

E-mail : [cher@anchorenvironmental.co.za](mailto:cher@anchorenvironmental.co.za)

CC : [talía@transatlanticdiamonds.com](mailto:talía@transatlanticdiamonds.com)

Dear Sir/Madam

APPLICATION FOR PROSPECTING RIGHT IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, (ACT 28 OF 2002) AS AMENDED, TO PROSPECT FOR GOLD ORE, PLATINIUM GROUP METALS, IRON ORE, SILVER ORE, DIAMOND (GENERAL), DIAMOND (ALLUVIAL) DIAMOND, TITANIUM, RARE EARTHS, HEAVY MENERALS (GENERAL), GEMSTONE EXCEPT DIAMONDS DIAMOND (IN KIMBERLITE) ON SEA CONCESSION 11 CC SITUATED IN THE MAGISTERIAL DISTRICT OF VAN RHYNSDORP:

Trans-Atlantic Diamonds (Pty) Ltd  
WC30/5/1/1/2/10522 PR  
S. Njapha

### 1. APPLICANT: TRANS ATLANTIC DIAMONDS (PTY) LTD

2. This is to inform you that your application for a prospecting right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) ("Act") as amended and the Environmental Authorization in line with NEMA Regulations for **Gold Ore, Platinum Group Metals, Iron Ore, Silver Ore, Diamond (General), Diamond (Alluvial) Diamond, Titanium, Rare Earths, Heavy Minerals (General), Gemstone Except Diamonds Diamond (In Kimberlite)** has been accepted.
3. In terms of the minimum requirements as stipulated 16(1) and 16(2) of the EIA Regulations, your application for an Environmental Authorisation was incomplete as it was not accompanied by this acceptance letter as per Sub Regulation 16 (1) (ix) and considering that it is now completed by this acceptance letter, you are hereby required to submit the documents as stipulated on Regulation 19(1) to 19(8) of the EIA Regulations (Only in cases where Basic Assessment Report is applicable) or Regulation 21 (Scoping Report) and Regulations 21 (Scoping Report) 23 (EIR and EMPr) (In case of Scoping and Environmental Impact Report). All timeframes are effective from the date of this letter.
4. In terms of section 12 (d) of the Act, you are directed to comply with the following instructions:
  - (a) Upload on to **SAMRAD** system and **submit** the relevant environmental reports required in terms of chapter 5 read with Regulation 19(1) of the National Environment Management Act, 1998.
  - (b) Notify and consult with the landowner, lawful occupier and any interested and affected party and include the result of the consultation in the environmental reports in line with Regulation 41(2) read with Section 24J of National Environment Management Act, 1998.
  - (c) Lodge an application in terms of National Water Act, 1998 (Act 36 of 1998) with the Department of Water Affairs with immediate effect.

Trans-Atlantic Diamonds (Pty) Ltd  
WC30/5/1/1/2/10522 PR  
S. Njapha

5. Further note that the acceptance of your application does not grant you the right to commence with prospecting activities. It only signifies that your application will be processed and evaluated.

Yours faithfully

.....  
REGIONAL MANAGER:  
WESTERN CAPE REGION  
DATE: 20/01/2020

Trans-Atlantic Diamonds (Pty) Ltd  
WC30/5/1/1/2/10522 PR  
S. Njapha



**mineral &  
petroleum resources**

Department:  
Mineral and Petroleum Resources  
REPUBLIC OF SOUTH AFRICA

**WESTERN CAPE REGION**

Tel: 021 427 1000; Fax: 021 427 1046

Private Bag X9 Roggebaai, 8012; 7<sup>th</sup> Floor, MAP House, 44 Strand Street, Cape Town, 8012

From: Mineral Regulation Sub-Directorate: Mine Environmental Management

Enquiries: Linda Njemla EAPASA Reg No: 2019/1312 E-mail: [Linda.Njemla@dmp.gov.za](mailto:Linda.Njemla@dmp.gov.za)

Ref No.: WC30/5/1/1/2/10522PR

THE DIRECTORS  
TRANS ATLANTIC DIAMONDS (PTY) LTD  
4 BREE STREET  
OFFICE 1603 PORTSIDE  
CAPE TOWN  
8001

Attention: Cheruscha Swart

E-mail: [cher@anchorenenvironmental.co.za](mailto:cher@anchorenenvironmental.co.za)

**ACKNOWLEDGEMENT OF A BASIC ASSESSMENT REPORT SUBMITTED FOR AN ENVIRONMENTAL AUTHORISATION APPLICATION LODGED IN TERMS OF SECTION 24 OF NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) FOR A PROSPECTING RIGHT AND RELATED INFRASTRUCTURAL ACTIVITIES ON SEA CONCESSION AREA 11C, IN THE MAGISTERIAL DISTRICT OF VANRYHSDORP: WESTERN CAPE REGION**

1. I refer to the abovementioned matter and confirm that your Basic Assessment Report (BAR) is received on the 30<sup>th</sup> of January 2026.
2. The Department has noticed that you lodged a new application because your prospecting right lapsed as a result of the late submission of a renewal application in terms of the Mineral and Petroleum Resources Development Act (MPRDA). In such circumstances, the renewal could not be considered, and the application is treated as a new right application. As a consequence, a new Environmental Authorisation (EA) application had to be lodged.
3. This triggers the requirement to comply fully with the current National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations. Previous public participation undertaken for the lapsed right cannot be relied upon for the new application. Accordingly, you are required to initiate and undertake a new Public Participation

**BAR acknowledgement:**

Ref No. WC 30/5/1/1/2/10522)PR

Page 1 of 2

Process (PPP) as part of the fresh EA application. The PPP must be conducted in accordance with the applicable NEMA EIA Regulations and must include proper notification and consultation with all Interested and Affected Parties.

4. The Department advises that you still use the same BAR and Environmental Management Programme (EMPr) documents as submitted in 2022 which is the same BAR you provided on the 30<sup>th</sup> of January 2026 for PPP. When compiling the Background Information Document (BID), you must clearly indicate that this application constitutes a reapplication, as the mining right was not renewed within the prescribed timeframe. The BID should further confirm that the information submitted under the previous Environmental Authorisation application (Reference: EA Application WC30/5/1/1/2/10384PR) remains unchanged, including all specialist studies. It is advised to have the original specialists provide a letter confirming that their previous studies are still valid and applicable.
5. Following this, you are required to submit a new PPP report to enable the Department to further process your application. You still have more than two months to submit such information as your application was accepted on the 26<sup>th</sup> of January 2026, which means your due date for submission of that PPP report is the 30<sup>th</sup> of April 2026.

Hope that this letter will receive your utmost attention.



**REGIONAL MANAGER: MINERAL REGULATION**

**WESTERN CAPE REGION**

**DATE** 04/02/2026

*Please quote this office file number for any correspondence as reference*

## Steve September

**From:** Michael Yaman <michael.y@protectthewestcoast.org>  
**Sent:** Wednesday, 04 March 2026 11:52  
**To:** Cheruscha Swart  
**Cc:** talia@transatlanticdiamonds.com; Allen Lyons; Patrick Forbes; Miles Masterson; Mike Schlebach; Tiaan Engelbrecht; Steve September  
**Subject:** Re: Attention PPP - I&AP Registration and Doc Request

Dear Cheruscha,

Thank you for your email and acknowledgement of PTWC as an I&AP.

Thank you for also providing the details of the applicant. We note that Trans Atlantic Diamonds (Pty) Ltd is the applicant and that Ms Talia is the contact person.

We look forward to engaging constructively in the PPP.

Kind Regards

Michael Yaman  
Contract Paralegal



**Protect The West Coast**

E: [michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)

W: <https://www.protectthewestcoast.org/>



Watch Ours, Not Mine [here](#)

On Tue, Mar 3, 2026 at 12:39 PM Cheruscha Swart <[cher@anchorenmvironmental.co.za](mailto:cher@anchorenmvironmental.co.za)> wrote:

Dear Mr Michael Yaman,

I trust you are well.

Thank you for your email.

We will add Protect the West Coast as an I&AP with you and your associates as the contacts.

All documents required to be made public as part of the EIA process will be shared during the public participation process.

The 30-day commenting is set to occur from around mid-March to Mid-April, although an email confirming the details will be sent in due course.

The name and contact details of the applicant is Trans Atlantic Diamonds (Pty) Ltd. With Ms Talia, copied in on the email, being the contact person.

Vriendelike Groete

Kind Regards



**CHERUSCHA SWART**  
SENIOR CONSULTANT

+27 21 701 3420 (tel)  
cher@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Reg no.2021/3298

Pr.Sci.Nat. 155305

**From:** Michael Yaman <[michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)>  
**Sent:** Thursday, 26 February 2026 15:22  
**To:** Cheruscha Swart <[cher@anchorenmvironmental.co.za](mailto:cher@anchorenmvironmental.co.za)>  
**Cc:** [talia@transatlanticdiamonds.com](mailto:talia@transatlanticdiamonds.com); Allen Lyons <[allen@protectthewestcoast.org](mailto:allen@protectthewestcoast.org)>; Patrick Forbes <[patrick@protectthewestcoast.org](mailto:patrick@protectthewestcoast.org)>; Miles Masterson <[miles@protectthewestcoast.org](mailto:miles@protectthewestcoast.org)>; Mike Schleich <[mike@protectthewestcoast.org](mailto:mike@protectthewestcoast.org)>; Tiaan Engelbrecht <[tiaan@protectthewestcoast.org](mailto:tiaan@protectthewestcoast.org)>  
**Subject:** Attention PPP - I&AP Registration and Doc Request

Dear Cher,

I hope this email finds you well.

## Steve September

**From:** Cheruscha Swart  
**Sent:** Friday, 27 February 2026 08:14  
**To:** Steve September  
**Subject:** FW: Attention PPP - I&AP Registration and Doc Request

Vriendelike Groete  
Kind Regards



**CHERUSCHA SWART**  
SENIOR CONSULTANT

+27 21 701 3420 (tel)  
cher@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Reg no.2021/3298  
Pr.Sci.Nat. 155305

**From:** Michael Yaman <[michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)>  
**Sent:** Thursday, 26 February 2026 15:22  
**To:** Cheruscha Swart <[cher@anchorenmvironmental.co.za](mailto:cher@anchorenmvironmental.co.za)>  
**Cc:** [talia@transatlanticdiamonds.com](mailto:talia@transatlanticdiamonds.com); Allen Lyons <[allen@protectthewestcoast.org](mailto:allen@protectthewestcoast.org)>; Patrick Forbes <[patrick@protectthewestcoast.org](mailto:patrick@protectthewestcoast.org)>; Miles Masterson <[miles@protectthewestcoast.org](mailto:miles@protectthewestcoast.org)>; Mike Schleich <[mike@protectthewestcoast.org](mailto:mike@protectthewestcoast.org)>; Tiaan Engelbrecht <[tiaan@protectthewestcoast.org](mailto:tiaan@protectthewestcoast.org)>  
**Subject:** Attention PPP - I&AP Registration and Doc Request

Dear Cher,

I hope this email finds you well.

Kindly note that Protect the West Coast, a Non-Profit Company, would like to register as an Interested and Affected Party for the Prospecting Application made by Trans Atlantic Diamonds (Pty) Ltd. with reference number WC 30/5/1/1/2/10522 PR.

In the interests of procedural transparency and informed stakeholder engagement, we respectfully request that you furnish us with the following information.

- Draft BAR and EMPr;
- Relevant specialist studies;
- Prospecting Work Programme;
- NEMA and GNR 1147 compliant rehabilitation plans and budgets;
- Excel spreadsheet giving co-ordinates of planned prospecting on sea concession 11 CC;
- Google Earth file showing application area;
- Name and contact details of applicant; and

- Detailed CV and professional registration certificates of consultants.

We thank you in advance for your urgent attention to this matter.  
Further, please advise when the 30-day commenting period begins and ends.  
Kindly acknowledge receipt of this email.

Kind Regards

Michael Yaman  
Contract Paralegal

**Protect The West Coast**

E: [michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)

W: <https://www.protectthewestcoast.org/>

Watch Ours, Not Mine [here](#)



**TRANS HEX OPERATIONS (PTY) LTD**

Registration No. 1968/012100/07

Leinster Hall, 7 Weltevreden Street, Gardens, 8001  
PO Box 723, Parow 7499, Cape Town, South Africa  
t.: +27 (0)21 510 1881 f.: +27 (0)21 510 5035

**Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

Dear Sirs/Madams

**TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — OBJECTION TO BASIC ASSESSMENT PROCESS**

1. We refer to Trans Atlantic Diamonds (Pty) Ltd's application for environmental authorisation and a prospecting right for *inter alia* diamonds in respect of Sea Concession 11C ("the Application").
2. Trans Hex Operations (Pty) Ltd's objection to the Application is narrow and is premised on the submission that the Application has been erroneously applied for by way of a Basic Assessment. In our view that is incorrect, as:
  - 2.1. TAD has applied for a prospecting right for diamonds.
  - 2.2. The nature of TAD's intended prospecting operations and the extent thereof, constitute a bulk sampling operation.

*Prospecting for diamonds*

3. It is self-evident that given the nature of the Application and the fact that TAD has applied to prospect for diamonds the requirements of section 20(2) of the Mineral & Petroleum Resources Development Act ("MPRDA") are triggered.
4. Once that is so, the Application falls under *Listing Notice 2* and requires the applicant to follow the S&EIR process provided for in the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations"). The implication of which is the submission and pursuit of a Basic Assessment, in terms of the EIA Regulations, would be unlawful.
5. The fact that the competent authority may, or may not, have erroneously granted an environmental authorization on the same basis previously is irrelevant to the present application.

6. In this regard, section 20 of the MPRDA states that:

***"20. Permission to remove and dispose of minerals***

*(1) Subject to subsection (2), the holder of a prospecting right may only remove and dispose for his or her own account any mineral found by such holder in the course of prospecting operations conducted pursuant to such prospecting right in such quantities as may be required to conduct tests on it or to identify or analyse it.*

*(2) The holder of a prospecting right must obtain the Minister's written permission to remove and dispose for such holder's own account of diamonds and bulk samples of any other minerals found by such holder in the course of prospecting operations."*

7. Properly read, section 20(2) distinguishes between prospecting operations involving:

7.1. The removal and disposal of *diamonds*;

7.2. The removal and disposal of *any other minerals*.

8. The wording matters. The words "bulk samples" qualifies the removal and disposal of "any other minerals" during prospecting operations. The same restriction on the *extent* of the removal and disposal however does not apply to prospecting for "diamonds".

9. That distinction must be given meaning and, consequently, an applicant for a prospecting right for diamonds must apply for the Minister's permission in terms of section 20(2) of the MPRDA, regardless of the extent of the intended prospecting operation or if it includes "bulk sampling" for diamonds.

10. To this end, the applicable NEMA listed activities are as follows:

10.1. Listing Notice 1, activity 20 applies to an activity which "requires a prospecting right in terms of section 16";

10.2. Listing Notice 1, activity 19A applies to dredging, excavation, removal or moving of "more than 5 cubic metres" from "the sea"; and

10.3. Listing Notice 2, activity 19 applies to the "removal and disposal of a mineral" which requires permission under section 20 of the MPRDA.

11. The consequence is straightforward. If section 20(2) permission is required, Listing Notice 2 activity 19 is triggered which then requires the applicant to apply for and pursue the granting of an environmental authorization through the S&EIR process.

12. Quite clearly, for the reasons given above, TAD is not able to circumvent this requirement but attempting to categorize its Application as an application for a prospecting right for diamonds "without bulk sampling".

**Bulk sampling for other minerals**

13. In any event, and further to the above, THO submits that TAD's intended prospecting operations would ultimately fall within the definition of "*bulk sampling*", as they include:

13.1. the usage of a drill tool that can dredge gravel from the seabed;

13.2. the onboard processing of the recovered material;

13.3. the disposal of tailings overboard;

13.4. sample volumes of 9 to 15 m<sup>3</sup> per sample;

13.5. an initial program of 300 drill samples; and

13.6. if a potential resource is identified, a further 1 200 resource-development samples.

14. In effect then, TAD's intended prospecting operations have the potential to result in the disturbance of 22,500m<sup>3</sup> of the ocean floor which would, it is submitted, constitute *bulk sampling*.

15. For the above reasons, the fact that TAD seeks to categorize its Application as an application for a prospecting right "without bulk sampling" is misguided. This self-categorization is clearly an attempt by TAD to circumvent the requirement to apply for and pursue the granting of an environmental authorization through the more detailed / time-consuming S&EIR process.

16. In the result, the Application cannot lawfully proceed by way of Basic Assessment only. It triggers Listing Notice 2 activity 19 and requires a S&EIR process.

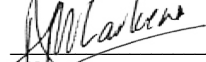
17. THO accordingly requests written confirmation that:

17.1. the present Basic Assessment process will be withdrawn or suspended; and



- 17.2. the application will be re-submitted/processed through the correct S&EIR process in terms of the EIA Regulations.
18. Failing that, please provide the full written basis upon which Anchor Environmental Consultants contend that section 20(2) of the MPRDA is not triggered by the proposed offshore diamond prospecting methodology, together with any written direction or confirmation from the DMPR relied upon for that position.
19. This objection is raised without prejudice to THO's further substantive and procedural objections to the Application.
20. We look forward to receiving your response before 16h00pm on 30 March 2026.

Yours faithfully



**A.M. Larkens**  
**Head of Legal**

## **Steve September**

**From:** [REDACTED]  
**Sent:** Thursday, 19 March 2026 16:11  
**To:** Steve September; Jeanne Mouton; Ray Wewege  
**Subject:** Konsessie area 11C

Meneer September

Ek is inwoner van Strandfontein en op die belastingbetalersvereniging

Kan u my meer inligting verskaf oor u aansoek en meer spesifiek die BAR saamgestel vir die aansoek

Dankie

[REDACTED]



Reg: 2012/218144/07

Email : [REDACTED]  
Mobile: [REDACTED]  
Address: 35 Jonkershoek Road,

HA van der Merwe CA(SA), M.Acc  
Trust and Taxation Consultant

## Steve September

**From:** [REDACTED]  
**Sent:** Thursday, 19 March 2026 18:14  
**To:** Steve September  
**Subject:** FW: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)  
**Attachments:** BID -Prospecting 11C\_2026.03.17.pdf

Dear Steve,

I have retired and now have a new email address. Please send any correspondence to [REDACTED]

Thank you  
Kind Regards

---

**From:** [REDACTED]  
**Sent:** Tuesday, March 17, 2026 10:06 AM  
**To:** [REDACTED]  
**Subject:** FW: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

fyi

---

**From:** Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Sent:** Tuesday, 17 March 2026 09:53  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

### DIE AFRIKAANSE VERTALING VAN HIERDIE E-POS VOLG NA DIE ENGELS

Dear Interested and Affected Party,

You have been identified as a potential interested and affected (I&AP) on the following NEMA EIA Application:

**RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)**

**APPLICANT:** Trans Atlantic Diamonds (Pty) Ltd

**NEW EA APPLICATION REF. NO.:** WC30/5/1/1/2/10522 PR

## Steve September

**From:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Sent:** Tuesday, 24 March 2026 11:58  
**To:** Steve September  
**Cc:** Ian Hestermann; Jaco du Plooy; Elza Klopper; Cheruscha Swart  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Hi Steve

Thanks for your email.

I had already received and reviewed the application for an environmental authorisation, draft BAR and supporting documentation, which formed the basis of THO's initial comments regarding correct process to be followed by TAD.

At this stage, I am, however, requesting a copy of the application for a prospecting right (and supporting annexures), not the application for an environmental authorisation (and supporting annexures) – you would be aware that TAD would have submitted two separate applications to the DMPR and each contain different information, aimed at satisfying different legislative requirements.

We, as an IAP, are evidently very interested in understanding if TAD satisfies the requirements of section 17(1) of the MPRDA – as there will not be another public participation process and opportunity for IAPs to comment, we would like to ensure that all of our comments are included at this stage.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



[www.transhex.co.za](http://www.transhex.co.za)

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**From:** Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Sent:** Tuesday, 24 March 2026 11:39  
**To:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Good morning Aaron

I hope this email finds you well.

See the link below containing the Draft BAR and all appendices for Concession 11C.

<https://www.anchorenvironmental.co.za/resources/basic-assessment-and-public-participation-process-re-application-prospecting-rights>

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Tuesday, 24 March 2026 10:53  
**To:** Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Steve September <steve@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Cheruscha.

Leaving aside the point raised regarding the correct application process to be followed.

I would be if you could please provide me with a copy of TAD's application for a prospecting right (including all annexures), so we may properly assess the contents thereof.

You will recall that we previously requested the information in relation to the application for a prospecting right in respect of sea concession 14C (see exchanges attached) – you are welcome to redact the same commercially sensitive information again.

As before, we require this information to properly assess TAD's application/s, given the fact that our vessels are specifically named in the BAR and EMP.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



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**From:** Aaron Larkens  
**Sent:** Tuesday, 24 March 2026 09:52  
**To:** 'Steve September' <steve@anchorenvironmental.co.za>; 'anthony@transatlanticgemsales.com' <anthony@transatlanticgemsales.com>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve and Anthony.

Please see THO's response to TAD's letter dated 23 March 2026.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Monday, 23 March 2026 14:36  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron

I hope this email finds you well.

Please find attach our response to your comments provided to us on the 18<sup>th</sup> of March 2026.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Wednesday, 18 March 2026 14:30  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Anchor Environmental <info@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve.

Please see Trans Hex Operations (Pty) Ltd's initial comments/request in relation to the application for an environmental authorisation in respect sea concession 11C.

We look forward to hearing from you.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



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**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Tuesday, 17 March 2026 09:53  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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**DIE AFRIKAANSE VERTALING VAN HIERDIE E-POS VOLG NA DIE ENGELS**

Dear Interested and Affected Party,



**TRANS HEX OPERATIONS (PTY) LTD**  
Registration No. 1968/012100/07

Leinster Hall, 7 Weltevreden Street, Gardens, 8001  
PO Box 723, Parow 7499, Cape Town, South Africa  
t.: +27 (0)21 510 1881 f.: +27 (0)21 510 5035

**To:**

**Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

**And to:**

**Trans Atlantic Diamonds (Pty) Ltd**

Attention: Mr Anthony Peter

24 March 2026

Dear Sirs/Madams

**TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — OBJECTION TO BASIC ASSESSMENT PROCESS**

1. We refer to your letter dated 23 March 2026, in which Mr Anthony Peter, on behalf of Trans Atlantic Diamonds (Pty) Ltd ("TAD") contends, *inter alia*, that:
  - 1.1. The Department of Mineral and Petroleum Resources ("DMPR") has accepted the present application as one to be processed through a Basic Assessmentsic Assessment, that such determination is valid and binding, and that Listing Notice 2 Activity 19 is not automatically triggered in the case of prospecting for diamonds.
  - 1.2. Section 20(2) of the MPRDA regulates the removal and disposal of minerals, not the activity per se and that the requirement for ministerial permission is solely dependent on determining if the applicant is undertaking *bulk sampling*.
  - 1.3. There is no distinction drawn, in section 20(2) of the MPRDA, between the removal and disposal of diamonds and bulk sampling of other minerals.
2. THO does not agree, nor does the late Michael O. Dale et al. in his commentary on mining law, which, as I am sure you are aware, is widely regarded as the most authoritative and comprehensive commentary on mining law in South Africa.

### DMPR acceptance

3. Even accepting, for present purposes, that the DMPR, as the competent authority, has issued correspondence accepting the application for an environmental authorization, that takes the matter no further. At best for TAD, such acceptance exists and has procedural consequences until set aside. It does not follow that such acceptance constitutes a binding adjudication that TAD has selected the correct process under NEMA read with the MPRDA.

4. The Dale commentary makes the position plain by indicating that:

*“The acceptance procedure differs from the grant or refusal procedure” and that “the acceptance decision therefore depends only on whether or not the application meets the formal requirements ... whereas the Minister’s decision to grant or refuse the application depends on the substantive requirements”.*

5. Dale then identifies the consequences of acceptance as procedural only, namely that the Regional Manager must notify the applicant to submit the relevant environmental reports and to undertake consultation with landowners and interested and affected parties. In other words, acceptance is a statutory gateway step and may not be construed as a substantive determination that the applicant is complying with the correct environmental process.
6. Indeed, TAD’s suggestion that acceptance by the DMPR somehow validates the Basic Assessment route is contradicted by the statutory scheme and by practice. As you are aware, a prospecting right application that proceeds by way of the S&EIR (Scoping and Environmental Impact Reporting) is likewise first “accepted” by the DMPR, after which the scoping phase follows. Acceptance by the DMPR of the application accordingly proves nothing about whether Basic Assessment or S&EIR is the correct route.
7. THO accordingly maintains that neither the applicant nor the DMPR can rely on a *letter of acceptance* to avoid the proper interpretation and application of section 20(2) of the MPRDA.

### Interpretation of section 20(2) of the MPRDA

8. THO’s position remains, and has always remained, premised on a literal reading of section 20(2) of the MPRDA, which provides:

*“The holder of a prospecting right must obtain the Minister’s written permission to remove and dispose for such holder’s own account of diamonds **and** bulk samples of any other minerals found by such holder in the course of prospecting operations.”* (my emphasis)

9. THO reiterates then, on an ordinary grammatical reading, that subsection distinguishes between two categories:

9.1. diamonds; **and**

9.2. bulk samples of any other minerals.

10. It is self-evident that the phrase “bulk samples” qualifies only “any other minerals”. It does not qualify the removal and disposal of “diamonds” – to do so would ignore the inclusion by the legislature of the word “**and**” between “*diamonds*” and “*bulk samples of any other minerals*”.
11. The Dale commentary supports precisely that reading, by providing under the commentary on section 20(2) of the MPRDA:

### ***“174.3 bulk samples***

*Again, no quantification of what constitutes bulk samples is given, presumably because this will vary from mineral to mineral, ranging from large quantities for coal to small quantities for emeralds. Again, however, no permission would be obtainable were the intention with the removal for purposes otherwise than as samples. If the intention is indeed to remove samples, it is a matter for evidence whether they are bulk samples and therefore require ministerial permission in terms of section 20(2), or whether they are samples smaller than bulk samples and for which, in terms of section 20(1), no such permission (other than in the case of diamonds) would be required.”* (my emphasis)

12. Properly distilled, Dale’s commentary provides that where samples are smaller than bulk samples, no ministerial permission is required under section 20(1), save “other than in the case of diamonds” – i.e. in the case of diamonds ministerial permission is required even if the samples are smaller samples and factually classified as not being bulk samples.

13. Evidently, if the Legislature intended the “bulk-sample qualification” to apply equally to diamonds, it would have said so and section 20(2) would have read as follows:

*“The holder of a prospecting right must obtain the Minister’s written permission to remove and dispose for such holder’s own account of bulk samples of diamonds **and** any other minerals found by such holder in the course of prospecting operations.”*

14. The positioning of the word “and” within section 20(2) is telling, and cannot be ignored.

Interpretation of Listing Notice 2 Activity 19

15. In this regard, TAD’s response seeks to introduce a qualification that does not appear in either section 20(2) or Listing Notice 2 Activity 19, namely that permission is required only if removal and disposal occurs “at a scale contemplated” by the Listing Notice. That is not what the legislation says.

16. It is clear that Listing Notice 2 Activity 19 applies to:

*“The removal and disposal of a mineral, **which requires a permission** ... in terms of section 20 of the Mineral and Petroleum Resources Development Act ...”* (my emphasis)

17. Listing Notice 2 Activity 19 does not contain a separate scale threshold and the only question is whether section 20 permission is required. On THO’s literal reading of section 20(2), where the mineral is diamond, it is.

18. Likewise, if the legislature had intended to introduce a “scale qualification”, as suggested by TAD, then it would have said so and Listing Notice 2 Activity 19 would have read as follows:

*“The removal and disposal of a **bulk sample of any** mineral, which requires a permission ... in terms of section 20 of the Mineral and Petroleum Resources Development Act ...”*

19. By contrast, Listing Notice 1 Activity 19A contains the express volumetric threshold of the removal of more than 5 cubic metres from the sea, and Listing Notice 1 Activity 20 applies to activities requiring a prospecting right in terms of section 16. Those activities do not

displace Listing Notice 2 Activity 19 where section 20 permission is required. They are cumulative, not mutually exclusive.

20. It follows that, on THO’s and Dale’s interpretation, Listing Notice 2 applies to an application to prospect for diamonds because section 20(2) of the MPRDA itself distinguishes diamonds from bulk samples of other minerals and requires ministerial permission in the former case without any bulk-sampling *qualifier*.

Consequence of TAD’s decision

21. To this end, TAD elected to formulate and pursue its application for an environmental authorization by way of Basic Assessment. If that election is inconsistent with the governing statute, that is a consequence of TAD’s own chosen course. The applicant cannot cure a defective statutory route by labelling the application “without bulk sampling” nor can it rely on the DMPR’s advice or acceptance to amend the wording and operation of the MPRDA and Listing Notices.

22. Nor can the DMPR do so. It is trite that public power is sourced in statute and public functionaries may exercise no power and perform no function beyond that conferred upon them by law.

23. Accordingly, even if the DMPR has indicated informally, or even provisionally, that a Basic Assessment process may be followed, such advice cannot prevail over the wording of section 20(2) of the MPRDA and the applicable Listing Notices. To the extent that any such advice purports to do so, it would be *ultra vires*.

Conclusion

24. THO therefore reiterates its position that:

24.1. section 20(2) must be interpreted literally;

24.2. the words “bulk samples” do not qualify “diamonds”;

24.3. ministerial permission is therefore required in relation to diamonds in terms of section 20(2) of the MPRDA;

24.4. Listing Notice 2 Activity 19 is accordingly triggered;

- 24.5. the present application should not proceed by way of Basic Assessment, but through the S&EIR process; and
- 24.6. doing so will render the grant of any environmental authorization unlawful, and subject to challenge in perpetuity (in line with the *Oudekraal principle*).
25. Consequently, we would strongly suggest that Anchor Environmental Consultants (Pty) Ltd and TAD seek legal advice from a advocate or firm of attorneys, with extensive mining law experience, before continuing down the path they have chosen – we are happy to suggest advocates/attorneys, with the necessary expertise, if requested.
26. Please ensure that this letter is included, in full, in the Comments and Response Report to be placed before the DMPR.

Yours faithfully



**Aaron Larkens**  
Head of Legal

## Steve September

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Tuesday, 24 March 2026 10:53  
**To:** Cheruscha Swart  
**Cc:** Ian Hestermann; Jaco du Plooy; Elza Klopper; Steve September  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)  
**Attachments:** FW: NOTICE: Acceptance of Environmental Authorisation: Prospecting Rights in Concession Area 14C ((WC) 30/5/1/1/2/10405PR)) Western Cape: OPPORTUNITY TO APPEAL

Good day Cheruscha.

Leaving aside the point raised regarding the correct application process to be followed.

I would be if you could please provide me with a copy of TAD's application for a prospecting right (including all annexures), so we may properly assess the contents thereof.

You will recall that we previously requested the information in relation to the application for a prospecting right in respect of sea concession 14C (see exchanges attached) – you are welcome to redact the same commercially sensitive information again.

As before, we require this information to properly assess TAD's application/s, given the fact that our vessels are specifically named in the BAR and EMPr.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**From:** Aaron Larkens  
**Sent:** Tuesday, 24 March 2026 09:52  
**To:** 'Steve September' <steve@anchorenmvironmental.co.za>; 'anthony@transatlanticgemsales.com' <anthony@transatlanticgemsales.com>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>  
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Good day Steve and Anthony.



Please see THO's response to TAD's letter dated 23 March 2026.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron

I hope this email finds you well.

Please find attach our response to your comments provided to us on the 18<sup>th</sup> of March 2026.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

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**Sent:** Wednesday, 18 March 2026 14:30  
**To:** Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Anchor Environmental <[info@anchorenvironmental.co.za](mailto:info@anchorenvironmental.co.za)>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND

## Steve September

**From:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Sent:** Wednesday, 25 March 2026 14:50  
**To:** Steve September  
**Cc:** Ian Hestermann; Jaco du Plooy; Elza Klopper; Cheruscha Swart  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)  
FINAL-11-09-2020-judgment-Duduzile-Baleni-89-Others-v-Regional-Manager-EC- Others-judgment-1.pdf

**Attachments:**

Hi Steve

Thanks for your email, we are working on a formal/detailed response.

In the interim, we would suggest you consider the Baleni judgment (attached), which dealt with a similar request from IAPs for a copy of the application for a mining right with annexures, in which it is stated:

*"[92] I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application (sic.) as and when it is submitted to the Regional Manager, even before they ask for it. That is not the relief sought though."*

Please be guided accordingly.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
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**From:** Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Sent:** Wednesday, 25 March 2026 12:30  
**To:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron,

Thank you for your email.

We note your request for the Prospecting Right application and supporting annexures submitted via SAMRAD.

Please note that under the system, the PR and EA are integrated. In practice, we submit a single, integrated application via SAMRAD. The application is not a single form; much of the information is completed and uploaded directly into the SAMRAD system.

The Public Participation Process is being conducted in accordance with the National Environmental Management Act EIA Regulations (2014). All relevant information necessary to understand the proposed activity and provide meaningful comments on its potential environmental impacts has been made available through the Basic Assessment Report (BAR), associated specialist studies, and appendices.

This includes the information contained in the application form and Prospecting Work Programme, except for certain appendices and details related specifically to administrative, technical, company, and financial information submitted directly to the Department of Mineral and Petroleum Resources (DMPR) to assess the competence of Trans Atlantic Diamonds in conducting the work. These details are not required to be circulated as part of the EIA Public Participation Process, as they are not relevant to the environmental assessment. The PPP focuses on environmental impacts, not the full disclosure of all MPRDA application details.

We note your interest in the requirements of Section 17(1) of the MPRDA. These provisions relate to the Department's internal decision-making criteria when considering a Prospecting Right application. They reflect the Department's requirements for granting a Prospecting Right and are not part of the PPP obligations.

If there is specific information relevant to the environmental assessment that you believe is not adequately covered in the BAR, please indicate this, and we will consider providing additional detail where appropriate. As mentioned, all information in the application form and PWP is included in the BAR, where it is more clearly explained and structured. The DMPR template is not designed as a notice template for public circulation and including it in that format may cause confusion or give the impression that information is missing.

Finally, regarding the vessels mentioned in the BAR, these were provided as examples and not indicative of the actual vessels to be used. A dedicated survey vessel will be constructed for the project.

Further to the above, and for us to maintain an accurate I&AP database, please could you disclose any direct business, financial, personal, or other interest you may have in the approval or refusal of the application.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>

**Sent:** Tuesday, 24 March 2026 11:58

**To:** Steve September <steve@anchorenvironmental.co.za>

**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>

**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Hi Steve

Thanks for your email.

I had already received and reviewed the application for an environmental authorisation, draft BAR and supporting documentation, which formed the basis of THO's initial comments regarding correct process to be followed by TAD.

At this stage, I am, however, requesting a copy of the application for a prospecting right (and supporting annexures), not the application for an environmental authorisation (and supporting annexures) – you would be aware that TAD would have submitted two separate applications to the DMPR and each contain different information, aimed at satisfying different legislative requirements.

We, as an IAP, are evidently very interested in understanding if TAD satisfies the requirements of section 17(1) of the MPRDA – as there will not be another public participation process and opportunity for IAPs to comment, we would like to ensure that all of our comments are included at this stage.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
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**From:** Steve September <steve@anchorenvironmental.co.za>

**Sent:** Tuesday, 24 March 2026 11:39

**To:** Aaron Larkens <aaronl@transhex.co.za>

**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>

**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Good morning Aaron

I hope this email finds you well.

See the link below containing the Draft BAR and all appendices for Concession 11C.

<https://www.anchorenvironmental.co.za/resources/basic-assessment-and-public-participation-process-re-application-prospecting-rights>

Kind Regards,



EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Tuesday, 24 March 2026 10:53  
**To:** Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Steve September <steve@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Cheruscha.

Leaving aside the point raised regarding the correct application process to be followed.

I would be if you could please provide me with a copy of TAD's application for a prospecting right (including all annexures), so we may properly assess the contents thereof.

You will recall that we previously requested the information in relation to the application for a prospecting right in respect of sea concession 14C (see exchanges attached) – you are welcome to redact the same commercially sensitive information again.

As before, we require this information to properly assess TAD's application/s, given the fact that our vessels are specifically named in the BAR and EMPPr.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
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**From:** Aaron Larkens  
**Sent:** Tuesday, 24 March 2026 09:52  
**To:** 'Steve September' <steve@anchorenvironmental.co.za>; 'anthony@transatlanticgemsales.com' <anthony@transatlanticgemsales.com>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve and Anthony.

Please see THO's response to TAD's letter dated 23 March 2026.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Monday, 23 March 2026 14:36  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron

I hope this email finds you well.

Please find attach our response to your comments provided to us on the 18<sup>th</sup> of March 2026.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Wednesday, 18 March 2026 14:30  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Anchor Environmental <info@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve.

Please see Trans Hex Operations (Pty) Ltd's initial comments/request in relation to the application for an environmental authorisation in respect sea concession 11C.

We look forward to hearing from you.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
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**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Tuesday, 17 March 2026 09:53  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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**DIE AFRIKAANSE VERTALING VAN HIERDIE E-POS VOLG NA DIE ENGELS**

Dear Interested and Affected Party,



**TRANS HEX OPERATIONS (PTY) LTD**  
Registration No. 1968/012100/07

Leinster Hall, 7 Weltevreden Street, Gardens, 8001  
PO Box 723, Parow 7499, Cape Town, South Africa  
t.: +27 (0)21 510 1881 f.: +27 (0)21 510 5035

**To:**

**Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

**And to:**

**Trans Atlantic Diamonds (Pty) Ltd**

Attention: Mr Athony Peter

**And to:**

**Department of Mineral and Petroleum Resources**

Western Cape

Attention: Regional Manager, Mr Pieter Swart

26 March 2026

Dear Sirs/Madams

**TRANS ATLANTIC DIAMONDS (PTY) LTD: RE-APPLICATION FOR PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION IN RESPECT OF SEA CONCESSION 11C — REQUEST FOR COPY OF PROSPECTING RIGHT APPLICATION AND SUPPORTING ANNEXURES**

1. We refer to your recent email in response to Trans Hex Operations' request for a copy of Trans Atlantic Diamonds (Pty) Ltd's ("TAD") application for a prospecting right and its supporting annexures, excluding financially sensitive information. Copies of the relevant email exchanges are annexed hereto, collectively, as Annexure "A".
2. Given that the points raised go to the heart of the DMPR's decision on the application, this letter and all previous exchanges are also being forwarded to the Regional Manager, Western Cape, Department of Mineral and Petroleum Resources ("DMPR"), as the competent authority.
3. As THO understands TAD / Anchor Environmental's ("EAP") response, the position advanced is, in summary, the following:

**Directors:** MVZ Wentzel, IP Hestermann, JJ Du Plooy  
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- 3.1. the prospecting right application and environmental authorisation application are integrated and submitted through SAMRAD;
  - 3.2. all information relevant to the environmental assessment has already been made available through the draft Basic Assessment Report ("BAR"), specialist studies and appendices;
  - 3.3. certain appendices and details dealing with administrative, technical, company and financial matters were submitted directly to the Department of Mineral and Petroleum Resources ("DMPR") for purposes of assessing TAD's competence and are not required to be circulated as part of the public participation process;
  - 3.4. section 17(1) of the MPRDA concerns the DMPR's internal decision-making criteria and does not form part of the public participation obligations;
  - 3.5. the BAR already contains the information from the prospecting-right application form and prospecting work programme in a more structured form;
  - 3.6. the vessels identified in the BAR were merely examples and are not indicative of the actual vessels to be used; and
  - 3.7. THO should disclose its direct business, financial, personal or other interest in the approval or refusal of the application for purposes of the interested and affected parties database.
4. THO does not agree with that position, for the reasons set out below.

*Nature of THO's request*

5. THO's request is not for the environmental authorisation application, draft Basic Assessment Report, specialist studies or draft EMPr. THO has already considered those documents.
6. The request is specifically for a copy of the prospecting right application and its supporting annexures, including the prospecting work programme (duly redacted) and the non-financial supporting information lodged in support of the application in terms of the MPRDA and the regulations.

*The prospecting-right application remains a distinct application*

7. The response provided by the EAP does not answer THO's request and, in fact, conflates the environmental authorisation process with the prospecting-right application process.
8. Although the applications may have been lodged simultaneously and through the same electronic platform, the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA") still requires the applicant to submit a prospecting-right application in the prescribed form, supported by prescribed information and documentation and, in terms of section 10 of the MPRDA, for the applicant to **meaningfully consult** with interested and affected parties ("IAPs") in relation to this application for a prospecting right.
9. The fact that SAMRAD captures or stores that information electronically does not mean the application and supporting material cease to exist as distinct application documents.
10. In this regard, the MPRDA and its regulations require an application for a prospecting right to include *inter alia* the mineral or minerals applied for, the period, a prospecting work programme and annual expenditure, proof of technical ability, an indication whether such technical ability will be provided by in-house expertise, contractors or consultants, proof of financial ability, a list of existing rights and permits, copies of land titles and such further information as may be requested.
11. That information is not the same as that contained in the BAR, nor is it answered by the EAPs statement that the BAR contains all information "relevant to the environmental assessment".

*THO's request and interest is not confined to the environmental assessment*

12. THO's request, and interest, is not confined to the environmental impacts. THO is an IAP in relation to the prospecting-right application itself and seeks the application documents in order to consult meaningfully (as required by section 10 of the MPRDA) on issues that go directly to the grant criteria prescribed under section 17 of the MPRDA and, importantly, TAD's technical expertise, equipment and history as a holder of prospecting rights.
13. In support of this request, section 10 of the MPRDA expressly applies to applications under section 16, and section 16(4)(b) requires meaningful consultation with "any interested and affected party".

Legal basis for disclosure of the application and annexures

14. The legal position, in THO's view, is not difficult. In support of this request, we again have to refer you to the late Michael O. Dale et al. commentary on mining law as the most authoritative and comprehensive commentary on mining law in South Africa.
15. Dale's commentary on section 10 of the MPRDA *inter alia* states that interested and affected parties are entitled to copies of the application papers and annexures, save for financially sensitive aspects, and that this entitlement arises, in relation to an application for a mining right, from sections 10 and 22(4) of the MPRDA read with section 32 of the Constitution. Dale's commentary cites the Baleni judgment and expressly notes that the same position applies in respect of other applications under the MPRDA (i.e. applications for prospecting rights).
16. The Baleni judgment confirms that sections 10 and 22(4), properly interpreted, entitle such persons to a copy on request and that the whole consultation process is intended to advance the objects of the MPRDA (not only the environmental considerations).
17. Importantly, the Baleni judgment also records that the applicants had, before instituting litigation, requested the application from the Regional Manager of the DMPR, the applicant **and the EAP**, and were sent from pillar to post and only received the application after legal proceedings were instituted. **The Court expressly criticised this conduct** and remarked that:
 

*"[89] Meaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary ...*

*[92] I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application as and when it is submitted to the Regional Manager, even before they ask for it. That is not the relief sought though."*
18. That is directly relevant here. TAD and its EAP cannot avoid the substance of the request by saying that disclosure is only the DMPR's problem, or that the IAPs should be happy with the contents of the BAR.

19. To this end, the Baleni judgment recognises that *meaningful consultation* requires sufficient information to enable informed engagement. The aforementioned principles apply with equal force in the present matter.
20. There is no later, separate public process in which THO will be afforded an opportunity to interrogate the section 17 of the MPRDA requirements, the contents of the prospecting work programme or TAD's history of compliance with its previous right. If THO's comments are to be placed before the DMPR in any meaningful form, that must occur now.

Basis for THO's request for the information

21. Your response also suggests that the technical, company and financial information is not required to be circulated because it is "not relevant to the environmental assessment". That is too narrow.
22. THO's request is based on a direct and legitimate interest in the following matters:
  - 22.1. Technical ability and access thereto:
    - 22.1.1. Section 17 of the MPRDA requires that the applicant have access to financial resources and the technical ability to conduct the proposed prospecting operation optimally in accordance with the prospecting work programme.
    - 22.1.2. Regulation 5 / Form B and regulation 7 require disclosure of proof of technical ability and whether that ability will be provided by in-house expertise, contractors or consultants.
    - 22.1.3. THO is entitled to understand whether TAD is, again, seeking to rely directly or indirectly on the expertise, equipment, contractors, vessels or know-how of Trans Hex or its related entities. THO and/or its related entities have not agreed that TAD may do so in respect of this application.
  - 22.2. Actual proposed equipment / vessel arrangements.
    - 22.2.1. The draft BAR states that prospecting will be conducted using a dedicated survey vessel "such as" IMD SA's DP Star or the Explorer.

- 22.2.2. THO is therefore entitled to test what is actually proposed in the application and whether the prospecting-right documents identify a vessel, contractor or technical arrangement connected to Trans Hex or related entities.
- 22.2.3. That cannot be tested from the BAR alone, particularly where your email now says those vessels were only examples and a dedicated survey vessel will be constructed.
- 22.2.4. If that is so, the prospecting-right application documents should reflect it and it should be included in the costing for the right.
- 22.3. The approved work programme and prior performance.
  - 22.3.1. It is self-evident that section 19 of the MPRDA requires a holder of a prospecting right to commence prospecting within 120 days, from the date it was issued, continuously and actively conduct prospecting operations and do so in accordance with the prospecting work programme.
  - 22.3.2. Compliance is judged by reference to the approved work programme, which forms part of the right. THO is therefore entitled to know what work programme was previously approved, whether it was implemented and what is now proposed.
  - 22.3.3. That is directly relevant to whether TAD utilised the previous prospecting right at all, whether there has been compliance with the MPRDA and whether the area is being sterilised by serial re-applications by TAD without implementation.
- 22.4. Existing rights and permits and related holding structures.
  - 22.4.1. Section 16 of the MPRDA requires the prospecting-right application to include a list of existing rights and permits held by the applicant.
  - 22.4.2. That information is relevant to THO's comments concerning TAD's operational capability, history and the grant criteria.

- 22.4.3. It is also precisely the kind of information the Baleni judgment recognised may be relevant to interested and affected parties even though it does not sit neatly within a narrow environmental-impact inquiry.
- 22.5. Contraventions of the Act.
  - 22.5.1. Again, section 17 of the MPRDA requires that the applicant not be in contravention of any relevant provision of the MPRDA.
  - 22.5.2. THO's interest in whether TAD commenced and actively pursued prospecting under the previous right is therefore not collateral or irrelevant.
  - 22.5.3. It goes directly to a statutory grant criterion.

*TAD's prior right and the absence of detail in the BAR*

- 23. In relation to this final point, we record that the BAR effectively concedes that the previous environmental authorisation and prospecting right lapsed because the prospecting right was not renewed within the prescribed timeframe, and that TAD was required to reapply.
  - 24. The BAR does not explain whether prospecting under the previous right ever commenced, what work was undertaken, whether the previous work programme was implemented, why the prospecting work was not completed or how the present application differs in substance from the previous one.
  - 25. Those are material matters from THO's perspective, as an interested and affected party.
- It is no answer to say the information was submitted directly to the DMPPR*
- 26. It is also no answer for the EAP / TAD to say that certain information is submitted "directly to the DMPPR" to assess competence. That is precisely why THO seeks it.
  - 27. The question whether TAD has the technical ability itself, or only by reference to third-party expertise, equipment or vessels, is a matter on which THO wishes to comment. So too the question whether TAD has previously failed to utilise rights granted to it.



28. Those matters cannot be immunised from scrutiny merely by labelling them “technical” or “company” information. Subject to proper redaction of genuinely financially sensitive material, they fall squarely within the rationale recognised in the Baleni judgment and the Dale commentary.

THO's interest as an interested and affected party

29. Insofar as TAD has requested THO to disclose its interest for purposes of the IAPs database, THO's position is as follows:

- 29.1. THO is the holder of and/or applicant for adjacent mining and prospecting rights in respect of sea concessions 11A, 12A, 13A, 11B and 13B and is directly affected by any decision concerning sea concession 11C;
- 29.2. THO has direct operational and commercial knowledge of offshore prospecting and mining in the relevant area;
- 29.3. THO has a direct legal and commercial interest in ensuring that the MPRDA is properly applied and that mining/prospecting areas are not sterilised by serial applications unaccompanied by implementation;
- 29.4. THO has a direct interest in ensuring that TAD does not purport to rely on Trans Hex's expertise, contractors, vessels or equipment without permission / agreements being in place;
- 29.5. THO is also a landowner of the De Punt farm which borders on the Olifants River and is directly in-shore from sea concession 13C;
- 29.6. THO accordingly plainly qualifies as an interested and affected party, hence why THO was notified of TAD's application for a prospecting right having been submitted.

Conclusion

30. In the circumstances, THO again requests that TAD / Anchor Environmental furnish it, within 5 calendar days:

- 30.1. a copy of the prospecting-right application lodged in respect of sea concession 11C;
- 30.2. the prospecting work programme and all annexures dealing with technical ability, use of in-house expertise, contractors and consultants, existing rights and permits, and prior-right history / supporting documents,

subject only to TAD's redaction of genuinely financially sensitive information.

31. If it is contended that any specific annexure or portion thereof is confidential/financially sensitive, please identify that document or portion thereof specifically, state the basis for the alleged confidentiality and provide the balance of the application and annexures forthwith.
32. Failing compliance, THO reserves all of its rights, including to place this refusal and the annexed exchanges before the DMPR as part of the comments process and to take such further steps as may be necessary.

Yours faithfully

---

**AM Larkens**  
**Head of Legal**

"A"

**Aaron Larkens**

**From:** Steve September <steve@anchorenmvironmental.co.za>  
**Sent:** Wednesday, 25 March 2026 16:25  
**To:** Aaron Larkens  
**Cc:** Ian Hestermann; Jaco du Plooy; Elza Klopper; Cheruscha Swart  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron,

Thank you. Your comment has been received and noted, and will be captured in the Comments and Responses Report (CRR) accordingly, along with the formal/detailed response you will be sending.

Please note that all further responses will be recorded in the CRR table and circulated with the Final BAR for your consideration.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

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steve@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Wednesday, 25 March 2026 14:50  
**To:** Steve September <steve@anchorenmvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Hi Steve

Thanks for your email, we are working on a formal/detailed response.

In the interim, we would suggest you consider the Baleni judgment (attached), which dealt with a similar request from IAPs for a copy of the application for a mining right with annexures, in which it is stated:

*"[92] I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application (sic.) as and when it is submitted to the Regional Manager, even before they ask for it. That is not the relief sought though."*

Please be guided accordingly.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
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**From:** Steve September <steve@anchorenmvironmental.co.za>  
**Sent:** Wednesday, 25 March 2026 12:30  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron,

Thank you for your email.

We note your request for the Prospecting Right application and supporting annexures submitted via SAMRAD.

Please note that under the system, the PR and EA are integrated. In practice, we submit a single, integrated application via SAMRAD. The application is not a single form; much of the information is completed and uploaded directly into the SAMRAD system.

The Public Participation Process is being conducted in accordance with the National Environmental Management Act EIA Regulations (2014). All relevant information necessary to understand the proposed activity and provide meaningful comments on its potential environmental impacts has been made available through the Basic Assessment Report (BAR), associated specialist studies, and appendices.

This includes the information contained in the application form and Prospecting Work Programme, except for certain appendices and details related specifically to administrative, technical, company, and financial information submitted directly to the Department of Mineral and Petroleum Resources (DMPR) to assess the competence of Trans Atlantic Diamonds in conducting the work. These details are not required to be circulated as part of the EIA Public

Participation Process, as they are not relevant to the environmental assessment. The PPP focuses on environmental impacts, not the full disclosure of all MPRDA application details.

We note your interest in the requirements of Section 17(1) of the MPRDA. These provisions relate to the Department's internal decision-making criteria when considering a Prospecting Right application. They reflect the Department's requirements for granting a Prospecting Right and are not part of the PPP obligations.

If there is specific information relevant to the environmental assessment that you believe is not adequately covered in the BAR, please indicate this, and we will consider providing additional detail where appropriate. As mentioned, all information in the application form and PWP is included in the BAR, where it is more clearly explained and structured. The DMPR template is not designed as a notice template for public circulation and including it in that format may cause confusion or give the impression that information is missing.

Finally, regarding the vessels mentioned in the BAR, these were provided as examples and not indicative of the actual vessels to be used. A dedicated survey vessel will be constructed for the project.

Further to the above, and for us to maintain an accurate I&AP database, please could you disclose any direct business, financial, personal, or other interest you may have in the approval or refusal of the application.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

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**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Tuesday, 24 March 2026 11:58  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Hi Steve

Thanks for your email.

I had already received and reviewed the application for an environmental authorisation, draft BAR and supporting documentation, which formed the basis of THO's initial comments regarding correct process to be followed by TAD.

At this stage, I am, however, requesting a copy of the application for a prospecting right (and supporting annexures), not the application for an environmental authorisation (and supporting annexures) – you would be aware that TAD would have submitted two separate applications to the DMPR and each contain different information, aimed at satisfying different legislative requirements.

We, as an IAP, are evidently very interested in understanding if TAD satisfies the requirements of section 17(1) of the MPRDA – as there will not be another public participation process and opportunity for IAPs to comment, we would like to ensure that all of our comments are included at this stage.

Kind regards

Aaron Larkens  
Head of Legal

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**From:** Steve September <steve@anchorenvironmental.co.za>

**Sent:** Tuesday, 24 March 2026 11:39

**To:** Aaron Larkens <aaronl@transhex.co.za>

**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>

**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Good morning Aaron

I hope this email finds you well.

See the link below containing the Draft BAR and all appendices for Concession 11C.

<https://www.anchorenvironmental.co.za/resources/basic-assessment-and-public-participation-process-re-application-prospecting-rights>

Kind Regards,



STEVE SEPTEMBER  
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steve@anchorenvironmental.co.za  
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Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Tuesday, 24 March 2026 10:53  
**To:** Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Steve September <steve@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Cheruscha.

Leaving aside the point raised regarding the correct application process to be followed.

I would be if you could please provide me with a copy of TAD's application for a prospecting right (including all annexures), so we may properly assess the contents thereof.

You will recall that we previously requested the information in relation to the application for a prospecting right in respect of sea concession 14C (see exchanges attached) – you are welcome to redact the same commercially sensitive information again.

As before, we require this information to properly assess TAD's application/s, given the fact that our vessels are specifically named in the BAR and EMP.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
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**From:** Aaron Larkens  
**Sent:** Tuesday, 24 March 2026 09:52  
**To:** 'Steve September' <steve@anchorenvironmental.co.za>; 'anthony@transatlanticgemsales.com' <anthony@transatlanticgemsales.com>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve and Anthony.

Please see THO's response to TAD's letter dated 23 March 2026.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Monday, 23 March 2026 14:36  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron

I hope this email finds you well.

Please find attach our response to your comments provided to us on the 18<sup>th</sup> of March 2026.

Kind Regards,



STEVE SEPTEMBER  
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EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Wednesday, 18 March 2026 14:30  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Anchor Environmental <info@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve.

Please see Trans Hex Operations (Pty) Ltd's initial comments/request in relation to the application for an environmental authorisation in respect sea concession 11C.

We look forward to hearing from you.

Kind regards

Aaron Larkens  
Head of Legal

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**From:** Steve September <[steve@anchorenenvironmental.co.za](mailto:steve@anchorenenvironmental.co.za)>

**Sent:** Tuesday, 17 March 2026 09:53

**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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#### **DIE AFRIKAANSE VERTALING VAN HIERDIE E-POS VOLG NA DIE ENGELS**

Dear Interested and Affected Party,

You have been identified as a potential interested and affected (I&AP) on the following NEMA EIA Application:

#### **RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)**

**APPLICANT: Trans Atlantic Diamonds (Pty) Ltd**

#### **NEW EA APPLICATION REF. NO.: WC30/5/1/1/2/10522 PR**

Trans Atlantic Diamonds (Pty) Ltd (TAD) was granted Environmental Authorisation (EA) and Prospecting Rights (PR) to prospect minerals in Concession Area 11C (Ref. No. (WC30/5/1/1/2/10384 PR). As the PR was not renewed within the prescribed timeframe, the EA and PR lapsed and TAD was required to reapply for EA and PR. A new application was lodged in December 2025 (Ref. No. WC30/5/1/1/2/10522 PR) to the Department of Mineral and Petroleum Resources (DMPR) in terms of the National Environmental Management Act, 107 of 1999 (NEMA) and the Mineral and Petroleum Resource Development Act, 28 of 2002 (MPRDA). Anchor Environmental Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to assist TAD with the re-application and to conduct the Public Participation Process (PPP) prior to submission of the final documentation to the DMPR.



**TRANS HEX OPERATIONS (PTY) LTD**

Registration No. 1968/012100/07

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t.: +27 (0)21 510 1881 f.: +27 (0)21 510 5035

#### **Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

Dear Sirs/Madams

#### **TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — OBJECTION TO BASIC ASSESSMENT PROCESS**

1. We refer to Trans Atlantic Diamonds (Pty) Ltd's application for environmental authorisation and a prospecting right for *inter alia* diamonds in respect of Sea Concession 11C ("the Application").
  2. Trans Hex Operations (Pty) Ltd's objection to the Application is narrow and is premised on the submission that the Application has been erroneously applied for by way of a Basic Assessment. In our view that is incorrect, as:
    - 2.1. TAD has applied for a prospecting right for diamonds.
    - 2.2. The nature of TAD's intended prospecting operations and the extent thereof, constitute a bulk sampling operation.
- Prospecting for diamonds
3. It is self-evident that given the nature of the Application and the fact that TAD has applied to prospect for diamonds the requirements of section 20(2) of the Mineral & Petroleum Resources Development Act ("MPRDA") are triggered.
  4. Once that is so, the Application falls under *Listing Notice 2* and requires the applicant to follow the S&EIR process provided for in the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations"). The implication of which is the submission and pursuit of a Basic Assessment, in terms of the EIA Regulations, would be unlawful.
  5. The fact that the competent authority may, or may not, have erroneously granted an environmental authorization on the same basis previously is irrelevant to the present application.

6. In this regard, section 20 of the MPRDA states that:

***"20. Permission to remove and dispose of minerals***

*(1) Subject to subsection (2), the holder of a prospecting right may only remove and dispose for his or her own account any mineral found by such holder in the course of prospecting operations conducted pursuant to such prospecting right in such quantities as may be required to conduct tests on it or to identify or analyse it.*

*(2) The holder of a prospecting right must obtain the Minister's written permission to remove and dispose for such holder's own account of diamonds and bulk samples of any other minerals found by such holder in the course of prospecting operations."*

7. Properly read, section 20(2) distinguishes between prospecting operations involving:

7.1. The removal and disposal of *diamonds*;

7.2. The removal and disposal of *any other minerals*.

8. The wording matters. The words "bulk samples" qualifies the removal and disposal of "any other minerals" during prospecting operations. The same restriction on the *extent* of the removal and disposal however does not apply to prospecting for "diamonds".

9. That distinction must be given meaning and, consequently, an applicant for a prospecting right for diamonds must apply for the Minister's permission in terms of section 20(2) of the MPRDA, regardless of the extent of the intended prospecting operation or if it includes "bulk sampling" for diamonds.

10. To this end, the applicable NEMA listed activities are as follows:

10.1. Listing Notice 1, activity 20 applies to an activity which "requires a prospecting right in terms of section 16";

10.2. Listing Notice 1, activity 19A applies to dredging, excavation, removal or moving of "more than 5 cubic metres" from "the sea"; and

10.3. Listing Notice 2, activity 19 applies to the "removal and disposal of a mineral" which requires permission under section 20 of the MPRDA.

11. The consequence is straightforward. If section 20(2) permission is required, Listing Notice 2 activity 19 is triggered which then requires the applicant to apply for and pursue the granting of an environmental authorization through the S&EIR process.

12. Quite clearly, for the reasons given above, TAD is not able to circumvent this requirement but attempting to categorize its Application as an application for a prospecting right for diamonds "without bulk sampling".

**Bulk sampling for other minerals**

13. In any event, and further to the above, THO submits that TAD's intended prospecting operations would ultimately fall within the definition of "*bulk sampling*", as they include:

13.1. the usage of a drill tool that can dredge gravel from the seabed;

13.2. the onboard processing of the recovered material;

13.3. the disposal of tailings overboard;

13.4. sample volumes of 9 to 15 m<sup>3</sup> per sample;

13.5. an initial program of 300 drill samples; and

13.6. if a potential resource is identified, a further 1 200 resource-development samples.

14. In effect then, TAD's intended prospecting operations have the potential to result in the disturbance of 22,500m<sup>3</sup> of the ocean floor which would, it is submitted, constitute *bulk sampling*.

15. For the above reasons, the fact that TAD seeks to categorize its Application as an application for a prospecting right "without bulk sampling" is misguided. This self-categorization is clearly an attempt by TAD to circumvent the requirement to apply for and pursue the granting of an environmental authorization through the more detailed / time-consuming S&EIR process.

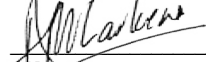
16. In the result, the Application cannot lawfully proceed by way of Basic Assessment only. It triggers Listing Notice 2 activity 19 and requires a S&EIR process.

17. THO accordingly requests written confirmation that:

17.1. the present Basic Assessment process will be withdrawn or suspended; and

- 17.2. the application will be re-submitted/processed through the correct S&EIR process in terms of the EIA Regulations.
18. Failing that, please provide the full written basis upon which Anchor Environmental Consultants contend that section 20(2) of the MPRDA is not triggered by the proposed offshore diamond prospecting methodology, together with any written direction or confirmation from the DMPR relied upon for that position.
19. This objection is raised without prejudice to THO's further substantive and procedural objections to the Application.
20. We look forward to receiving your response before 16h00pm on 30 March 2026.

Yours faithfully

  
AM Larkens  
Head of Legal



Trans Atlantic Diamonds

To: Trans Hex Operations (Pty) Ltd  
Attention: Mr AM Larkens  
BY EMAIL

23 March 2026

Dear Sir,

**TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C – RESPONSE TO OBJECTION TO BASIC ASSESSMENT PROCESS**

1. We refer to your correspondence received 18 March 2026 titled "Objection to Basic Assessment Process" in respect of the above-mentioned application.
2. Your objection has been duly noted and considered. This response is provided on behalf of Trans Atlantic Diamonds (Pty) Ltd ("TAD") and Anchor Environmental Consultants (Pty) Ltd, the appointed independent Environmental Assessment Practitioner ("EAP").

**REGULATORY FRAMEWORK AND COMPETENT AUTHORITY**

3. At the outset, it is important to emphasise that the determination of the applicable environmental assessment process in terms of the National Environmental Management Act 107 of 1998 ("NEMA") and the Mineral and Petroleum Resources Development Act 28 of 2002 ("MPRDA") read with the Environmental Impact Assessment Regulations 2014 ("EIA Regulations"), vests with the competent authority being the Department of Mineral and Petroleum Resources ("DMPR").
4. In this regard, the DMPR has formally acknowledged and accepted the present application as one to be processed through a Basic Assessment (BA) process. This position is confirmed in the Department's correspondence dated 4 February 2026.
5. In terms of section 24O of NEMA, the competent authority is required to consider all relevant factors and exercise its discretion in determining the appropriate level of assessment.
6. Accordingly, the DMPR's determination regarding the applicable process remains valid and binding.

**RESPONSE TO SECTION 20(2) MPRDA ARGUMENT**

7. Your objection is premised on the assertion that section 20(2) of the MPRDA is automatically triggered in respect of all prospecting for diamonds, thereby necessitating a Scoping and Environmental Impact Reporting ("S&EIR") process under Listing Notice 2.
8. This interpretation is not supported by a proper reading of the statutory framework for the following reasons:
  - 8.1. Section 20(2) of the MPRDA regulates the removal and disposal of minerals, not the activity per se.
  - 8.2. The requirement for ministerial permission under section 20(2) is contingent upon the nature, scale, and purpose of the removal and disposal and is not automatically triggered in that the mineral in question is a diamond.
  - 8.3. The EIA Regulations must be interpreted purposively and in alignment with section 2 of NEMA, which promotes a risk-based and proportionate approach to environmental assessment.
9. The theoretical applicability of section 20(2) does not, in itself, trigger Listing Notice 2 Activity 19, rather the actual scope and intensity of the proposed activity and whether it constitutes removal and disposal at a scale requiring such permission must be considered.
10. In the present case, the proposed prospecting activities are of a limited, investigative nature which is consistent with prospecting as defined in the MPRDA and does not constitute mining or large-scale extraction.



#### **DISTINCTION BETWEEN PROSPECTING AND BULK SAMPLING**

11. Your assertion that the proposed activities constitute "bulk sampling" is noted but not accepted.
12. The activities described (including drill sampling, onboard processing and disposal of tailings) are standard prospecting methodologies in the offshore diamond industry and do not, in themselves, elevate the activity to one requiring an S&EIR process.
13. Importantly, it is to be noted that:
  - 13.1. The sample volumes cited must be assessed in context. Namely as discrete, spatially limited sampling events rather than continuous or large-scale extraction.
  - 13.2. The cumulative volumes referenced are programmatic estimates and do not reflect a single, contiguous disturbance footprint.
  - 13.3. The environmental impacts associated with such activities have been previously assessed (2022) and remain unchanged in substance.
14. The BA process is specifically designed under NEMA to assess activities with predictable, site-specific and manageable impacts, which is applicable in this instance.

#### **LISTED ACTIVITIES AND PROCESS APPROPRIATENESS**

15. It is acknowledged that:
  - 15.1. Listing Notice 1 activities (including Activities 19A and 20) are triggered; and
  - 15.2. These activities are appropriately assessed through a Basic Assessment process.
16. The applicability of Listing Notice 2 Activity 19 is not automatically applied and depends on whether the activity demonstrably requires section 20(2) permission at a scale contemplated by that Listing Notice
17. The competent authority has considered this issue and has not required the application to proceed via S&EIR.

#### **PRIOR AUTHORISATION AND REAPPLICATION CONTEXT**

18. The present application constitutes a re-application for the same concession area and the same prospecting activities were previously authorised in 2022.
19. The environmental assessment documentation (BAR, EMP, HIA, and specialist studies) remains substantially unchanged, with only minor updates to baseline information.
20. The previous acceptance of the BA process by the DMPR is a relevant consideration in ensuring regulatory consistency and administrative certainty in line with section 2 of NEMA.

#### **ALLEGATION OF PROCESS CIRCUMVENTION**

21. The allegation that TAD is attempting to circumvent the S&EIR process is unfounded and rejected.
22. The application has been undertaken in full compliance with:
  - 22.1. The EIA Regulations;
  - 22.2. Guidance and direction from the DMPR; and
  - 22.3. The principles of transparency and public participation under NEMA.
23. All Interested and Affected Parties, including THO, are being afforded a full and fair opportunity to participate in the process.

#### **CONCLUSION**

24. In light of the above:
  - 24.1. The Basic Assessment process has been lawfully initiated and is procedurally correct;
  - 24.2. The interpretation advanced by THO regarding section 20(2) and Listing Notice 2 is not supported by the applicable legal framework; and

24.3. The final determination regarding the appropriate process and the merits of the application rests with the DMPR and ultimately, the Minister.

25. All comments received, including your objection, will be recorded in the Comments and Response Report (CRR) and submitted to the DMPR for consideration as part of its decision-making process.

26. This response is written on a without prejudice basis

Yours faithfully

  
Mr. Anthony Charles Peter  
Director



**To:**

**Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

**And to:**

**Trans Atlantic Diamonds (Pty) Ltd**

Attention: Mr Anthony Peter

24 March 2026

Dear Sirs/Madams

**TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — OBJECTION TO BASIC ASSESSMENT PROCESS**

1. We refer to your letter dated 23 March 2026, in which Mr Anthony Peter, on behalf of Trans Atlantic Diamonds (Pty) Ltd ("TAD") contends, *inter alia*, that:
  - 1.1. The Department of Mineral and Petroleum Resources ("DMPR") has accepted the present application as one to be processed through a Basic Assessmentsic Assessment, that such determination is valid and binding, and that Listing Notice 2 Activity 19 is not automatically triggered in the case of prospecting for diamonds.
  - 1.2. Section 20(2) of the MPRDA regulates the removal and disposal of minerals, not the activity per se and that the requirement for ministerial permission is solely dependent on determining if the applicant is undertaking *bulk sampling*.
  - 1.3. There is no distinction drawn, in section 20(2) of the MPRDA, between the removal and disposal of diamonds and bulk sampling of other minerals.
2. THO does not agree, nor does the late Michael O. Dale et al. in his commentary on mining law, which, as I am sure you are aware, is widely regarded as the most authoritative and comprehensive commentary on mining law in South Africa.

**DMPR acceptance**

3. Even accepting, for present purposes, that the DMPR, as the competent authority, has issued correspondence accepting the application for an environmental authorization, that takes the matter no further. At best for TAD, such acceptance exists and has procedural consequences until set aside. It does not follow that such acceptance constitutes a binding adjudication that TAD has selected the correct process under NEMA read with the MPRDA.
4. The Dale commentary makes the position plain by indicating that:

*"The acceptance procedure differs from the grant or refusal procedure" and that "the acceptance decision therefore depends only on whether or not the application meets the formal requirements ... whereas the Minister's decision to grant or refuse the application depends on the substantive requirements".*

5. Dale then identifies the consequences of acceptance as procedural only, namely that the Regional Manager must notify the applicant to submit the relevant environmental reports and to undertake consultation with landowners and interested and affected parties. In other words, acceptance is a statutory gateway step and may not be construed as a substantive determination that the applicant is complying with the correct environmental process.
6. Indeed, TAD's suggestion that acceptance by the DMPR somehow validates the Basic Assessment route is contradicted by the statutory scheme and by practice. As you are aware, a prospecting right application that proceeds by way of the S&EIR (Scoping and Environmental Impact Reporting) is likewise first "accepted" by the DMPR, after which the scoping phase follows. Acceptance by the DMPR of the application accordingly proves nothing about whether Basic Assessment or S&EIR is the correct route.
7. THO accordingly maintains that neither the applicant nor the DMPR can rely on a *letter of acceptance* to avoid the proper interpretation and application of section 20(2) of the MPRDA.

**Interpretation of section 20(2) of the MPRDA**

8. THO's position remains, and has always remained, premised on a literal reading of section 20(2) of the MPRDA, which provides:

*“The holder of a prospecting right must obtain the Minister’s written permission to remove and dispose for such holder’s own account of diamonds **and** bulk samples of any other minerals found by such holder in the course of prospecting operations.” (my emphasis)*

9. THO reiterates then, on an ordinary grammatical reading, that subsection distinguishes between two categories:

9.1. diamonds; **and**

9.2. bulk samples of any other minerals.

10. It is self-evident that the phrase “bulk samples” qualifies only “any other minerals”. It does not qualify the removal and disposal of “diamonds” – to do so would ignore the inclusion by the legislature of the word “**and**” between “*diamonds*” and “*bulk samples of any other minerals*”.

11. The Dale commentary supports precisely that reading, by providing under the commentary on section 20(2) of the MPRDA:

**“17.4.3 bulk samples**

*Again, no quantification of what constitutes bulk samples is given, presumably because this will vary from mineral to mineral, ranging from large quantities for coal to small quantities for emeralds. Again, however, no permission would be obtainable were the intention with the removal for purposes otherwise than as samples. If the intention is indeed to remove samples, it is a matter for evidence whether they are bulk samples and therefore require ministerial permission in terms of section 20(2), or whether they are samples smaller than bulk samples and for which, in terms of section 20(1), no such permission (other than in the case of diamonds) would be required.” (my emphasis)*

12. Properly distilled, Dale’s commentary provides that where samples are smaller than bulk samples, no ministerial permission is required under section 20(1), save “other than in the case of diamonds” – i.e. in the case of diamonds ministerial permission is required even if the samples are smaller samples and factually classified as not being bulk samples.

13. Evidently, if the Legislature intended the “bulk-sample qualification” to apply equally to diamonds, it would have said so and section 20(2) would have read as follows:

*“The holder of a prospecting right must obtain the Minister’s written permission to remove and dispose for such holder’s own account of bulk samples of diamonds **and** any other minerals found by such holder in the course of prospecting operations.”*

14. The positioning of the word “and” within section 20(2) is telling, and cannot be ignored.

**Interpretation of Listing Notice 2 Activity 19**

15. In this regard, TAD’s response seeks to introduce a qualification that does not appear in either section 20(2) or Listing Notice 2 Activity 19, namely that permission is required only if removal and disposal occurs “at a scale contemplated” by the Listing Notice. That is not what the legislation says.

16. It is clear that Listing Notice 2 Activity 19 applies to:

*“The removal and disposal of a mineral, **which requires a permission** ... in terms of section 20 of the Mineral and Petroleum Resources Development Act ...” (my emphasis)*

17. Listing Notice 2 Activity 19 does not contain a separate scale threshold and the only question is whether section 20 permission is required. On THO’s literal reading of section 20(2), where the mineral is diamond, it is.

18. Likewise, if the legislature had intended to introduce a “scale qualification”, as suggested by TAD, then it would have said so and Listing Notice 2 Activity 19 would have read as follows:

*“The removal and disposal of a **bulk sample of any** mineral, which requires a permission ... in terms of section 20 of the Mineral and Petroleum Resources Development Act ...”*

19. By contrast, Listing Notice 1 Activity 19A contains the express volumetric threshold of the removal of more than 5 cubic metres from the sea, and Listing Notice 1 Activity 20 applies to activities requiring a prospecting right in terms of section 16. Those activities do not

displace Listing Notice 2 Activity 19 where section 20 permission is required. They are cumulative, not mutually exclusive.

20. It follows that, on THO's and Dale's interpretation, Listing Notice 2 applies to an application to prospect for diamonds because section 20(2) of the MPRDA itself distinguishes diamonds from bulk samples of other minerals and requires ministerial permission in the former case without any bulk-sampling *qualifier*.

Consequence of TAD's decision

21. To this end, TAD elected to formulate and pursue its application for an environmental authorization by way of Basic Assessment. If that election is inconsistent with the governing statute, that is a consequence of TAD's own chosen course. The applicant cannot cure a defective statutory route by labelling the application "without bulk sampling" nor can it rely on the DMPR's advice or acceptance to amend the wording and operation of the MPRDA and Listing Notices.
22. Nor can the DMPR do so. It is trite that public power is sourced in statute and public functionaries may exercise no power and perform no function beyond that conferred upon them by law.
23. Accordingly, even if the DMPR has indicated informally, or even provisionally, that a Basic Assessment process may be followed, such advice cannot prevail over the wording of section 20(2) of the MPRDA and the applicable Listing Notices. To the extent that any such advice purports to do so, it would be *ultra vires*.

Conclusion

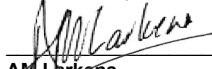
24. THO therefore reiterates its position that:
- 24.1. section 20(2) must be interpreted literally;
- 24.2. the words "bulk samples" do not qualify "diamonds";
- 24.3. ministerial permission is therefore required in relation to diamonds in terms of section 20(2) of the MPRDA;
- 24.4. Listing Notice 2 Activity 19 is accordingly triggered;

- 24.5. the present application should not proceed by way of Basic Assessment, but through the S&EIR process; and

- 24.6. doing so will render the grant of any environmental authorization unlawful, and subject to challenge in perpetuity (in line with the *Oudekraal principle*).

25. Consequently, we would strongly suggest that Anchor Environmental Consultants (Pty) Ltd and TAD seek legal advice from a advocate or firm of attorneys, with extensive mining law experience, before continuing down the path they have chosen – we are happy to suggest advocates/attorneys, with the necessary expertise, if requested.
26. Please ensure that this letter is included, in full, in the Comments and Response Report to be placed before the DMPR.

Yours faithfully

  
AM Larkens  
Head of Legal



Western Cape  
Attention: Regional Manager  
Mr Pieter Swart

And to:  
**Trans Atlantic Diamonds (Pty) Ltd**  
Attention: Mr Anthony Peter

Attention: The Environmental Assessment Practitioner

1 April 2026

Dear Sirs/Madams

**TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED  
OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL  
AUTHORISATION**

**INTRODUCTION**

1. I am writing to you on behalf of Trans Hex Operations (Pty) Ltd ("THO") to object to the re-application by Trans Atlantic Diamonds (Pty) Ltd ("TAD") for a prospecting right and environmental authorisation in respect of Sea Concession Area 11C.
2. This letter constitutes THO's detailed objection to the granting of the prospecting right and to the related environmental authorisation.
3. Having considered the matter in detail, and having regard to the authorities and commentary previously provided, THO's principal objection is this:
  - 3.1. TAD and its environmental assessment practitioner ("EAP") have refused to provide THO with a copy of the application for a prospecting right submitted by TAD in terms of section 16 of the Mineral & Petroleum Resources Development Act ("MPRDA") and the supporting annexures;

3.2. In the result, THO has been denied the information necessary to participate meaningfully in the prospecting-right process and to address the section 17 of the MPRDA *grant criteria* in any informed way.;

3.3. In addition, THO has also been denied the opportunity to properly consider, and comment on the draft Basic Assessment Report and its appendices.

4. THO's earlier concerns regarding the environmental process remain reserved. However, for present purposes, THO's central and substantive complaint is not the environmental point. It is TAD and the EAPs failure to disclose the documents that support its prospecting-right application, coupled with the apparent failure to afford a proper section 10 objection process.
5. THO has previously addressed detailed correspondence to TAD, the EAP and the Department of Mineral and Petroleum Resources ("DMPR"), including its letters of 18 March 2026 and 26 March 2026. Copies of these letters are annexed marked "A".
6. In those letters THO requested a copy of the prospecting-right application, the prospecting work programme and the non-financial annexures lodged in support of the section 16 application, and explained in detail why that information was required in order to enable THO to participate in the consultation process and for TAD to *meaningfully consult* with THO.
7. THO has unfortunately not received any substantive response to THO's letter of 26 March 2026, and THO has, to date, still not been furnished with the requested application documents.
8. THO has also not seen the notice contemplated by section 10 of the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA") and regulation 3 of the MPRDA Regulations.
9. To the extent that the DMPR considers this objection to have been lodged outside any applicable period under the MPRDA, THO requests condonation on the basis that the operative section 16 application documents were withheld, the date and manner of any section 10 notice have not been disclosed, and THO has acted promptly upon learning of the application.
10. For ease of reference, relevant extracts from the authorities and project documents relied upon are annexed hereto as Annexure "B" (Dale commentary) and Annexure "C" (relevant

extracts from the BAR, EMPr, background information document, socio-economic statement and public-participation record).

## BACKGROUND

11. According to the draft Basic Assessment Report ("BAR"), TAD was previously granted a prospecting right and environmental authorisation in respect of Sea Concession 11C, but the previous prospecting right lapsed as it was not renewed within the prescribed timeframe and the right and environmental authorisation likewise lapsed, requiring a fresh application.<sup>1</sup>
12. The same BAR and the subsequent email exchanges reveal TAD / the EAP's position to be, in substance, in summary that:
  - 12.1. The prospecting-right application and environmental-authorisation application were submitted in an integrated way through SAMRAD;
  - 12.2. the BAR contains all information relevant to the public participation process;
  - 12.3. technical, company and financial information submitted to the DMPR for purposes of assessing competence need not be disclosed;
  - 12.4. the criteria reflected in section 17 of the MPRDA concerns the DMPR's internal decision-making and does not form part of the public participation obligations;
  - 12.5. the vessels identified in the BAR were merely examples but that TAD intends developing its own survey and sampling vessel should the prospecting right application be granted.
13. For the reasons reflected in THO's letter (dated 28 March 2026), it does not agree.
14. The aforementioned propositions are contrary to the structure of the MPRDA, contrary to the authorities on the requirement of *meaningful consultation* and access to application documents, and contrary to the practical realities of how an interested and affected party is expected to comment on and object to a prospecting-right application.

<sup>1</sup> Anchor Environmental Consultants. (2026, March 17). Draft Basic Assessment Report for the re-application for a prospecting right and environmental authorisation in Sea Concession 11C, Introduction, p. 1.

## THE CENTRAL ISSUE

15. The central issue is not difficult to identify. A prospecting-right application submitted to the DMPR in terms of section 16 of the MPRDA and a *supporting* environmental-authorisation application submitted to the DMPR, as the competent authority, in terms of NEMA may be submitted simultaneously, but they do not serve the same statutory purpose:
  - 15.1. The environmental process is concerned with an environmental assessment and whether any environmental impact can be justified by consequent positive socio-economic impacts.
  - 15.2. The prospecting-right process is concerned with *inter alia* whether the applicant satisfies the statutory criteria for the grant of a prospecting right.
16. THO's complaint is that TAD and its EAP have attempted to reduce the prospecting-right process to a review of the BAR alone. That is impermissible.
17. If an interested and affected party is confined to the BAR, while the prospecting-right application and its supporting annexures are withheld, the result is that the party is prevented from engaging meaningfully on the very issues that the Minister or delegate must consider before granting the prospecting right.
18. Put differently, the point is not that THO seeks information for curiosity's sake. THO seeks the documents submitted by TAD to the DMPR, in terms of section 16 of the MPRDA, because those documents go directly to whether TAD has established the section 17 jurisdictional facts for the grant of a prospecting right, but also indirectly go to the heart of whether the granting of the prospecting right is likely to have a positive socio-economic impact for the host community.

## THE STATUTORY FRAMEWORK

19. It is trite that section 10 of the MPRDA applies expressly to applications for prospecting rights under section 16 of the MPRDA. In this regard, within 14 days after accepting such an application, the Regional Manager must, in the prescribed manner, make known that the application has been accepted and call upon interested and affected persons to submit comments regarding the application within 30 days from the date of the notice.

20. If a person objects to the granting of a prospecting right, the Regional Manager must refer the objection to the Regional Mining Development and Environmental Committee to consider the objection and to advise the Minister thereon.

21. In this regard, section 10 and Regulation 3 of the MPRDA / regulations provides that:

*"Within 14 days after accepting an application lodged in terms of section 16, 22 or 27, the Regional Manager must in the prescribed manner make known that an application for a prospecting right, mining right or mining permit has been accepted in respect of the land in question; and call upon interested and affected persons to submit their comments regarding the application within 30 days from the date of the notice."*

*"Regulation 3(2) of the MPRDA Regulations requires that the notice referred to be placed on a notice board at the office of the Regional Manager ... In addition, in terms of regulation 3(3) ... the Regional Manager ... must also make known the application by placement of the notice in the magistrate's court in the magisterial district applicable to the land in question and placement of the notice at local schools, public libraries, municipal offices and Traditional Council offices."<sup>2</sup>*

22. Regulation 3 prescribes how that notice is to be made known. In addition to placement on a notice board at the office of the Regional Manager, the application must also be made known by at least one further prescribed method, such as publication in the Provincial Gazette, notice at the Magistrate's Court or advertisement in a newspaper circulating in the area.

23. Section 16, read with regulation 5 and Form B, requires a prospecting-right application in the prescribed form and supported by prescribed information and documentation. The Dale commentary records that the application must include, among other things, the mineral or minerals applied for, the period, a prospecting work programme and annual expenditure, proof of technical ability, an indication whether such technical ability will be provided by in-house expertise, contractors or consultants, proof of financial ability, a list of existing rights and permits, copies of land titles and such further information as may be requested.

*"The prescribed manner is contained in regulation 5 in the MPRDA Regulations which provides that an application for a prospecting right must be in the form of form B in annexure 1 to the MPRDA Regulations. The main requirements are: a plan ...*

*the mineral or minerals; the period; a prospecting work programme and annual expenditure; proof of technical ability ... and whether this will be achieved by in-house expertise, contractors or consultants; financial ability; a list of existing rights and permits; copies of the land titles; and any other information which the Minister may request."<sup>3</sup>*

*"Regulation 7(2) provides that the programme will form part of the prospecting right when granted. This indicates that an assessment of performance is directly related back to the contents of the approved work programme."<sup>4</sup>*

24. Section 17 of the MPRDA then provides that the Minister must grant a prospecting right only if the statutory criteria are met. Those include that the:

24.1. applicant has access to financial resources and has the technical ability to conduct the proposed prospecting operation optimally in accordance with the prospecting work programme;

24.2. estimated expenditure is compatible with the proposed prospecting operation and the duration of the prospecting work programme;

24.3. prospecting will not result in unacceptable pollution, ecological degradation or damage to the environment and that an environmental authorisation is issued; that the applicant can comply with the Mine Health and Safety Act; and

24.4. applicant is not in contravention of any relevant provision of the MPRDA.

25. Section 19 of the MPRDA is also material to the present application / objection as it requires the holder of a prospecting right to commence prospecting within 120 days, to continuously and actively conduct prospecting operations, and to do so in accordance with the prospecting work programme.

26. As the commentary explains, compliance is judged by reference to the approved work programme which forms part of the right.

<sup>2</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on section 10 and regulation 3.

<sup>3</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on sections 16 and 17 and regulations 5 and 7.

<sup>4</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on sections 16 and 17 and regulations 5 and 7.



## THE LEGAL POSITION ON DISCLOSURE AND MEANINGFUL PARTICIPATION

27. The most authoritative commentary on this issue remains Dale's commentary on section 10 of the MPRDA. Dale, in his commentary, states that an interested and affected person is entitled to copies of the application papers and annexures, except for financially sensitive aspects.

28. Dale goes on to provide that this entitlement is founded in a proper interpretation of the MPRDA read with section 32 of the Constitution and that the position is not restricted to PAIA because PAIA is too cumbersome to permit meaningful participation within the statutory time periods:

*"An interested and affected person is entitled to copies of the application papers and annexures except for financially sensitive aspects of the application and papers. This entitlement is founded in a proper interpretation of sections 10 and 22(4) of the MPRDA read with section 32 of the Constitution. The Minerals Department has to supply these copies on request, which is not restricted to the provisions of PAIA and the Department's manual, because the procedures in terms of PAIA are so cumbersome that an interested and affected person will not be able to access the said documentation timeously in order for comments to be made in terms of sections 10 and 22(4) of the MPRDA."*<sup>5</sup>

29. Importantly, the same commentary expressly records that this entitlement is not confined to mining-right applications. It notes that the same position applies in relation to other applications under the MPRDA, which necessarily includes prospecting-right applications.
30. The Baleni judgment is entirely consistent with Dale's analysis. The Court held that meaningful consultation requires the interested and affected parties to have access to the application and sufficient information to enable informed engagement. It further held that the manner in which interested and affected persons obtain a copy of the application should not be restricted to PAIA, because those persons are the ones who should deal directly with the issues that will determine the fate of the application. In this regard, the Court stated in its judgment that:

*"Meaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary."*<sup>6</sup>

*"Therefore, in my view, the manner in which the applicants obtain a copy of the mining right should not be restricted to the request processes in terms of PAIA ... because they are the persons who should deal directly with the issues that will ultimately determine the fate of the application."*<sup>7</sup>

*"I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application as and when it is submitted to the Regional Manager, even before they ask for it."*<sup>8</sup>

*"[T]he relevant sections (10 and 22(4)), properly interpreted, mean that they are entitled to a copy on request from the Regional Manager and they do not have to go through the PAIA process, which is very long. I have already agreed with their understanding of these sections. The whole consultation process is intended to advance the objects of the MPRDA."*<sup>9</sup>

31. The Court went further and stated that *"the persons in the position of the applicants would be entitled to a copy from the application as and when it is submitted to the Regional Manager, even before they ask for it"*. The Court also held that sections 10 and 22(4), properly interpreted, mean that interested and affected parties are entitled to a copy on request from the Regional Manager, that they do not have to go through the PAIA process, and that the whole consultation process is intended to advance the objects of the MPRDA.
32. Equally relevant is the Court's criticism of the conduct of the mining-right applicant and the Department in Baleni. The Court noted that the applicants had been sent from pillar to post, with both the Department and the applicant refusing to take responsibility, and that the application was provided only after litigation had been instituted. That criticism applies squarely here.
33. There is further authority that non-compliance with regulation 3 is not a trivial matter. The commentary on section 10 records that in *De Beers Consolidated Mines Ltd v Ataqwa Mining (Pty) Ltd* the court found that there was no evidence of compliance with regulation

<sup>5</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on section 10.

<sup>6</sup> Baleni & Others v Regional Manager: Eastern Cape Department of Mineral Resources & Others, 2021 (1) SA 110 (GP), para. 89.

<sup>7</sup> Baleni & Others v Regional Manager: Eastern Cape Department of Mineral Resources & Others, 2021 (1) SA 110 (GP), para. 91.

<sup>8</sup> Baleni & Others v Regional Manager: Eastern Cape Department of Mineral Resources & Others, 2021 (1) SA 110 (GP), para. 92.

<sup>9</sup> Baleni & Others v Regional Manager: Eastern Cape Department of Mineral Resources & Others, 2021 (1) SA 110 (GP), para. 95.

3(3) and accordingly set aside the decision to grant the prospecting right. That principle is directly relevant in the present matter.<sup>10</sup>

*“In De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd & Others ... the court found that there was no evidence that reg 3(3) had been complied with, and accordingly set aside the decision to grant the relevant prospecting right to Ataqua.”*

34. The same approach accords with Bengwenyama. The Constitutional Court explained that consultation is intended to seek accommodation between the applicant and the landowner or lawful occupier and that the affected party must be given sufficient information to respond meaningfully.

*“One of the purposes of consultation with the landowner must surely be to see whether some accommodation is possible between the applicant for a prospecting right and the landowner insofar as the interference with the landowner’s rights to use the property is concerned.”<sup>11</sup>*

35. The same theme appears in Save the Vaal, where the Supreme Court of Appeal held that affected parties must at least be notified and afforded an opportunity to raise objections in writing. That principle remains directly relevant to the section 10 process under the MPRDA.

*“Such a hearing need not necessarily be a formal one, but interested parties should at least be notified of the application and be given an opportunity to raise their objections in writing.”<sup>12</sup>*

#### **WHY THE BAR IS NOT A SUBSTITUTE FOR THE SECTION 16 APPLICATION**

36. The BAR is not the prospecting-right application. It serves a different function, is prepared to satisfy a different statutory regime and is aimed at a different decision-making exercise. The EAP’s repeated proposition that the BAR contains all information “relevant to the environmental assessment” makes THO’s point for it: THO’s objection is not confined to the environmental assessment.
37. The section 16 application must satisfy the MPRDA criteria for a prospecting right. That includes the prospecting work programme, proof of technical ability, identification of contractors and consultants, financial ability, existing rights and permits and related

<sup>10</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on section 10, citing De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd & Others (FSPD case 3215/2006, 13 December 2007).

<sup>11</sup> Bengwenyama Minerals (Pty) Ltd & Others v Genorah Resources (Pty) Ltd & Others, 2011 (4) SA 113 (CC), para. 65.

<sup>12</sup> Director: Mineral Development, Gauteng Region & another v Save the Vaal Environment & others, 1999 (2) SA 709 (SCA), para. 20.

documentary support. Those documents are directed at the section 17 enquiry. They are not rendered irrelevant merely because the EAP has chosen to summarise aspects of the project in the BAR.

38. Nor does the fact that the information was loaded onto SAMRAD answer the issue. An electronic platform is no more than the means of lodgement. It does not dissolve the distinction between the prospecting-right application and the environmental-authorisation process, nor does it convert prescribed application documents into an internal departmental record immune from scrutiny by interested and affected parties.
39. If TAD’s position were correct, it would mean that an applicant could withhold the very documents that demonstrate technical competence, operational arrangements, prior-right history and the contents of the prospecting work programme, and then insist that an interested and affected party is limited to commenting on the BAR.
40. That would hollow out section 10 and deprive the objection process of substance. The MPRDA deliberately creates separate, complementary steps:
- 40.1. the Regional Manager’s section 10 / regulation 3 notice-and-objection process; and
- 40.2. the applicant’s own consultation obligations under section 16(4)(b).
41. The DMPR consultation guideline makes the point expressly by recording that sections 10(1)(b), 16(4)(b), 22(4)(b), 27(5)(b) and 39 impose notification and consultation obligations respectively on the Regional Manager and on the applicant, and that consultation must provide affected parties with the necessary information to make informed decisions.
42. The Baleni judgment is entirely consistent with that approach: the judgment records that the Regional Manager directed the applicants to request the application directly from TEM or its EAP. TAD and its EAP therefore cannot evade meaningful consultation by saying that only the DMPR may disclose the application documents – the obligation remains on TAD, regardless if the DMPR discloses the documents, to consult meaningfully with interested and affected parties such as THO.

**THE INFORMATION SOUGHT IS DIRECTLY MATERIAL TO THE SECTION 17 ENQUIRY**

43. THO has a direct and legitimate interest in the information withheld because the withheld information goes to the heart of the section 17 enquiry.

43.1. Technical ability.

43.1.1. Section 17 requires that the applicant have access to financial resources and the technical ability to conduct the proposed prospecting operation optimally in accordance with the prospecting work programme.

43.1.2. Regulation 5 / Form B and the regulation 7 work-programme requirements call specifically for proof of technical ability and an indication whether that ability will be provided by in-house expertise, contractors or consultants.

43.1.3. THO is entitled to know, and comment on, whether TAD purports to have the technical ability itself, or whether it seeks to satisfy the requirement by reference to contractors, consultants, vessels or other operational capability. That is not peripheral information. It is one of the express statutory criteria for the grant of the right.

43.1.4. In previous, similar, applications submitted by TAD it purported to rely on the expertise of employees employed by the Trans Hex Marine group of companies (previously IMDH group of companies) and annexed copies of these employees CVs to its application.

43.1.5. THO would then like to verify if, in fact, it is again purported relying on the expertise of the Trans Hex Marine group of companies' employees or if, in fact, it purports to now have its own technical expertise.

43.2. The actual vessel and operational arrangements

43.2.1. The BAR states that prospecting will be conducted using a dedicated survey vessel "such as" IMD SA's DP Star or the Explorer.<sup>13</sup>

43.2.2. THO was therefore entitled to test whether the section 16 application in fact relied on those vessels, on Trans Hex-associated capability or on any contractors or arrangements connected to Trans Hex or its related entities.

43.2.3. The subsequent email response from the EAP that those vessels were only examples and that a dedicated survey vessel will be constructed does not cure the problem. It intensifies it.

43.2.4. If the actual premise of the project is now that a dedicated survey vessel will be built by TAD, then the application documents, prospecting work programme, proof of technical ability and estimated expenditure should all reflect that. THO has been prevented from testing whether they do.

43.3. The estimated expenditure

43.3.1. Section 17 requires that the estimated expenditure be compatible with the proposed prospecting operation and the duration of the prospecting work programme.

43.3.2. A programme of offshore surveying, sampling, drilling, onboard processing, and the supposed construction of a dedicated survey vessel is financially substantial – given THO's position within the Trans Hex group of companies, which operate within the offshore mining industry, has firsthand knowledge of the costs associated with this type of prospecting programme and would be best placed to indicate if it is feasible or not.

<sup>13</sup> Anchor Environmental Consultants. (2026, March 17). Draft Basic Assessment Report for the re-application for a prospecting right and environmental authorisation in Sea Concession 11C, Proposed activity, p. 5.

- 43.3.3. Yet THO has been denied access to the very documents that would show whether TAD's expenditure estimate is compatible with what it proposes to do.<sup>14</sup>
- 43.4. Existing rights and permits and related structures
- 43.4.1. The section 16 application must include a list of existing rights and permits held by the applicant.
- 43.4.2. That information is relevant to TAD's operational capability, history and experience, and to the broader question whether the present application is part of a pattern of serial applications unaccompanied by implementation by TAD.
- 43.5. Compliance with the MPRDA.
- 43.5.1. Section 17 requires that the applicant is not in contravention of a relevant provision of the MPRDA.
- 43.5.2. THO's interest in whether TAD commenced and actively pursued prospecting under the previous right is therefore not collateral. It goes directly to a statutory grant criterion.

#### TAD'S PREVIOUS RIGHT, SECTION 19 AND SERIAL STERILISATION

44. The BAR effectively concedes that TAD previously held the same / similar prospecting right, that the right was not renewed within the prescribed timeframe and that TAD therefore had to reapply. The background information document goes further and states that the BAR, EMPr and HIA used for the present re-application remain largely unchanged from the 2022 application, save for limited updates.
45. That is all. The disclosed material does not explain whether *inter alia*:
- 45.1. prospecting under the previous right ever commenced;
- 45.2. what work was undertaken;

<sup>14</sup> Anchor Environmental Consultants. (2026, March 17). Draft Basic Assessment Report for the re-application for a prospecting right and environmental authorisation in Sea Concession 11C, Financial and other provisions, pp. 120–122.

- 45.3. whether the approved prospecting work programme was implemented
- 45.4. whether any extension was sought or obtained from the DMPR;
- 45.5. whether progress reports and data were submitted to the DMPR;
- 45.6. why the previous prospecting programme was not completed; or
- 45.7. why substantially the same environmental and socio-economic conclusions are now being advanced again despite the lapse of the prior prospecting right.
46. Those omissions are material. The section 19 commentary records that:
- 46.1. the 120-day commencement period runs from the date the right becomes effective;
- 46.2. failure to commence within the 120-day period constitutes an offence and may result in suspension or cancellation under section 47; and
- 46.3. non-compliance with the obligation continuously and actively to conduct prospecting operations may likewise justify suspension or cancellation, subject to section 47.
47. The commentary also makes clear that compliance is judged by reference to the approved prospecting work programme:<sup>15</sup>

*"Failure to commence operations within the 120-day period will constitute an offence under section 98(a) and may result in a cancellation or suspension of the right in terms of section 47."*<sup>16</sup>

*"Non-compliance with this requirement would entitle the Minister in accordance with section 47 to suspend or cancel the right."*<sup>17</sup>

<sup>15</sup>Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on section 19.

<sup>16</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on section 19.

<sup>17</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on section 19.

48. THO is therefore fully justified in seeking to know what the previous approved work programme required, whether TAD complied with it, what was achieved under the previous right and what is now proposed.
49. That being said, THO does not suggest that the lapse of the previous prospecting right, without more, conclusively proves TAD's non-compliance but it does beggar the question – did TAD do anything with the previously granted prospecting right or did it just allow it to lapse?
50. TAD's conduct does however lead to the assumption that, in the absence of any proper explanation, the DMPr cannot simply assume TAD complied with section 19 and the approved prospecting work programme. That information bears directly on whether TAD is or is not in contravention of the MPRDA and on whether the present application should be granted at all.
51. There is a wider and legitimate concern as well. On the information presently disclosed, TAD appears to have obtained a right, failed to renew it timeously, failed to explain what was done under that right and then re-applied on substantially the same basis.
52. At the same time, the disclosed socio-economic benefits advanced by TAD, in the present application, provide for projected skills transfer, job creation and local procurement benefits without furnishing the underlying section 16 material needed to test whether TAD can in fact execute the prospecting programme.
53. If that can occur without disclosure of the previous work programme, its implementation or non-implementation, the results of the previous right, and the actual technical and operational basis for the present application, then a strategic sea concession can effectively be sterilised by serial applications unaccompanied by real prospecting.
54. That concern is heightened by the EMPr itself, which records that cumulative negative impacts of marine prospecting along the west coast may increase to high significance when other projects are taken into account, whereas the cumulative positive local socio-economic effect is assessed only as very low.
55. THO, as a technically capable adjacent rights holder with direct operational knowledge of the area, plainly has a direct and legitimate interest in objecting to that outcome and in requiring the DMPr to interrogate it properly.

56. Based on THO's direct experience of offshore rights on the west coast, the risk is not academic: claims of capability, vessels, contractors or programmes do not always translate into actual implementation, yet the cumulative burdens and stakeholder concerns remain real.

#### **PROCEDURAL UNFAIRNESS AND PREJUDICE**

57. THO has been materially prejudiced by TAD's / the EAP's refusals. THO has been denied the very documents that would show what TAD actually put up to satisfy section 17, what the prospecting work programme actually says, how TAD addresses technical ability, which contractors or consultants are relied upon, what the estimated expenditure is, what existing rights and permits are disclosed, how TAD deals with the previous right and section 19, and whether the operational assumptions underpinning the BAR, EMPr and socio-economic statement are in fact capable of implementation.
58. That prejudice is compounded by the fact that there is no later, separate public process in which THO will be able to interrogate the section 17 criteria.
59. The EAP's suggestion that THO's comments will simply be captured in the Comments and Responses Report and circulated with the final BAR for consideration does not answer the problem. A comments table appended to a final BAR is not a substitute for disclosure of the prospecting-right application before the objection period closes. Nor can speculative socio-economic benefits be weighed meaningfully where the documents that would demonstrate TAD's actual ability to realise those benefits have been withheld.

#### **THO's QUALIFICATIONS AS AN INTERESTED AND AFFECTED PARTY**

60. THO also reiterates, insofar as its standing as an interested and affected party is concerned, that THO:
- 60.1. is the holder of and/or applicant for adjacent mining and prospecting rights in respect of sea concessions 11A, 12A, 13A, 11B and 13B and is directly affected by any decision concerning sea concession 11C;
- 60.2. has direct operational and commercial knowledge of offshore prospecting and mining in the relevant area;

- 60.3. THO has a direct legal and commercial interest in ensuring that the MPRDA is properly applied and that mining and prospecting areas are not sterilised by serial applications unaccompanied by implementation;
- 60.4. has a direct interest in ensuring that TAD does not purport to rely on Trans Hex's expertise, contractors, vessels or equipment without permission or agreements being in place; and
- 60.5. is also the landowner of the De Punt farm which borders on the Olifants River and is directly in-shore from sea concession 12C / 13C. THO accordingly plainly qualifies as an interested and affected party.
61. The process followed has therefore inverted the statutory scheme. Instead of first giving THO access to the application documents so that it can comment meaningfully on the application, TAD and its EAP have insisted that THO object first and only on the limited basis of the BAR. That is the opposite of the participation envisaged by section 10 and by Baleni.
62. THO notes, in passing, that it has not seen a section 10 / regulation 3 notice. If such notice exists, THO requires it to be produced together with proof of publication and the date of acceptance. To the extent that the DMPR considers this objection to be outside any prescribed period because of any such notice, THO requests condonation for the reasons already stated.
63. For the same reasons, it is no answer to say that some information was submitted "directly to the DMPR" and is therefore beyond the scope of public participation. That is precisely the information on which THO wishes to comment. Subject to proper redaction of genuinely financially sensitive information, the statutory participation rights cannot be neutralised by describing information as "technical" or "company" information.

#### **ENVIRONMENTAL PROCESS POINT DRAWN TO THE DMPR'S ATTENTION**

64. THO maintains the concern previously raised that TAD may have pursued its application for an environmental authorization through the wrong environmental route and that the Basic Assessment process is, at the very least, open to serious question. THO does not abandon that point.<sup>18</sup>

<sup>18</sup> Anchor Environmental Consultants. (2026, March 17). Draft Basic Assessment Report for the re-application for a prospecting right and environmental authorisation in Sea Concession 11C, Proposed activity, pp. 15–16.

65. However, THO's principal objection in this submission is not the environmental-process point. THO raises it here only to ensure that the DMPR remains aware of the issue. The substantive basis on which THO presently objects is that the prospecting-right process itself has been procedurally unfair because the application documents have been withheld and the section 10 participation right has been compromised.

#### **THO'S GROUNDS OF OBJECTION**

66. In the circumstances, THO objects to the granting of the prospecting right on, inter alia, the following grounds:
- 66.1. The extent that the DMPR considers this objection to be outside any prescribed period under the MPRDA, THO requests condonation because the section 16 application and supporting annexures were withheld, the date and manner of any section 10 notice have not been disclosed to THO, and THO acted promptly once the application came to its attention.
- 66.2. TAD and the EAP refused to furnish the section 16 prospecting-right application and supporting annexures, despite repeated requests, contrary to the principles recognised in Baleni and the Dale commentary and contrary to the purpose of section 10.
- 66.3. TAD's and the EAP's refusal has denied THO meaningful participation in relation to the prospecting-right application itself and has materially prejudiced THO's ability to make representations on the section 17 grant criteria.
- 66.4. The available documents do not establish compliance with section 17, particularly in relation to technical ability, estimated expenditure, the contents of the prospecting work programme, existing rights and permits, whether TAD is or is not in contravention of a relevant provision of the MPRDA, and whether the operational assumptions underpinning the socio-economic and management case in the BAR and EMP are capable of implementation.
- 66.5. The disclosed material gives rise to real concern that TAD may again be seeking to rely, directly or indirectly, on expertise, vessels, contractors, equipment or other operational capability associated with Trans Hex or related entities, notwithstanding the absence of any agreement permitting such reliance and

notwithstanding the later assertion that a dedicated survey vessel will be constructed.

- 66.6. The BAR fails to disclose whether the previous prospecting right was ever implemented in accordance with section 19 and the approved prospecting work programme, whether prospecting commenced within 120 days, whether prospecting was continuously and actively conducted, what data or results were produced, and why substantially the same BAR / EMPr material is now being relied upon after the lapse of the previous right. Those matters are material to the present section 17 enquiry.
- 66.7. The application should not proceed to determination while the section 16 application and supporting annexures remain withheld, while there is uncertainty regarding the section 10 / regulation 3 notice and publication process, and while the disclosed material itself indicates potentially high cumulative negative impacts of marine prospecting when considered together with other projects.
- 66.8. The socio-economic benefits reflected in the disclosed material are expressly low-level and, in important respects, aspirational. They cannot lawfully be weighed in favour of the application without disclosure of the application material showing TAD's actual vessels, contractors, technical team, budget and implementation arrangements.

#### RELIEF SOUGHT

67. In the premises, THO requests that the Regional Manager and the DMPR do not grant the prospecting right or related environmental authorisation to TAD in respect of Sea Concession Area 11C.
68. In the alternative, and before any further step is taken in relation to the application, THO requests that the Regional Manager and/or the DMPR:
- 68.1. furnish THO with a copy of the section 16 prospecting-right application, the prospecting work programme and all supporting annexures, subject only to the redaction of genuinely financially sensitive information;

- 68.2. furnish THO with the notice contemplated by section 10 and regulation 3, together with proof of the date of acceptance and proof of publication in the prescribed manner, if any;
- 68.3. condone any lateness in the lodging of this objection to the extent required, and afford THO and any other interested and affected persons a proper opportunity to comment and object after disclosure of the application documents, including by extending or re-opening the relevant objection period if necessary;
- 68.4. refer THO's objection to the Regional Mining Development and Environmental Committee in terms of section 10(2) of the MPRDA;
- 68.5. require TAD to explain fully, with supporting documentation, whether prospecting under the previous right ever commenced, what work was undertaken, whether the previous prospecting work programme was implemented, what data or reports were generated, and why the previous right lapsed without completion of the programme; and
- 68.6. require TAD to disclose the actual vessels, contractors, consultants and sources of technical ability relied upon for the current application; to demonstrate, with reference to the lodged documents, how the estimated expenditure is compatible with what is proposed; and to identify the factual basis on which the socio-economic statement assumes positive local or regional benefits, including any jobs, procurement, training, port or service opportunities said to arise during the prospecting phase;

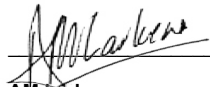
#### CONCLUSION

69. THO's objection is not technical or opportunistic. It goes to the heart of the statutory scheme. The MPRDA requires proper notice, proper consultation, disclosure sufficient to permit meaningful consultation and comment and a lawful determination of whether the section 17 criteria have been satisfied.
70. On the material presently available, those requirements have not been met. The positive socio-economic case presently relied upon is, on the disclosed record, too slight and too contingent to cure those defects.



71. THO accordingly objects to the granting of the prospecting right and environmental authorisation and reserves all of its rights, including the right to supplement these objections once the section 16 application and supporting documentation are finally produced, and including the right to pursue any further internal or judicial remedies that may become necessary.
72. We request written confirmation, within 7 days, of the steps the DMPR proposes taking in relation to this objection.

Yours faithfully



**AM Larkens**  
Head of Legal



## Annexure "A"

**TRANS HEX OPERATIONS (PTY) LTD**  
Registration No. 1968/012100/07

Leinster Hall, 7 Weltevreden Street, Gardens, 8001  
PO Box 723, Parow 7499, Cape Town, South Africa  
t.: +27 (0)21 510 1881 f.: +27 (0)21 510 5035

**To:**

**Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

**And to:**

**Trans Atlantic Diamonds (Pty) Ltd**

Attention: Mr Athony Peter

**And to:**

**Department of Mineral and Petroleum Resources**

Western Cape

Attention: Regional Manager, Mr Pieter Swart

26 March 2026

Dear Sirs/Madams

**TRANS ATLANTIC DIAMONDS (PTY) LTD: RE-APPLICATION FOR PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION IN RESPECT OF SEA CONCESSION 11C — REQUEST FOR COPY OF PROSPECTING RIGHT APPLICATION AND SUPPORTING ANNEXURES**

1. We refer to your recent email in response to Trans Hex Operations' request for a copy of Trans Atlantic Diamonds (Pty) Ltd's ("TAD") application for a prospecting right and its supporting annexures, excluding financially sensitive information. Copies of the relevant email exchanges are annexed hereto, collectively, as Annexure "A".
2. Given that the points raised go to the heart of the DMPR's decision on the application, this letter and all previous exchanges are also being forwarded to the Regional Manager, Western Cape, Department of Mineral and Petroleum Resources ("DMPR"), as the competent authority.
3. As THO understands TAD / Anchor Environmental's ("EAP") response, the position advanced is, in summary, the following:

- 3.1. the prospecting right application and environmental authorisation application are integrated and submitted through SAMRAD;
  - 3.2. all information relevant to the environmental assessment has already been made available through the draft Basic Assessment Report ("BAR"), specialist studies and appendices;
  - 3.3. certain appendices and details dealing with administrative, technical, company and financial matters were submitted directly to the Department of Mineral and Petroleum Resources ("DMPR") for purposes of assessing TAD's competence and are not required to be circulated as part of the public participation process;
  - 3.4. section 17(1) of the MPRDA concerns the DMPR's internal decision-making criteria and does not form part of the public participation obligations;
  - 3.5. the BAR already contains the information from the prospecting-right application form and prospecting work programme in a more structured form;
  - 3.6. the vessels identified in the BAR were merely examples and are not indicative of the actual vessels to be used; and
  - 3.7. THO should disclose its direct business, financial, personal or other interest in the approval or refusal of the application for purposes of the interested and affected parties database.
4. THO does not agree with that position, for the reasons set out below.

*Nature of THO's request*

5. THO's request is not for the environmental authorisation application, draft Basic Assessment Report, specialist studies or draft EMP. THO has already considered those documents.
6. The request is specifically for a copy of the prospecting right application and its supporting annexures, including the prospecting work programme (duly redacted) and the non-financial supporting information lodged in support of the application in terms of the MPRDA and the regulations.

*The prospecting-right application remains a distinct application*

7. The response provided by the EAP does not answer THO's request and, in fact, conflates the environmental authorisation process with the prospecting-right application process.
8. Although the applications may have been lodged simultaneously and through the same electronic platform, the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA") still requires the applicant to submit a prospecting-right application in the prescribed form, supported by prescribed information and documentation and, in terms of section 10 of the MPRDA, for the applicant to **meaningfully consult** with interested and affected parties ("IAPs") in relation to this application for a prospecting right.
9. The fact that SAMRAD captures or stores that information electronically does not mean the application and supporting material cease to exist as distinct application documents.
10. In this regard, the MPRDA and its regulations require an application for a prospecting right to include *inter alia* the mineral or minerals applied for, the period, a prospecting work programme and annual expenditure, proof of technical ability, an indication whether such technical ability will be provided by in-house expertise, contractors or consultants, proof of financial ability, a list of existing rights and permits, copies of land titles and such further information as may be requested.
11. That information is not the same as that contained in the BAR, nor is it answered by the EAPs statement that the BAR contains all information "relevant to the environmental assessment".

*THO's request and interest is not confined to the environmental assessment*

12. THO's request, and interest, is not confined to the environmental impacts. THO is an IAP in relation to the prospecting-right application itself and seeks the application documents in order to consult meaningfully (as required by section 10 of the MPRDA) on issues that go directly to the grant criteria prescribed under section 17 of the MPRDA and, importantly, TAD's technical expertise, equipment and history as a holder of prospecting rights.
13. In support of this request, section 10 of the MPRDA expressly applies to applications under section 16, and section 16(4)(b) requires meaningful consultation with "any interested and affected party".

Legal basis for disclosure of the application and annexures

14. The legal position, in THO's view, is not difficult. In support of this request, we again have to refer you to the late Michael O. Dale et al. commentary on mining law as the most authoritative and comprehensive commentary on mining law in South Africa.
15. Dale's commentary on section 10 of the MPRDA *inter alia* states that interested and affected parties are entitled to copies of the application papers and annexures, save for financially sensitive aspects, and that this entitlement arises, in relation to an application for a mining right, from sections 10 and 22(4) of the MPRDA read with section 32 of the Constitution. Dale's commentary cites the Baleni judgment and expressly notes that the same position applies in respect of other applications under the MPRDA (i.e. applications for prospecting rights).
16. The Baleni judgment confirms that sections 10 and 22(4), properly interpreted, entitle such persons to a copy on request and that the whole consultation process is intended to advance the objects of the MPRDA (not only the environmental considerations).
17. Importantly, the Baleni judgment also records that the applicants had, before instituting litigation, requested the application from the Regional Manager of the DMPR, the applicant **and the EAP**, and were sent from pillar to post and only received the application after legal proceedings were instituted. **The Court expressly criticised this conduct** and remarked that:
 

*"[89] Meaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary ...*

*[92] I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application as and when it is submitted to the Regional Manager, even before they ask for it. That is not the relief sought though."*
18. That is directly relevant here. TAD and its EAP cannot avoid the substance of the request by saying that disclosure is only the DMPR's problem, or that the IAPs should be happy with the contents of the BAR.

19. To this end, the Baleni judgment recognises that *meaningful consultation* requires sufficient information to enable informed engagement. The aforementioned principles apply with equal force in the present matter.
20. There is no later, separate public process in which THO will be afforded an opportunity to interrogate the section 17 of the MPRDA requirements, the contents of the prospecting work programme or TAD's history of compliance with its previous right. If THO's comments are to be placed before the DMPR in any meaningful form, that must occur now.

Basis for THO's request for the information

21. Your response also suggests that the technical, company and financial information is not required to be circulated because it is "not relevant to the environmental assessment". That is too narrow.
22. THO's request is based on a direct and legitimate interest in the following matters:
  - 22.1. Technical ability and access thereto:
    - 22.1.1. Section 17 of the MPRDA requires that the applicant have access to financial resources and the technical ability to conduct the proposed prospecting operation optimally in accordance with the prospecting work programme.
    - 22.1.2. Regulation 5 / Form B and regulation 7 require disclosure of proof of technical ability and whether that ability will be provided by in-house expertise, contractors or consultants.
    - 22.1.3. THO is entitled to understand whether TAD is, again, seeking to rely directly or indirectly on the expertise, equipment, contractors, vessels or know-how of Trans Hex or its related entities. THO and/or its related entities have not agreed that TAD may do so in respect of this application.
  - 22.2. Actual proposed equipment / vessel arrangements.
    - 22.2.1. The draft BAR states that prospecting will be conducted using a dedicated survey vessel "such as" IMD SA's DP Star or the Explorer.

- 22.2.2. THO is therefore entitled to test what is actually proposed in the application and whether the prospecting-right documents identify a vessel, contractor or technical arrangement connected to Trans Hex or related entities.
- 22.2.3. That cannot be tested from the BAR alone, particularly where your email now says those vessels were only examples and a dedicated survey vessel will be constructed.
- 22.2.4. If that is so, the prospecting-right application documents should reflect it and it should be included in the costing for the right.
- 22.3. The approved work programme and prior performance.
- 22.3.1. It is self-evident that section 19 of the MPRDA requires a holder of a prospecting right to commence prospecting within 120 days, from the date it was issued, continuously and actively conduct prospecting operations and do so in accordance with the prospecting work programme.
- 22.3.2. Compliance is judged by reference to the approved work programme, which forms part of the right. THO is therefore entitled to know what work programme was previously approved, whether it was implemented and what is now proposed.
- 22.3.3. That is directly relevant to whether TAD utilised the previous prospecting right at all, whether there has been compliance with the MPRDA and whether the area is being sterilised by serial re-applications by TAD without implementation.
- 22.4. Existing rights and permits and related holding structures.
- 22.4.1. Section 16 of the MPRDA requires the prospecting-right application to include a list of existing rights and permits held by the applicant.
- 22.4.2. That information is relevant to THO's comments concerning TAD's operational capability, history and the grant criteria.

- 22.4.3. It is also precisely the kind of information the Baleni judgment recognised may be relevant to interested and affected parties even though it does not sit neatly within a narrow environmental-impact inquiry.
- 22.5. Contraventions of the Act.
- 22.5.1. Again, section 17 of the MPRDA requires that the applicant not be in contravention of any relevant provision of the MPRDA.
- 22.5.2. THO's interest in whether TAD commenced and actively pursued prospecting under the previous right is therefore not collateral or irrelevant.
- 22.5.3. It goes directly to a statutory grant criterion.

*TAD's prior right and the absence of detail in the BAR*

23. In relation to this final point, we record that the BAR effectively concedes that the previous environmental authorisation and prospecting right lapsed because the prospecting right was not renewed within the prescribed timeframe, and that TAD was required to reapply.
24. The BAR does not explain whether prospecting under the previous right ever commenced, what work was undertaken, whether the previous work programme was implemented, why the prospecting work was not completed or how the present application differs in substance from the previous one.
25. Those are material matters from THO's perspective, as an interested and affected party.
- It is no answer to say the information was submitted directly to the DMPPR*
26. It is also no answer for the EAP / TAD to say that certain information is submitted "directly to the DMPPR" to assess competence. That is precisely why THO seeks it.
27. The question whether TAD has the technical ability itself, or only by reference to third-party expertise, equipment or vessels, is a matter on which THO wishes to comment. So too the question whether TAD has previously failed to utilise rights granted to it.

28. Those matters cannot be immunised from scrutiny merely by labelling them “technical” or “company” information. Subject to proper redaction of genuinely financially sensitive material, they fall squarely within the rationale recognised in the Baleni judgment and the Dale commentary.

THO's interest as an interested and affected party

29. Insofar as TAD has requested THO to disclose its interest for purposes of the IAPs database, THO's position is as follows:

- 29.1. THO is the holder of and/or applicant for adjacent mining and prospecting rights in respect of sea concessions 11A, 12A, 13A, 11B and 13B and is directly affected by any decision concerning sea concession 11C;
- 29.2. THO has direct operational and commercial knowledge of offshore prospecting and mining in the relevant area;
- 29.3. THO has a direct legal and commercial interest in ensuring that the MPRDA is properly applied and that mining/prospecting areas are not sterilised by serial applications unaccompanied by implementation;
- 29.4. THO has a direct interest in ensuring that TAD does not purport to rely on Trans Hex's expertise, contractors, vessels or equipment without permission / agreements being in place;
- 29.5. THO is also a landowner of the De Punt farm which borders on the Olifants River and is directly in-shore from sea concession 13C;
- 29.6. THO accordingly plainly qualifies as an interested and affected party, hence why THO was notified of TAD's application for a prospecting right having been submitted.

Conclusion

30. In the circumstances, THO again requests that TAD / Anchor Environmental furnish it, within 5 calendar days:

- 30.1. a copy of the prospecting-right application lodged in respect of sea concession 11C;
- 30.2. the prospecting work programme and all annexures dealing with technical ability, use of in-house expertise, contractors and consultants, existing rights and permits, and prior-right history / supporting documents,

subject only to TAD's redaction of genuinely financially sensitive information.

31. If it is contended that any specific annexure or portion thereof is confidential/financially sensitive, please identify that document or portion thereof specifically, state the basis for the alleged confidentiality and provide the balance of the application and annexures forthwith.
32. Failing compliance, THO reserves all of its rights, including to place this refusal and the annexed exchanges before the DMPR as part of the comments process and to take such further steps as may be necessary.

Yours faithfully

\_\_\_\_\_  
**AM Larkens**  
**Head of Legal**

"A"

**Aaron Larkens**

**From:** Steve September <steve@anchorenmvironmental.co.za>  
**Sent:** Wednesday, 25 March 2026 16:25  
**To:** Aaron Larkens  
**Cc:** Ian Hestermann; Jaco du Plooy; Elza Klopper; Cheruscha Swart  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron,

Thank you. Your comment has been received and noted, and will be captured in the Comments and Responses Report (CRR) accordingly, along with the formal/detailed response you will be sending.

Please note that all further responses will be recorded in the CRR table and circulated with the Final BAR for your consideration.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Wednesday, 25 March 2026 14:50  
**To:** Steve September <steve@anchorenmvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Hi Steve

Thanks for your email, we are working on a formal/detailed response.

In the interim, we would suggest you consider the Baleni judgment (attached), which dealt with a similar request from IAPs for a copy of the application for a mining right with annexures, in which it is stated:

*"[92] I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application (sic.) as and when it is submitted to the Regional Manager, even before they ask for it. That is not the relief sought though."*

Please be guided accordingly.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**From:** Steve September <steve@anchorenmvironmental.co.za>  
**Sent:** Wednesday, 25 March 2026 12:30  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron,

Thank you for your email.

We note your request for the Prospecting Right application and supporting annexures submitted via SAMRAD.

Please note that under the system, the PR and EA are integrated. In practice, we submit a single, integrated application via SAMRAD. The application is not a single form; much of the information is completed and uploaded directly into the SAMRAD system.

The Public Participation Process is being conducted in accordance with the National Environmental Management Act EIA Regulations (2014). All relevant information necessary to understand the proposed activity and provide meaningful comments on its potential environmental impacts has been made available through the Basic Assessment Report (BAR), associated specialist studies, and appendices.

This includes the information contained in the application form and Prospecting Work Programme, except for certain appendices and details related specifically to administrative, technical, company, and financial information submitted directly to the Department of Mineral and Petroleum Resources (DMPR) to assess the competence of Trans Atlantic Diamonds in conducting the work. These details are not required to be circulated as part of the EIA Public

Participation Process, as they are not relevant to the environmental assessment. The PPP focuses on environmental impacts, not the full disclosure of all MPRDA application details.

We note your interest in the requirements of Section 17(1) of the MPRDA. These provisions relate to the Department's internal decision-making criteria when considering a Prospecting Right application. They reflect the Department's requirements for granting a Prospecting Right and are not part of the PPP obligations.

If there is specific information relevant to the environmental assessment that you believe is not adequately covered in the BAR, please indicate this, and we will consider providing additional detail where appropriate. As mentioned, all information in the application form and PWP is included in the BAR, where it is more clearly explained and structured. The DMPR template is not designed as a notice template for public circulation and including it in that format may cause confusion or give the impression that information is missing.

Finally, regarding the vessels mentioned in the BAR, these were provided as examples and not indicative of the actual vessels to be used. A dedicated survey vessel will be constructed for the project.

Further to the above, and for us to maintain an accurate I&AP database, please could you disclose any direct business, financial, personal, or other interest you may have in the approval or refusal of the application.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

---

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Tuesday, 24 March 2026 11:58  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Hi Steve

Thanks for your email.

I had already received and reviewed the application for an environmental authorisation, draft BAR and supporting documentation, which formed the basis of THO's initial comments regarding correct process to be followed by TAD.

At this stage, I am, however, requesting a copy of the application for a prospecting right (and supporting annexures), not the application for an environmental authorisation (and supporting annexures) – you would be aware that TAD would have submitted two separate applications to the DMPR and each contain different information, aimed at satisfying different legislative requirements.

We, as an IAP, are evidently very interested in understanding if TAD satisfies the requirements of section 17(1) of the MPRDA – as there will not be another public participation process and opportunity for IAPs to comment, we would like to ensure that all of our comments are included at this stage.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**From:** Steve September <steve@anchorenvironmental.co.za>

**Sent:** Tuesday, 24 March 2026 11:39

**To:** Aaron Larkens <aaronl@transhex.co.za>

**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>

**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Good morning Aaron

I hope this email finds you well.

See the link below containing the Draft BAR and all appendices for Concession 11C.

<https://www.anchorenvironmental.co.za/resources/basic-assessment-and-public-participation-process-re-application-prospecting-rights>

Kind Regards,



STEVE SEPTEMBER  
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steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868



**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Tuesday, 24 March 2026 10:53  
**To:** Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Steve September <steve@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Cheruscha.

Leaving aside the point raised regarding the correct application process to be followed.

I would be if you could please provide me with a copy of TAD's application for a prospecting right (including all annexures), so we may properly assess the contents thereof.

You will recall that we previously requested the information in relation to the application for a prospecting right in respect of sea concession 14C (see exchanges attached) – you are welcome to redact the same commercially sensitive information again.

As before, we require this information to properly assess TAD's application/s, given the fact that our vessels are specifically named in the BAR and EMP.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**From:** Aaron Larkens  
**Sent:** Tuesday, 24 March 2026 09:52  
**To:** 'Steve September' <steve@anchorenvironmental.co.za>; 'anthony@transatlanticgemsales.com' <anthony@transatlanticgemsales.com>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve and Anthony.

Please see THO's response to TAD's letter dated 23 March 2026.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
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**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Monday, 23 March 2026 14:36  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron

I hope this email finds you well.

Please find attach our response to your comments provided to us on the 18<sup>th</sup> of March 2026.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

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Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Wednesday, 18 March 2026 14:30  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Anchor Environmental <info@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve.

Please see Trans Hex Operations (Pty) Ltd's initial comments/request in relation to the application for an environmental authorisation in respect sea concession 11C.

We look forward to hearing from you.

Kind regards

Aaron Larkens  
Head of Legal

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**From:** Steve September <[steve@anchorenenvironmental.co.za](mailto:steve@anchorenenvironmental.co.za)>

**Sent:** Tuesday, 17 March 2026 09:53

**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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#### **DIE AFRIKAANSE VERTALING VAN HIERDIE E-POS VOLG NA DIE ENGELS**

Dear Interested and Affected Party,

You have been identified as a potential interested and affected (I&AP) on the following NEMA EIA Application:

#### **RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)**

**APPLICANT: Trans Atlantic Diamonds (Pty) Ltd**

**NEW EA APPLICATION REF. NO.: WC30/5/1/1/2/10522 PR**

Trans Atlantic Diamonds (Pty) Ltd (TAD) was granted Environmental Authorisation (EA) and Prospecting Rights (PR) to prospect minerals in Concession Area 11C (Ref. No. (WC30/5/1/1/2/10384 PR). As the PR was not renewed within the prescribed timeframe, the EA and PR lapsed and TAD was required to reapply for EA and PR. A new application was lodged in December 2025 (Ref. No. WC30/5/1/1/2/10522 PR) to the Department of Mineral and Petroleum Resources (DMPR) in terms of the National Environmental Management Act, 107 of 1999 (NEMA) and the Mineral and Petroleum Resource Development Act, 28 of 2002 (MPRDA). Anchor Environmental Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to assist TAD with the re-application and to conduct the Public Participation Process (PPP) prior to submission of the final documentation to the DMPR.



**TRANS HEX OPERATIONS (PTY) LTD**  
Registration No. 1968/012100/07

Leinster Hall, 7 Weltevreden Street, Gardens, 8001  
PO Box 723, Parow 7499, Cape Town, South Africa  
t.: +27 (0)21 510 1881 f.: +27 (0)21 510 5035

#### **Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

Dear Sirs/Madams

#### **TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — OBJECTION TO BASIC ASSESSMENT PROCESS**

1. We refer to Trans Atlantic Diamonds (Pty) Ltd's application for environmental authorisation and a prospecting right for *inter alia* diamonds in respect of Sea Concession 11C ("the Application").
  2. Trans Hex Operations (Pty) Ltd's objection to the Application is narrow and is premised on the submission that the Application has been erroneously applied for by way of a Basic Assessment. In our view that is incorrect, as:
    - 2.1. TAD has applied for a prospecting right for diamonds.
    - 2.2. The nature of TAD's intended prospecting operations and the extent thereof, constitute a bulk sampling operation.
- Prospecting for diamonds
3. It is self-evident that given the nature of the Application and the fact that TAD has applied to prospect for diamonds the requirements of section 20(2) of the Mineral & Petroleum Resources Development Act ("MPRDA") are triggered.
  4. Once that is so, the Application falls under *Listing Notice 2* and requires the applicant to follow the S&EIR process provided for in the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations"). The implication of which is the submission and pursuit of a Basic Assessment, in terms of the EIA Regulations, would be unlawful.
  5. The fact that the competent authority may, or may not, have erroneously granted an environmental authorization on the same basis previously is irrelevant to the present application.

6. In this regard, section 20 of the MPRDA states that:

***"20. Permission to remove and dispose of minerals***

*(1) Subject to subsection (2), the holder of a prospecting right may only remove and dispose for his or her own account any mineral found by such holder in the course of prospecting operations conducted pursuant to such prospecting right in such quantities as may be required to conduct tests on it or to identify or analyse it.*

*(2) The holder of a prospecting right must obtain the Minister's written permission to remove and dispose for such holder's own account of diamonds and bulk samples of any other minerals found by such holder in the course of prospecting operations."*

7. Properly read, section 20(2) distinguishes between prospecting operations involving:

7.1. The removal and disposal of *diamonds*;

7.2. The removal and disposal of *any other minerals*.

8. The wording matters. The words "bulk samples" qualifies the removal and disposal of "any other minerals" during prospecting operations. The same restriction on the *extent* of the removal and disposal however does not apply to prospecting for "diamonds".

9. That distinction must be given meaning and, consequently, an applicant for a prospecting right for diamonds must apply for the Minister's permission in terms of section 20(2) of the MPRDA, regardless of the extent of the intended prospecting operation or if it includes "bulk sampling" for diamonds.

10. To this end, the applicable NEMA listed activities are as follows:

10.1. Listing Notice 1, activity 20 applies to an activity which "requires a prospecting right in terms of section 16";

10.2. Listing Notice 1, activity 19A applies to dredging, excavation, removal or moving of "more than 5 cubic metres" from "the sea"; and

10.3. Listing Notice 2, activity 19 applies to the "removal and disposal of a mineral" which requires permission under section 20 of the MPRDA.

11. The consequence is straightforward. If section 20(2) permission is required, Listing Notice 2 activity 19 is triggered which then requires the applicant to apply for and pursue the granting of an environmental authorization through the S&EIR process.

12. Quite clearly, for the reasons given above, TAD is not able to circumvent this requirement but attempting to categorize its Application as an application for a prospecting right for diamonds "without bulk sampling".

**Bulk sampling for other minerals**

13. In any event, and further to the above, THO submits that TAD's intended prospecting operations would ultimately fall within the definition of "*bulk sampling*", as they include:

13.1. the usage of a drill tool that can dredge gravel from the seabed;

13.2. the onboard processing of the recovered material;

13.3. the disposal of tailings overboard;

13.4. sample volumes of 9 to 15 m<sup>3</sup> per sample;

13.5. an initial program of 300 drill samples; and

13.6. if a potential resource is identified, a further 1 200 resource-development samples.

14. In effect then, TAD's intended prospecting operations have the potential to result in the disturbance of 22,500m<sup>3</sup> of the ocean floor which would, it is submitted, constitute *bulk sampling*.

15. For the above reasons, the fact that TAD seeks to categorize its Application as an application for a prospecting right "without bulk sampling" is misguided. This self-categorization is clearly an attempt by TAD to circumvent the requirement to apply for and pursue the granting of an environmental authorization through the more detailed / time-consuming S&EIR process.

16. In the result, the Application cannot lawfully proceed by way of Basic Assessment only. It triggers Listing Notice 2 activity 19 and requires a S&EIR process.

17. THO accordingly requests written confirmation that:

17.1. the present Basic Assessment process will be withdrawn or suspended; and

- 17.2. the application will be re-submitted/processed through the correct S&EIR process in terms of the EIA Regulations.
18. Failing that, please provide the full written basis upon which Anchor Environmental Consultants contend that section 20(2) of the MPRDA is not triggered by the proposed offshore diamond prospecting methodology, together with any written direction or confirmation from the DMPR relied upon for that position.
19. This objection is raised without prejudice to THO's further substantive and procedural objections to the Application.
20. We look forward to receiving your response before 16h00pm on 30 March 2026.

Yours faithfully



**AM Larkens**  
**Head of Legal**



## Trans Atlantic Diamonds

To: Trans Hex Operations (Pty) Ltd  
Attention: Mr AM Larkens  
BY EMAIL

23 March 2026

Dear Sir,

### TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C – RESPONSE TO OBJECTION TO BASIC ASSESSMENT PROCESS

1. We refer to your correspondence received 18 March 2026 titled "Objection to Basic Assessment Process" in respect of the above-mentioned application.
2. Your objection has been duly noted and considered. This response is provided on behalf of Trans Atlantic Diamonds (Pty) Ltd ("TAD") and Anchor Environmental Consultants (Pty) Ltd, the appointed independent Environmental Assessment Practitioner ("EAP").

### REGULATORY FRAMEWORK AND COMPETENT AUTHORITY

3. At the outset, it is important to emphasise that the determination of the applicable environmental assessment process in terms of the National Environmental Management Act 107 of 1998 ("NEMA") and the Mineral and Petroleum Resources Development Act 28 of 2002 ("MPRDA") read with the Environmental Impact Assessment Regulations 2014 ("EIA Regulations"), vests with the competent authority being the Department of Mineral and Petroleum Resources ("DMPR").
4. In this regard, the DMPR has formally acknowledged and accepted the present application as one to be processed through a Basic Assessment (BA) process. This position is confirmed in the Department's correspondence dated 4 February 2026.
5. In terms of section 24O of NEMA, the competent authority is required to consider all relevant factors and exercise its discretion in determining the appropriate level of assessment.
6. Accordingly, the DMPR's determination regarding the applicable process remains valid and binding.

### RESPONSE TO SECTION 20(2) MPRDA ARGUMENT

7. Your objection is premised on the assertion that section 20(2) of the MPRDA is automatically triggered in respect of all prospecting for diamonds, thereby necessitating a Scoping and Environmental Impact Reporting ("S&EIR") process under Listing Notice 2.
8. This interpretation is not supported by a proper reading of the statutory framework for the following reasons:
  - 8.1. Section 20(2) of the MPRDA regulates the removal and disposal of minerals, not the activity per se.
  - 8.2. The requirement for ministerial permission under section 20(2) is contingent upon the nature, scale, and purpose of the removal and disposal and is not automatically triggered in that the mineral in question is a diamond.
  - 8.3. The EIA Regulations must be interpreted purposively and in alignment with section 2 of NEMA, which promotes a risk-based and proportionate approach to environmental assessment.
9. The theoretical applicability of section 20(2) does not, in itself, trigger Listing Notice 2 Activity 19, rather the actual scope and intensity of the proposed activity and whether it constitutes removal and disposal at a scale requiring such permission must be considered.
10. In the present case, the proposed prospecting activities are of a limited, investigative nature which is consistent with prospecting as defined in the MPRDA and does not constitute mining or large-scale extraction.

#### **DISTINCTION BETWEEN PROSPECTING AND BULK SAMPLING**

11. Your assertion that the proposed activities constitute "bulk sampling" is noted but not accepted.
12. The activities described (including drill sampling, onboard processing and disposal of tailings) are standard prospecting methodologies in the offshore diamond industry and do not, in themselves, elevate the activity to one requiring an S&EIR process.
13. Importantly, it is to be noted that:
  - 13.1. The sample volumes cited must be assessed in context. Namely as discrete, spatially limited sampling events rather than continuous or large-scale extraction.
  - 13.2. The cumulative volumes referenced are programmatic estimates and do not reflect a single, contiguous disturbance footprint.
  - 13.3. The environmental impacts associated with such activities have been previously assessed (2022) and remain unchanged in substance.
14. The BA process is specifically designed under NEMA to assess activities with predictable, site-specific and manageable impacts, which is applicable in this instance.

#### **LISTED ACTIVITIES AND PROCESS APPROPRIATENESS**

15. It is acknowledged that:
  - 15.1. Listing Notice 1 activities (including Activities 19A and 20) are triggered; and
  - 15.2. These activities are appropriately assessed through a Basic Assessment process.
16. The applicability of Listing Notice 2 Activity 19 is not automatically applied and depends on whether the activity demonstrably requires section 20(2) permission at a scale contemplated by that Listing Notice
17. The competent authority has considered this issue and has not required the application to proceed via S&EIR.

#### **PRIOR AUTHORISATION AND REAPPLICATION CONTEXT**

18. The present application constitutes a re-application for the same concession area and the same prospecting activities were previously authorised in 2022.
19. The environmental assessment documentation (BAR, EMP, HIA, and specialist studies) remains substantially unchanged, with only minor updates to baseline information.
20. The previous acceptance of the BA process by the DMPR is a relevant consideration in ensuring regulatory consistency and administrative certainty in line with section 2 of NEMA.

#### **ALLEGATION OF PROCESS CIRCUMVENTION**

21. The allegation that TAD is attempting to circumvent the S&EIR process is unfounded and rejected.
22. The application has been undertaken in full compliance with:
  - 22.1. The EIA Regulations;
  - 22.2. Guidance and direction from the DMPR; and
  - 22.3. The principles of transparency and public participation under NEMA.
23. All Interested and Affected Parties, including THO, are being afforded a full and fair opportunity to participate in the process.

#### **CONCLUSION**

24. In light of the above:
  - 24.1. The Basic Assessment process has been lawfully initiated and is procedurally correct;
  - 24.2. The interpretation advanced by THO regarding section 20(2) and Listing Notice 2 is not supported by the applicable legal framework; and

24.3. The final determination regarding the appropriate process and the merits of the application rests with the DMPR and ultimately, the Minister.

25. All comments received, including your objection, will be recorded in the Comments and Response Report (CRR) and submitted to the DMPR for consideration as part of its decision-making process.

26. This response is written on a without prejudice basis

Yours faithfully

  
Mr. Anthony Charles Peter  
Director



**To:**

**Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

**And to:**

**Trans Atlantic Diamonds (Pty) Ltd**

Attention: Mr Anthony Peter

24 March 2026

Dear Sirs/Madams

**TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — OBJECTION TO BASIC ASSESSMENT PROCESS**

1. We refer to your letter dated 23 March 2026, in which Mr Anthony Peter, on behalf of Trans Atlantic Diamonds (Pty) Ltd ("TAD") contends, *inter alia*, that:
  - 1.1. The Department of Mineral and Petroleum Resources ("DMPR") has accepted the present application as one to be processed through a Basic Assessmentsic Assessment, that such determination is valid and binding, and that Listing Notice 2 Activity 19 is not automatically triggered in the case of prospecting for diamonds.
  - 1.2. Section 20(2) of the MPRDA regulates the removal and disposal of minerals, not the activity per se and that the requirement for ministerial permission is solely dependent on determining if the applicant is undertaking *bulk sampling*.
  - 1.3. There is no distinction drawn, in section 20(2) of the MPRDA, between the removal and disposal of diamonds and bulk sampling of other minerals.
2. THO does not agree, nor does the late Michael O. Dale et al. in his commentary on mining law, which, as I am sure you are aware, is widely regarded as the most authoritative and comprehensive commentary on mining law in South Africa.

**DMPR acceptance**

3. Even accepting, for present purposes, that the DMPR, as the competent authority, has issued correspondence accepting the application for an environmental authorization, that takes the matter no further. At best for TAD, such acceptance exists and has procedural consequences until set aside. It does not follow that such acceptance constitutes a binding adjudication that TAD has selected the correct process under NEMA read with the MPRDA.
4. The Dale commentary makes the position plain by indicating that:

*"The acceptance procedure differs from the grant or refusal procedure" and that "the acceptance decision therefore depends only on whether or not the application meets the formal requirements ... whereas the Minister's decision to grant or refuse the application depends on the substantive requirements".*

5. Dale then identifies the consequences of acceptance as procedural only, namely that the Regional Manager must notify the applicant to submit the relevant environmental reports and to undertake consultation with landowners and interested and affected parties. In other words, acceptance is a statutory gateway step and may not be construed as a substantive determination that the applicant is complying with the correct environmental process.
6. Indeed, TAD's suggestion that acceptance by the DMPR somehow validates the Basic Assessment route is contradicted by the statutory scheme and by practice. As you are aware, a prospecting right application that proceeds by way of the S&EIR (Scoping and Environmental Impact Reporting) is likewise first "accepted" by the DMPR, after which the scoping phase follows. Acceptance by the DMPR of the application accordingly proves nothing about whether Basic Assessment or S&EIR is the correct route.
7. THO accordingly maintains that neither the applicant nor the DMPR can rely on a *letter of acceptance* to avoid the proper interpretation and application of section 20(2) of the MPRDA.

**Interpretation of section 20(2) of the MPRDA**

8. THO's position remains, and has always remained, premised on a literal reading of section 20(2) of the MPRDA, which provides:

*“The holder of a prospecting right must obtain the Minister’s written permission to remove and dispose for such holder’s own account of diamonds **and** bulk samples of any other minerals found by such holder in the course of prospecting operations.” (my emphasis)*

9. THO reiterates then, on an ordinary grammatical reading, that subsection distinguishes between two categories:

9.1. diamonds; **and**

9.2. bulk samples of any other minerals.

10. It is self-evident that the phrase “bulk samples” qualifies only “any other minerals”. It does not qualify the removal and disposal of “diamonds” – to do so would ignore the inclusion by the legislature of the word “**and**” between “*diamonds*” and “*bulk samples of any other minerals*”.

11. The Dale commentary supports precisely that reading, by providing under the commentary on section 20(2) of the MPRDA:

**“174.3 bulk samples**

*Again, no quantification of what constitutes bulk samples is given, presumably because this will vary from mineral to mineral, ranging from large quantities for coal to small quantities for emeralds. Again, however, no permission would be obtainable were the intention with the removal for purposes otherwise than as samples. If the intention is indeed to remove samples, it is a matter for evidence whether they are bulk samples and therefore require ministerial permission in terms of section 20(2), or whether they are samples smaller than bulk samples and for which, in terms of section 20(1), no such permission (other than in the case of diamonds) would be required.” (my emphasis)*

12. Properly distilled, Dale’s commentary provides that where samples are smaller than bulk samples, no ministerial permission is required under section 20(1), save “other than in the case of diamonds” – i.e. in the case of diamonds ministerial permission is required even if the samples are smaller samples and factually classified as not being bulk samples.

13. Evidently, if the Legislature intended the “bulk-sample qualification” to apply equally to diamonds, it would have said so and section 20(2) would have read as follows:

*“The holder of a prospecting right must obtain the Minister’s written permission to remove and dispose for such holder’s own account of bulk samples of diamonds **and** any other minerals found by such holder in the course of prospecting operations.”*

14. The positioning of the word “and” within section 20(2) is telling, and cannot be ignored.

**Interpretation of Listing Notice 2 Activity 19**

15. In this regard, TAD’s response seeks to introduce a qualification that does not appear in either section 20(2) or Listing Notice 2 Activity 19, namely that permission is required only if removal and disposal occurs “at a scale contemplated” by the Listing Notice. That is not what the legislation says.

16. It is clear that Listing Notice 2 Activity 19 applies to:

*“The removal and disposal of a mineral, **which requires a permission** ... in terms of section 20 of the Mineral and Petroleum Resources Development Act ...” (my emphasis)*

17. Listing Notice 2 Activity 19 does not contain a separate scale threshold and the only question is whether section 20 permission is required. On THO’s literal reading of section 20(2), where the mineral is diamond, it is.

18. Likewise, if the legislature had intended to introduce a “scale qualification”, as suggested by TAD, then it would have said so and Listing Notice 2 Activity 19 would have read as follows:

*“The removal and disposal of a **bulk sample of any** mineral, which requires a permission ... in terms of section 20 of the Mineral and Petroleum Resources Development Act ...”*

19. By contrast, Listing Notice 1 Activity 19A contains the express volumetric threshold of the removal of more than 5 cubic metres from the sea, and Listing Notice 1 Activity 20 applies to activities requiring a prospecting right in terms of section 16. Those activities do not



displace Listing Notice 2 Activity 19 where section 20 permission is required. They are cumulative, not mutually exclusive.

20. It follows that, on THO's and Dale's interpretation, Listing Notice 2 applies to an application to prospect for diamonds because section 20(2) of the MPRDA itself distinguishes diamonds from bulk samples of other minerals and requires ministerial permission in the former case without any bulk-sampling *qualifier*.

Consequence of TAD's decision

21. To this end, TAD elected to formulate and pursue its application for an environmental authorization by way of Basic Assessment. If that election is inconsistent with the governing statute, that is a consequence of TAD's own chosen course. The applicant cannot cure a defective statutory route by labelling the application "without bulk sampling" nor can it rely on the DMPR's advice or acceptance to amend the wording and operation of the MPRDA and Listing Notices.
22. Nor can the DMPR do so. It is trite that public power is sourced in statute and public functionaries may exercise no power and perform no function beyond that conferred upon them by law.
23. Accordingly, even if the DMPR has indicated informally, or even provisionally, that a Basic Assessment process may be followed, such advice cannot prevail over the wording of section 20(2) of the MPRDA and the applicable Listing Notices. To the extent that any such advice purports to do so, it would be *ultra vires*.

Conclusion

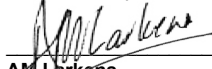
24. THO therefore reiterates its position that:
- 24.1. section 20(2) must be interpreted literally;
- 24.2. the words "bulk samples" do not qualify "diamonds";
- 24.3. ministerial permission is therefore required in relation to diamonds in terms of section 20(2) of the MPRDA;
- 24.4. Listing Notice 2 Activity 19 is accordingly triggered;

- 24.5. the present application should not proceed by way of Basic Assessment, but through the S&EIR process; and

- 24.6. doing so will render the grant of any environmental authorization unlawful, and subject to challenge in perpetuity (in line with the *Oudekraal principle*).

25. Consequently, we would strongly suggest that Anchor Environmental Consultants (Pty) Ltd and TAD seek legal advice from a advocate or firm of attorneys, with extensive mining law experience, before continuing down the path they have chosen – we are happy to suggest advocates/attorneys, with the necessary expertise, if requested.
26. Please ensure that this letter is included, in full, in the Comments and Response Report to be placed before the DMPR.

Yours faithfully

  
AM Larkens  
Head of Legal

## ANNEXURE “B”

### EXTRACTS FROM DALE COMMENTARY

#### Section 10: Consultation with interested and affected persons

*“An interested and affected person is entitled to copies of the application papers and annexures except for financially sensitive aspects of the application and papers. This entitlement is founded in a proper interpretation of sections 10 and 22(4) of the MPRDA read with section 32 of the Constitution. The Minerals Department has to supply these copies on request, which is not restricted to the provisions of PAIA and the Department’s manual, because the procedures in terms of PAIA are so cumbersome that an interested and affected person will not be able to access the said documentation timeously in order for comments to be made in terms of sections 10 and 22(4) of the MPRDA.”*

*“The court in Baleni goes as far as stating obiter: ‘I would have thought that, taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy of the application as and when it is submitted to the Regional Manager, even before they ask for it.’”*

*“In De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd & Others ... the court found that there was no evidence that reg 3(3) had been complied with, and accordingly set aside the decision to grant the relevant prospecting right to Ataqua.”*

#### Section 16: Application for prospecting right

*“The prescribed manner is contained in regulation 5 in the MPRDA Regulations which provides that an application for a prospecting right must be in the form of form B in annexure 1 to the MPRDA Regulations. The main requirements are: a plan ... the mineral or minerals; the period; a prospecting work programme and annual expenditure; proof of technical ability to carry out the prospecting work programme, rehabilitate, and comply with safety and health and whether this will be achieved by in-house expertise, contractors or consultants; financial ability; a list of existing rights and permits; copies of the land titles; and any other information which the Minister may request.”*

*“The application must be accompanied by ... the prospecting work programme in terms of regulation 7; proof of financial and technical competence; ... [and] a list of existing rights and permits.”*

*“Regulation 7(2) provides that the programme will form part of the prospecting right when granted. This indicates that an assessment of performance is directly related back to the contents of the approved work programme.”*

#### Section 17: Granting and duration of prospecting right

*“Section 17(1) now seems, in furtherance of circumscription of Ministerial discretion, to provide a numerus clausus of factors on satisfaction of which the Minister must grant the application.”*

*“The system disclosed in section 17(1) is not one of automaticity but rather of decision-making. ... [T]he legislature has sought to provide a set of factors on compliance with which by the applicant, the Minister must grant the application.”*

#### Section 19: Rights and obligations of holders of prospecting rights

*“Failure to commence operations within the 120-day period will constitute an offence under section 98(a) and may result in a cancellation or suspension of the right in terms of section 47.”<sup>19</sup>*

*“Non-compliance with this requirement would entitle the Minister in accordance with section 47 to suspend or cancel the right.”<sup>20</sup>*

<sup>19</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on section 19.

<sup>20</sup> Dale, M. O., et al. (n.d.). SA Mineral and Petroleum Law: Commentary on the Mineral and Petroleum Resources Development Act 28 of 2002, commentary on section 19.

## ANNEXURE “C”

### RELEVANT EXTRACTS FROM THE DISCLOSED PROJECT DOCUMENTS

#### 1. Background Information Document

*“As the PR was not renewed within the prescribed timeframe, the EA and PR lapsed and TAD was required to reapply for EA and PR.” (Background Information Document, p. 1).*

*“The BAR, Environmental Management Programme (EMPr) and Heritage Impact Assessment (HIA) submitted in 2022 ... remain largely unchanged, with only minor revisions / updates ... Sections of the Marine & Fisheries and Socio-Economic reports have been updated ... but do not change the impact assessment, study findings, or overall conclusions and outcomes of the BA process.” (Background Information Document, p. 1).*

#### 2. BAR / EMPr project description and operational assumptions

*“Prospecting will be conducted using a dedicated survey vessel such as the IMD SA survey vessel DP Star or the Explorer.” (Draft BAR, Proposed activity, p. 5; Draft EMPr, p. 11).*

The disclosed project record therefore expressly relies on example vessels, while the underlying section 16 material that would identify the actual vessel and technical arrangements has not been disclosed to THO.

*The EMPr also assumes a Project Manager / Applicant, Scientific Officer, Environmental Control Officer, Sampling Contractor(s), fisheries liaison and other onboard or project roles, and places obligations on those parties to secure permits, prepare method statements, conduct audits and provide updated information to the public (Draft EMPr, sections 6 and 7).*

#### 3. Socio-economic statement

*The socio-economic statement rates “local socio-economic performance” as “INSIGNIFICANT +ve” and “regional socio-economic performance” as “LOW +ve”. (Socio-economic Statement, Executive Summary, p. iii, and Impact Assessment, p. 13).*

*The same statement says that TAD “should aim to incorporate” Broad-Based Black Economic Empowerment good practice and that this “will include skills transfer programmes, job creation, and supporting local service industry organizations such as*

*manufacturing, production and/or packaging services.” (Socio-economic Statement, Executive Summary, p. iii; see also Impact Assessment, pp. 13-14).*

THO's concern is that these are projected or aspirational benefits. Without the application material showing TAD's actual technical ability, contractors, vessels, budget and implementation arrangements, those claimed benefits cannot be tested or meaningfully weighed.

#### 4. Cumulative impacts

*The EMPr states that the highest identified negative cumulative impact of marine prospecting along the west coast would be assessed as “High” when considered with other projects, whereas the positive cumulative local socio-economic effect would be only “Very Low”. (Draft EMPr, p. 23).*

That disclosed assessment strengthens THO's objection that the DMPR cannot simply assume community benefit from repeated or serial applications where the applicant's ability to implement the proposed prospecting programme remains untested on the disclosed record.

#### 5. Historic public-participation concerns already raised on the project record

*The 2021 / 2022 public-participation record includes stakeholder concerns that there was insufficient baseline information, that accurate environmental data should first be obtained, and that the use of example vessels raised practical questions about the actual operational footprint. (Appendix 4, pp. 1-2 and meeting record extracts).*

Those concerns were not academic then and are more acute now, after the lapse of the previous right and the re-use of substantially the same BAR / EMPr material without disclosure of what happened under the earlier right or how the present application will actually be implemented.

**TRANS HEX OPERATIONS PROPRIETARY LIMITED**  
**REGISTRATION NO. 1968/012100/07**  
("the Company")

**RESOLUTION OF THE BOARD OF DIRECTORS PASSED ON 1 APRIL 2026**

**TO AUTHORISE MR AARON MICHAEL LARKENS TO SIGN AND SUBMIT THE COMPANY'S DETAILED OBJECTION IN RESPECT OF SEA CONCESSION AREA 11C**

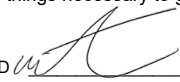
**WHEREAS:**

1. In terms of section 74 of the Companies Act No. 71 of 2008, as amended (the "Act"):
  - 1.1. except to the extent that the Memorandum of Incorporation of a company provides otherwise, a decision that could be voted on at a meeting of the board of that company may instead be adopted by written consent of a majority of the directors, given in person, or by electronic communication, provided that each director has received notice of the matter to be decided;
  - 1.2. a decision made in the above manner is of the same effect as if it had been approved by voting at a meeting; and
  - 1.3. the Directors of the Company (the "Board"), by their signature hereto, agree that they will waive the required notice to consider the below resolutions and that further, by signature hereto, agree to the passing of the below resolutions, by way of written resolution, in accordance with section 74 of the Act.
2. Trans Hex Operations (Pty) Ltd has prepared a detailed objection dated 1 April 2026 in relation to the application by Trans Atlantic Diamonds (Pty) Ltd for a prospecting right and environmental authorisation in respect of Sea Concession Area 11C ("the Objection").
3. A copy of the Objection has been presented to the directors together with this resolution.
4. The Board wishes to authorise Mr Aaron Michael Larkens to sign and submit the Objection on behalf of the Company, and to sign all ancillary documents and do all things necessary to give effect thereto.

**IT IS RESOLVED THAT:**

1. The Company be and is hereby authorised to submit the Objection on the grounds reflected therein.

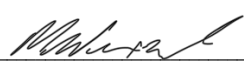
2. Mr Aaron Michael Larkens be and is hereby authorised and empowered to sign the Objection and all documents on behalf of the Company, and to do all such things necessary to give effect to resolution 1 above.

SIGNED   
**IP HESTERMANN**

|                     | Yes | No | Abstain |
|---------------------|-----|----|---------|
| Resolution number 1 | x   |    |         |
| Resolution number 2 | x   |    |         |

SIGNED   
**JJ DU PLOOY**

|                     | Yes | No | Abstain |
|---------------------|-----|----|---------|
| Resolution number 1 | x   |    |         |
| Resolution number 2 | x   |    |         |

SIGNED   
**MVZ WENTZEL**

|                     | Yes | No | Abstain |
|---------------------|-----|----|---------|
| Resolution number 1 | x   |    |         |
| Resolution number 2 | x   |    |         |

## Steve September

**From:** Michael Yaman <michael.y@protectthewestcoast.org>  
**Sent:** Wednesday, 08 April 2026 12:34  
**To:** Steve September  
**Cc:** Allen Lyons; Patrick Forbes; Mike Schleich; Tiaan Engelbrecht; talia@transatlanticdiamonds.com  
**Subject:** PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)

Dear Steve,

I hope you're well.

We refer to the above-mentioned re-application and the ongoing public participation process.

To date, we have only been able to access the draft Basic Assessment Report, specialist studies, and the EMP. In order to ensure that public participation is properly informed and meaningful, we request that the following additional documents be made available:

- Prospecting Work Programme
- NEMA and GNR 1147 compliant rehabilitation plans and budgets
- Excel spreadsheet reflecting the coordinates of planned grab and core samples
- Google Earth (.kmz/.kml) file showing the application area

These documents are necessary to adequately assess the scope, impacts, and rehabilitation provisions associated with the proposed activities.

We would appreciate it if you could provide the above information at your earliest convenience.

Thanks and kind regards,

Michael Yaman  
Contract Paralegal



### Protect The West Coast

E: [michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)  
W: <https://www.protectthewestcoast.org/>



Watch Ours, Not Mine [here](#)

## Steve September

**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Friday, 10 April 2026 10:22  
**To:** Bianca Lombard  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

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**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Friday, 10 April 2026 09:11  
**To:** Bianca Lombard  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
I use the area recreationally as a surfer and am concerned about the impacts on the bathymetry and sea life disturbance, how that impacts the inshore environment is significant to the area as whole. Everything is connected here up and down the coast.
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes

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Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

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**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Friday, 10 April 2026 06:05  
**To:** Bianca Lombard  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I live on and/or occupy land in the area
- **Additional comments:**  
Prospecting and resultant mining operations have a severe impact on the marine life as well as vulnerable fauna and flora inter-related ecosystems. The West Coast is already saturated with mining and the impact of accumulated mining is destroying the environment while protected areas are being ignored.

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Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

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**From:** RiPl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Friday, 10 April 2026 09:23  
**To:** Bianca Lombard  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes
- **Additional comments:**  
Have previous prospecting techniques been done in this area. If so, is there information on impact and recovery of the sensitive benthic zone? This company has poor reputation in environmental degradation and even worse reputation in rehabilitation. They should be forced to fix their onland mess before being granted further prospecting licence's.

Sent via Protect the West Coast - RiPl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

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**From:** RiPl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Thursday, 09 April 2026 17:20  
**To:** Bianca Lombard  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
My family visits this area of the West Coast often, the impact on the natural resources of the area will be significant and will permanently destroy and impact this fragile natural environment.
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes
- **Additional comments:**  
I oppose the proposed prospecting in Concession 11C due to the severe environmental risks. Invasive sampling and seabed disturbance threaten slow-growing habitats, benthic species, and marine mammals, with recovery taking years if recovery is at all possible. The area overlaps critical biodiversity zones and the Namaqua Coastal EBSA, which are essential for marine life. Pursuing these activities risks irreversible damage and contradicts NEMA's mandate to protect vulnerable ecosystems.

Sent via Protect the West Coast - RiPl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.





## Steve September

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**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Monday, 13 April 2026 11:36  
**To:** Steve September  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**

- **Further details concerning the impact:**

No comment

- **Interest(s) impacted as a result of this application:**

I am concerned about the impact on the environment

- **Additional comments:**

I wish to object to the proposed prospecting programme in Concession 11C due to its significant environmental risks, particularly within sensitive and protected marine areas. The project includes invasive sampling methods such as grab sampling, core drilling, and seabed disturbance, which will directly impact benthic habitats. The discharge of tailings back into the ocean is likely to create sediment plumes, potentially smothering surrounding ecosystems beyond the immediate sampling sites. The assessment acknowledges that habitat recovery may take 6–15 years or longer, indicating long-term impacts. Underwater noise from acoustic surveys poses a serious risk to marine mammals, including cetaceans known to occur along the West Coast. While mitigation measures are proposed, these are not fully reliable and do not eliminate the risk of disturbance or harm. Importantly, over half of the proposed area overlaps with Critical Biodiversity Areas, Ecological Support Areas, and the Namaqua Coastal EBSA. These are priority conservation areas, and allowing prospecting within them conflicts with the principles of the National Environmental Management Act (NEMA), which seeks to protect sensitive environments. Given the ecological importance of the area, the scale of disturbance, and the likelihood of lasting impacts, the proposed mitigation measures are insufficient. I therefore object to this application and request that authorisation be refused, or that all sensitive biodiversity areas be excluded from any prospecting activities.

## Steve September

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**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Monday, 13 April 2026 09:39  
**To:** Steve September  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

**From:** Ripl - No Reply <[no-reply@protectthewestcoast.org](mailto:no-reply@protectthewestcoast.org)>

**Sent:** Saturday, April 11, 2026 08:19

**To:** Bianca Lombard <[admin@anchorenvironmental.co.za](mailto:admin@anchorenvironmental.co.za)>

**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**

- **Further details concerning the impact:**

No comment

- **Interest(s) impacted as a result of this application:**

I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

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**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Monday, 13 April 2026 13:21  
**To:** Steve September  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- 
- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
  - **Further details concerning the impact:**  
No comment
  - **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community

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Sent via Protect the West Coast - RiPl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

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**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Tuesday, 14 April 2026 10:45  
**To:** Steve September  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- 
- **I have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
  - **Further details concerning the impact:**  
I am a recreational fisher worried about the impact of seismic surveys on the migration of the snoek and the the disturbance of the marine ecosystem. I am also worried that beyond the ecological damage, these activities have little of no benefit to resident communities, and South Africans in general.
  - **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes

---

Sent via Protect the West Coast - RiPl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Bianca Lombard  
**Sent:** Tuesday, 14 April 2026 14:25  
**To:** Cheruscha Swart; Steve September  
**Subject:** Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Kind regards  
Bianca



**BIANCA LOMBARD**  
SENIOR OFFICE MANAGER  
+27 21 701 3420 Cape Town, South Africa  
+264 61 223644 Windhoek, Namibia  
bianca@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

---

**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Tuesday, April 14, 2026 11:10  
**To:** Bianca Lombard <admin@anchorenvironmental.co.za>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- 
- **I have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
  - **Further details concerning the impact:**  
I am deeply concerned about the environmental impact on the coast.
  - **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes

## Steve September

**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Tuesday, 14 April 2026 10:44  
**To:** Steve September  
**Subject:** Fwd: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- 
- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
  - **Further details concerning the impact:**  
No comment
  - **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community

---

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Michael Yaman <michael.y@protectthewestcoast.org>  
**Sent:** Tuesday, 14 April 2026 15:52  
**To:** Steve September  
**Cc:** Allen Lyons; Patrick Forbes; Mike Schleich; Tiaan Engelbrecht; talia@transatlanticdiamonds.com  
**Subject:** Re: PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)

Dear Steve,

Thank you for the PWP attached above.

As requested before, please provide us with the GNR 1147 compliant rehabilitation plan and associated budget. Failing that, please confirm that the rehab plan and budget in section 9 of the BAR is the only rehabilitation plan that you have prepared.

If you see it necessary to redact certain allegedly commercially sensitive information as you have done with the Prospecting Works Program, we shall record this in our comments. Further, we reserve our right to request and if necessary, internally appeal unredacted versions of the provided documents through the Promotion of Access to Information Act and supplement our comments at a later date.

Kindly attend to this request at your earliest convenience in the interests of giving I&APs a full and fair opportunity to participate in the public participation process.

Kind Regards

Michael Yaman  
Contract Paralegal



**Protect The West Coast**

E: [michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)

W: <https://www.protectthewestcoast.org/>



Watch Ours, Not Mine [here](#)

On Mon, Apr 13, 2026 at 1:31 PM Steve September <[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)> wrote:

Dear Mr. Yaman

I hope this email finds you well.

Please find attached the PWP as requested.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Michael Yaman <[michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)>

**Sent:** Wednesday, 08 April 2026 12:34

**To:** Steve September <[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)>

**Cc:** Allen Lyons <[allen@protectthewestcoast.org](mailto:allen@protectthewestcoast.org)>; Patrick Forbes <[patrick@protectthewestcoast.org](mailto:patrick@protectthewestcoast.org)>; Mike Schleich <[mike@protectthewestcoast.org](mailto:mike@protectthewestcoast.org)>; Tiaan Engelbrecht <[tiaan@protectthewestcoast.org](mailto:tiaan@protectthewestcoast.org)>; [talia@transatlanticdiamonds.com](mailto:talia@transatlanticdiamonds.com)

**Subject:** PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)

Dear Steve,

I hope you're well.

We refer to the above-mentioned re-application and the ongoing public participation process.

To date, we have only been able to access the draft Basic Assessment Report, specialist studies, and the EMPr. In order to ensure that public participation is properly informed and meaningful, we request that the following additional documents be made available:

- Prospecting Work Programme
- NEMA and GNR 1147 compliant rehabilitation plans and budgets
- Excel spreadsheet reflecting the coordinates of planned grab and core samples
- Google Earth (.kmz/.kml) file showing the application area

These documents are necessary to adequately assess the scope, impacts, and rehabilitation provisions associated with the proposed activities.

We would appreciate it if you could provide the above information at your earliest convenience.

## Steve September

**From:** Bianca Lombard  
**Sent:** Wednesday, 15 April 2026 09:45  
**To:** Cheruscha Swart; Steve September  
**Subject:** Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

---

**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Wednesday, April 15, 2026 09:08  
**To:** Bianca Lombard <admin@anchorenvironmental.co.za>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.  
New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- 
- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
  - **Further details concerning the impact:**  
No comment
  - **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I am concerned about the impact on my income

---

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House ·473 Steve Biko Road, Arcadia, PRETORIA

EDMS Reference: 271888

Inquiries: Mr. Xolani Myanga

Telephone: 021493 7060

E-mail: [OCEIA@dffe.gov.za](mailto:OCEIA@dffe.gov.za)

Mr Steve September

Anchor Environmental Consultants (Pty) Ltd

Suite 8 Steenberg House (Steenberg Office Park)

Silverwood Close

TOKAI

7945

Tel: (+27) 21 701 3420

Email: [steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)

Dear Mr September

### COMMENTS ON BACKGROUND INFORMATION DOCUMENT FOR THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)

The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Draft Scoping Report in the subject of this letter. This Branch will provide comments based on the provisions of the National Environmental Management Act 107 of 1998 ("NEMA") and the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").

The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social,

and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes.

1. The review of this report makes it evident that no mitigation measures were provided to mitigate the negative and adverse impacts resulting from the proposed activities on turtles. Page 56 describes the nature of most turtle incidents being entrapment of turtles in towed equipment. However, it should be noted that this is not applicable for this application. The impacts on turtles as specified in this report could be critiqued for being too general and commonly known turtle impacts, instead of being specific to this application.
2. On page 56, turtles may be affected by seismic noise at close range. Any impacts of the underwater noise of the survey would be much more difficult to observe. Therefore, the 500 m safety zone that is offered for marine mammals and seabirds, must also apply to turtles (even though it will be extremely difficult to sight them at more than a few tens of meters away).
3. Some mitigation measures offered for marine mammals and seabirds do not seem in line with updated JNCC guidelines. E.g., the BAR offers pre-survey scans of at least 15 minutes. The JNCC says 30 min in waters < 300 m, 60 min in water > 300 m deep. Mitigation for marine mammals, turtles, needs to be enhanced. Some information seems outstanding.
4. The start-up must be delayed, or (if in operation) surveying must be halted if a turtle is sighted.
5. Further information is sought to clarify the reasons that PAM is offered only for June and November. Further to this, the EAP should further elucidate whether this has been proposed in case surveying should take place in these months and where the limits of the whale migrations cannot be avoided. This aspect should be clearly outlined in the report to ensure informed decision-making.
6. It should be noted that it is not easy to detect humpback whales using PAM. Therefore, this may not be a very useful mitigation measure in this regard. These months should simply be avoided for geophysical surveying along with July-October.
7. Considering that whales (other species) and dolphins are likely to be present year-round in the survey area, PAM must be operated in all months when surveys occur, at least at night and conditions of poor visibility.

COMMENTS ON BACKGROUND INFORMATION DOCUMENT FOR THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)

8. It must be ensured that there are sufficient MMOs and PAM operators on board the vessel to prevent fatigue and meet health and safety requirements, during the survey periods. One person, as indicated in this Basic Assessment report, will not be sufficient.
9. Considering the impact assessment, it is evident that only the noise impacts of the geophysical surveying are assessed. However, the noise of drilling has not been assessed or considered. Further clarity and assessment of these impacts are sought.
10. Further to this, this assessment should also detail the operational impacts associated with the proposed activities such as the night lights of the vessel on seabirds, especially considering the foggy conditions that often occur off the West Coast.
11. Considering the findings of a recent study (McCauley et al. 2017) that impacts of seismic surveys on plankton may be far greater than previously anticipated (mortality up to 1.2 km from source as opposed to < 10 m as previously thought), perhaps impacts on plankton should be considered, especially with ichthyoplankton of important commercial fish species in mind.
12. There seems to be a (possibly unhealthy) reliance on previous EIA reports for assessment of impacts (e.g., lots of references to Pulfrich reports in the marine specialist study and in the BAR itself). Efforts should be taken to ensure that up-to-date specialist information and studies are provided to ensure that decision-makers take into account relevant and up-to-date information for meaningful decision-making.
13. The report outlines the offshore diamond mining lease areas in South African waters. The coastal shelf waters have been divided into 20 contiguous, parallel strips which have been further subdivided into the onshore and offshore concession areas. While the report ascertains that the conducting of prospecting activities in the area shall be done in such a manner that avoids significant environmental impacts, the impacts proceeding exploration and the discovery of viable mineral deposits cannot be avoided.
14. Page 23 of the report reads "*diamond mining in the Benguela region (off the west coasts of southern Africa) is economically important (DME 2006; Penney et al. 2007) and therefore the proposed prospecting activities are ideally placed in concession area 11C offshore of the Western Cape Coast of South Africa*" provides further evidence to support this notion.

COMMENTS ON BACKGROUND INFORMATION DOCUMENT FOR THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)

15. This Branch strongly holds that these factors need to be considered when reviewing exploration applications and making decisions relating to mining within the marine and coastal environment. A sustainable development approach needs to be adopted to ensure that the environmental rights of South Africans are protected, that people and communities equally benefit from the resources and economic benefits derived from the use or extraction of all resources, and that existing and future planned, economic activities along this coastline are protected from long-term, cumulative, and unintended impacts of seismic surveying, exploration and/or mining on this coastal shelf.
16. The proposed prospecting programme will take place during spring and/or summer and when weather conditions are suitable, and the seas are calm. The timing of seismic survey activity in concession 11C should be confined to seasons when cetaceans are scarce to ensure minimal disturbance.
17. It further specifies that *"it is important to note that the exact location of the core and drill sites will only be confirmed after the completion of the seismic surveys. Buffers will be applied around reef areas and areas of conservation concern. The final site layout plan is thus subject to change"*. Results from the Screening Report and specialist marine impact assessments should be taken into consideration when deciding on the final layout to avoid prospecting in a protected area or areas of conservation concern.
18. Concession Area 11C is positioned in the southern section of the Benguela Current System (BCS), which extends along the west coast of southern Africa between Cape Agulhas and Angola. The area falls within the Namaqua inner shelf ecozone, which is nested within the Southern Benguela Ecoregion as defined by Sink *et al.*
19. Section 48 of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) provides that, despite other legislation, no person may conduct commercial prospecting or mining activities- 4s (a) in in a protected area referred to in section 9(b) or (d). Section 48(3) further empowers the Minister, after consultation with the Cabinet member responsible for mineral and energy affairs, may, in relation to the activities contemplated in subsection (2), as well as in relation to mining activities conducted in areas contemplated in that subsection which were declared as such after the commencement of this section, prescribe conditions under which those activities may continue in order to reduce or eliminate the impact of those activities on the environment or for the environmental

- protection of the area concerned. The proposed seismic surveying does not seem compatible with the protection goals of MPAs and is contrary to the aims and objectives of NEMPA.
20. Sounds generated by vessels in addition to the noise from seismic surveys have been related to negative impacts on marine animals (Koper and Plön 2012). These negative impacts include direct effects, such as physical injury (i.e., auditory, and non-auditory), stress, perceptual interference, behavioural changes, and chronic responses, and indirect effects on predator species as prey. The impacts associated with seismic surveys are not yet fully understood. This further presents a challenge as the magnitude of impact cannot be quantified.
21. A breeding colony of Cape fur seals (*Arctocephalus pusillus pusillus*) exists on Elephant Rock, inshore of concession 11C, approximately 10 km north of the Olifants River Mouth. Seals are highly mobile animals with a general foraging area covering the continental shelf up to 120 m (approximately 220 km) offshore. Seals will likely be encountered during seismic exploration and sampling/prospecting activities in Concession 11C.
22. It is recommended that an MMSO be on duty during the proposed seismic survey activities and as a precaution.
23. A passive acoustic monitoring (PAM) system should also be used during survey activity to detect cetaceans that could be at risk.
24. No infrastructure should be placed onshore or in the sea.
25. In addition, the Applicant is reminded of the Duty of Care and Remediation of Environmental Damage as provided for in section 28(1) of the *National Environmental Management Act, 1998* (NEMA). This section specifically states that: *"...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, insofar as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..."* This duty must be read together with section 58 of the *National Environmental Management: Integrated Coastal Management Act, 2008* (NEM: ICMA), which places an obligation on persons to avoid causing adverse effects on the coastal environment.



Kindly note that the **Oceans and Coasts (O&C) Branch** reserves the right to amend or revise its comments should any **new, updated, or additional information** become available for consideration. All correspondence, documentation, and/or requests (both **electronic and hard copy**, where applicable) should be submitted to the Department as follows:

Email: [OCEIA@dffe.gov.za](mailto:OCEIA@dffe.gov.za)

**Physical Address:**

Department of Forestry, Fisheries and the Environment (DFFE)  
Branch: Oceans and Coasts, 2 East Pier Building  
East Pier Road, Victoria & Alfred Waterfront,  
Cape Town,  
8001

Yours sincerely,



**Mr. Ryan Peter**

**Director: Coastal Development & Coordination**

**Department of Forestry, Fisheries, and the Environment**

**Date:** 17/04/2026

COMMENTS ON BACKGROUND INFORMATION DOCUMENT FOR THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)



Leinster Hall, 7 Weltevreden Street, Gardens, 8001  
PO Box 723, Parow 7499, Cape Town, South Africa  
**t.:** +27 (0)21 510 1881 **f.:** +27 (0)21 510 5035

**To:**

**Anchor Environmental Consultants (Pty) Ltd**

Attention: The Environmental Assessment Practitioner

**And to:**

**Trans Atlantic Diamonds (Pty) Ltd**

Attention: Mr Anthony Peter

**And to:**

**Department of Mineral and Petroleum Resources**

**Western Cape**

Attention: Regional Manager, Mr Pieter Swart

17 April 2026

Dear Sirs/Madams

**TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C — RESPONSE TO REDACTED SECTION 16 APPLICATION DOCUMENTS**

1. We refer to the redacted section 16 application documents and supporting material now furnished by Trans Atlantic Diamonds (Pty) Ltd ("TAD") / Anchor Environmental Consultants (Pty) Ltd ("Anchor") following THO's repeated requests and detailed letters dated 24 March 2026, 26 March 2026 and the subsequent objection lodged on 1 April 2026.
2. In response, THO's short point is that the documents now produced do not cure the prejudice previously identified.
3. The points on which THO sought to comment, as expressed in its previous exchanges, are precisely the points that have been redacted by TAD / Anchor. In substance, TAD / Anchor has provided a bundle which creates the appearance of disclosure while withholding the very non-financial information that goes to the heart of the section 17 enquiry and THO's stated concerns.
4. The position is particularly unsatisfactory for at least the following reasons:
  - 4.1. The redactions now applied go materially beyond financially sensitive information and withhold the very operational and technical material THO identified in advance as necessary for meaningful consultation.

- 4.2. The annexure titled “Letter of Appointment of Technical Personnel” is rendered effectively useless by the redactions.
- 4.2.1. The document records that technical personnel have allegedly been appointed by TAD to provide technical support, assistance and specialist tasks but the names and identifying details of those personnel have been redacted in full.
- 4.2.2. THO is therefore still unable to determine who TAD contends constitutes its technical team, whether those individuals have any relevant offshore diamond-prospecting expertise and whether they are persons drawn from, or historically associated with, the Trans Hex / IMDH group or its service providers.
- 4.3. The redacted Prospecting Work Programme similarly withholds the non-financial information that THO wished to interrogate.
- 4.3.1. Although the narrative sections remain, the details that would permit THO to test TAD’s alleged technical ability, consultant / contractor arrangements and operational model remain obscured.
- 4.3.2. THO is therefore still prevented from commenting meaningfully on whether TAD satisfies section 17(1) of the MPRDA. This is particularly material because the disclosed sections of the PWP say that the programme will progress beyond survey and sampling to a feasibility study directed at “*resource estimation and economic viability of mining in the prospecting area*” and, in effect, the development of a mining vessel and future mining model.
- 4.3.3. Those are not incidental matters; they go directly to TAD’s technical ability, operational capacity and the seriousness of the application.
- 4.4. The redactions are especially prejudicial because the disclosed PWP itself shows that TAD intends to conduct the prospecting activities on vessels “*such as the DP STAR and EXPLORER*”, states that the core samples will be collected from a purpose-built survey vessel and further records that equipment will be sourced from Underwater Mining Solutions.

- 4.4.1. Those statements only underscore why the supporting section 16 material is required.
- 4.4.2. THO specifically requested the documents in order to understand what TAD’s actual technical; vessel and contractor arrangements are and whether TAD is again relying, directly or indirectly, on Trans Hex-associated capability without agreement.
- 4.5. There are, with respect, strong indications that TAD’s redacted PWP has been copied or adapted from Trans Hex / Trans Hex Heavy Mineral Mining (Pty) Ltd’s (“THHMM”) material rather than independently prepared for Sea Concession 11C.
- 4.5.1. Most strikingly, although TAD’s application relates to Sea Concession 11C, its PWP states that the appropriate sampling method will be identified “*[b]ased on the geological formation of the seafloor in concession area 11(A)*”.
- 4.5.2. That is not a minor typographical error. THHMM’s final PWP was expressly submitted in respect of *inter alia* Sea Concession 11A. The reference to 11A in a supposedly concession-specific 11C PWP is a concrete textual carry-over from Trans Hex / THHMM material.
- 4.5.3. TAD’s PWP also adopts Trans Hex-specific operational references. It states that the proposed prospecting activities will be conducted on dedicated surveying and sampling vessels “such as the DP STAR and EXPLORER”.
- 4.5.4. THHMM’s final PWP identifies the m/v DP STAR, m/v GOOD WIND and m/v THE EXPLORER as the appropriate equipment available for its offshore prospecting programme, and allocates those vessels across the geophysical survey, vibracore, drill-sampling and bulk-sampling phases. That vessel-level overlap is not easily explained away as standard-form wording.
- 4.5.5. Further, TAD’s PWP retains THHMM’s previous references to “flight plans”, “flight lines” and “traverse lines”, even though TAD’s Basic Assessment Report makes no reference to magnetometer / aero-

magnetic surveys – this is clearly then just a copy paste from THHMM's PWP.

- 4.5.6. Even if parts of that material originate in the DMPR's standard directive, the point remains that TAD has plainly not prepared a careful, bespoke offshore 11C PWP but has instead reproduced a PWP by copying THHMM's, without proper adaptation.

- 4.6. The copying concern is reinforced by TAD's own internal inconsistencies and by the cumulative pattern of overlap with Trans Hex material.

- 4.6.1. TAD's PWP refers generically to "aerial photography, desktop studies, aeromagnetic surveys, etc." and to survey lines 1000 m to 100 m apart over a two-month period, yet elsewhere the 11C material describes a vessel-based high-resolution seismic and multibeam echosounder survey. That inconsistency is consistent with text having been lifted from other material and not properly reconciled for the present offshore application.

- 4.6.2. The concern is aggravated by the fact that the disclosed copy of TAD's PWP bears a visible "example" watermark.

- 4.6.3. The *smoking gun* then is the fact that THHMM's PWP also reflects the same "example" watermark – there is no reasonable explanation for this other than TAD has simply copied THHMM's PWP.

- 4.6.4. Taken together, the reference to concession area 11A, the adoption of Trans Hex vessel references, the retained template / prior-document information, the internal methodological inconsistencies, the mirrored sequencing and the visible "example" watermark are not trivial defects.

- 4.6.5. These all strongly suggest that the PWP has been copied, adapted or recycled without proper concession-specific attention, which in turn undermines confidence in the reliability of the application and the seriousness with which TAD has approached it.

- 4.7. The disclosed PWP still contains no proper indication that any previous survey, sampling or bulk sampling work was ever carried out under TAD's prior prospecting right in Sea Concession 11C.

- 4.7.1. The BAR records only that the prior right lapsed because it was not renewed in time. The PWP does not set out what, if any, work was done under that right, what results were achieved, why the work was not completed, or why a fresh right should again be granted.

- 4.7.2. In those circumstances, THO's concern that TAD is effectively sterilising the concession by serial applications without implementation is not answered; it is reinforced.

5. The prejudice to THO is exactly the sort of prejudice identified in *Baleni v Regional Manager, Eastern Cape Department of Mineral Resources & Others* 2021 (1) SA 110 (GP). The Court held that "[m]eaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary" (para. 89), and that interested and affected parties are entitled to the application material because "they are the persons who should deal directly with the issues that will ultimately determine the fate of the application" (para. 91).

6. Most importantly for present purposes, the Court criticised the conduct of the applicant and the DMPR where the objectors were "sent from pillar to post, with both the DMR and TEM refusing to take responsibility" and where it was "only after this application was issued that TEM decided to relent and provide the documents" (para. 93).

7. With respect, that is now precisely the position here. THO asked for the application documents; TAD / Anchor resisted; THO wrote detailed letters and lodged a detailed objection; and only then was a heavily redacted bundle produced which still withholds the operative information.

8. THO accordingly records that the present disclosure exercise is wasting THO's time and does not amount to meaningful consultation. It does not enable THO to test the matters it expressly identified from the outset, namely TAD's technical ability, its use of in-house expertise, contractors and consultants, its actual vessel and equipment arrangements, the compatibility of its expenditure with the proposed programme, its prior-right performance, and whether it is again seeking to rely on Trans Hex / IMDH-related expertise, personnel,

vessels or know-how. The disclosed material in fact increases THO's concern that the application should not simply be further entertained without proper scrutiny.

9. In the circumstances, THO requests, within 5 calendar days, that TAD / Anchor provide:
- 9.1. unredacted copies of all non-financial portions of the section 16 application, prospecting work programme and supporting annexures dealing with technical ability, technical personnel, consultants, contractors, vessels, equipment, operational arrangements, prior-right history and existing rights / permits; alternatively
- 9.2. a schedule identifying each redaction applied, the precise legal basis relied upon for each such redaction, and an explanation why the redacted information is said to be financially or otherwise lawfully confidential despite THO's stated grounds for requiring it.
10. In support of the above, I annex, marked "A", extracts from TAD and THHMM's PWP reflecting the *copying and pasting* of information by TAD.
11. All THO's rights remain fully reserved.

Yours faithfully



**AM Larkens**  
Head of Legal

9

| PHASE | ACTIVITY<br>(what are the activities that are planned to achieve optimal prospecting) | SKILL(S) REQUIRED<br>(refers to the competent personnel that will be employed to achieve the required results) | PLANNED TIMEFRAME<br>(in months) for the activity | OUTCOME<br>(what is the expected deliverable)                                       | OUTCOME TIMEFRAME<br>(deadline for the expected outcome to be delivered) | QUALIFIED SIGNATORY<br>What technical expert will sign off on the outcome? (eg. geologists, mining engineers, surveyors, etc) |
|-------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| e.g.1 | <b>Non-Invasive Prospecting</b><br>Geophysical Survey                                 | Geologist / Mineral economist                                                                                  | Month 1 – 6                                       | Flight Plans, Flight Line and Traverse Lines<br>Digital Data gathered               | Month 6                                                                  | Geophysicist                                                                                                                  |
|       | <b>Non-Invasive Prospecting</b><br>Literature Survey                                  | Geologist                                                                                                      | Month 1 – 6                                       | Maps or Plans and detailed report on results                                        | Month 6                                                                  | Geologist                                                                                                                     |
|       | <b>Invasive prospecting</b><br>Boreholes,<br>Trenches and/                            | Geologist                                                                                                      | Month 6-24                                        | Borehole core data                                                                  | Month 24                                                                 | Geologist                                                                                                                     |
| e.g.2 |                                                                                       | Geologist                                                                                                      | Month 7- 24                                       | Detailed report on sidewall profiles, volumes, average grades, locality             | Month 24                                                                 | Geologist                                                                                                                     |
| e.g.3 | Excavations                                                                           | Workmen/labourers / drilling crew                                                                              | Month 7- 24                                       | sidewall mapping, lithological profiles                                             | Month 24                                                                 | Geologist                                                                                                                     |
| e.g.4 | <b>Non-Invasive prospecting</b><br><b>Analytical Desktop Studies</b>                  | Mine Economist / Geologist                                                                                     | Month 24-36                                       | Geological or pre-feasibility Reports<br>Resource Statements, Geological Maps/Plans | Month 36                                                                 | Geologist / Mineral Economist (professionally Qualified Persons)                                                              |

"A"

| PHASE | ACTIVITY<br>(what are the activities that are planned to achieve optimal prospecting) | SKILL(S) REQUIRED<br>(refers to the competent personnel that will be employed to achieve the required results) | PLANNED TIMEFRAME<br>(in months) for the activity | OUTCOME<br>(what is the expected deliverable)                                                                                  | OUTCOME TIMEFRAME<br>(deadline for the expected outcome to be delivered) | QUALIFIED SIGNATORY<br>What technical expert will sign off on the outcome? (eg. geologists, mining engineers, surveyors, etc) |
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| e.g.1 | <b>Non-invasive Prospecting</b><br>Geophysical Survey                                 | Geologist / Mineral economist                                                                                  | Month 1 – 6                                       | Flight Plans, Flight Line and Traverse Lines                                                                                   | Month 6                                                                  | Geophysicist                                                                                                                  |
|       | <b>Non-invasive Prospecting</b><br>Literature Survey                                  | Geologist                                                                                                      | Month 1 – 6                                       | Initial Data gathered<br>Maps or Plans and<br>Detailed report on results                                                       | Month 6                                                                  | Geologist                                                                                                                     |
| e.g.2 | <b>Invasive prospecting</b><br>Boreholes,<br>Trenches and/                            | Geologist                                                                                                      | Month 7 – 24                                      | Borehole core data                                                                                                             | Month 24                                                                 | Geologist                                                                                                                     |
| e.g.3 | Excavations                                                                           | Geologists<br>Workshop main labourers / drilling bore                                                          | Month 7 – 24                                      | Detailed report on sidewall profiles, volumes, average grades, locality                                                        | Month 24                                                                 | Geologist                                                                                                                     |
| e.g.4 | <b>Non-invasive prospecting</b><br>Analytical Desktop Studies                         | Mine Economist / Geologist                                                                                     | Month 24-36                                       | sidewall mapping, lithological profiles<br>Geological or pre-feasibility Reports<br>Resource Statements, Geological Maps/Plans | Month 36                                                                 | Geologist / Mineral Economist<br>(professionally Qualified Persons)                                                           |

Andries Maarman  
Cederberg Rastafari Movement  
[khoi.maarman@gmail.com](mailto:khoi.maarman@gmail.com)  
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20 April 2026

To: Mr. Steve September  
Anchor Environmental Consultants  
Email: [steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)  
Ref. Nr: WC30/5/1/1/2/10522 PR

Dear EAP

**COMMENT ON THE PROSPECTING APPLICATION IN SEA CONCESSION AREA 11C, BY TRANS-ATLANTIC DIAMONDS: RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)**

These joint submission is made by Andries Maarman, and submitted on behalf of the Cederberg Rastafari Movement (CRM) and the Coastal Heritage Indigenous Land Dwellers (CHILD)

1. The CRM are Interested and Affected Parties (I&AP) in relation to the proposed Project. We welcome the opportunity to submit these comments and share our views on this Project.
2. **Opposition**  
These comments are submitted in opposition to the proposed Project, in the interests of protecting the marine environment, our cultural rights, South Africa's climate and constitutional obligations, as well as our livelihoods as Indigenous and Coastal communities. We make these submissions in both the public, as well as our own interests as young people that stand to be affected by the proposed activities.
3. **Marine Ecology and Fisheries**
  - Report's claim: Impacts can be mitigated to "low" or "insignificant."
  - For Indigenous Peoples, even "low" impacts are significant. Seismic disturbance threatens whales and dolphins that hold cultural and spiritual meaning. Exclusion from fishing grounds undermines subsistence livelihoods. Indigenous communities lack the financial buffer to absorb reduced catches, so any disruption deepens poverty.

#### 4. Heritage

- Your report claim: Impacts on heritage are “very low” or “unlikely.”
- This dismisses Indigenous heritage. Submerged prehistoric sites or marine archaeological resources may hold ancestral significance. The framing of “unlikely” ignores Indigenous oral histories and traditional knowledge, which are rarely consulted. Loss of heritage is irreversible, and Indigenous communities are already disadvantaged by historical erasure.

#### 5. Socio-economic

- Report’s claim: Impacts on fisheries are “insignificant” or “very low.”
- For Indigenous fishers, even small disruptions are devastating. The report admits coastal communities are economically vulnerable, yet minimizes the risk. Indigenous households depend heavily on marine resources; exclusion zones and degraded water quality directly threaten food security and cultural practices tied to fishing. Promised “job creation” is insignificant compared to the scale of dispossession.

#### 6. Contribution to Science

- Report’s claim: Prospecting will generate valuable scientific data.
- Scientific benefits accrue to institutions, not Indigenous communities. Indigenous knowledge systems are sidelined, and samples are extracted without benefit-sharing. This perpetuates extractive research practices where Indigenous Peoples lose heritage and resources while outsiders gain academic prestige.

#### 7. Shipping

- Report’s claim: Impacts on shipping are “insignificant.”
- While shipping may not be affected, Indigenous communities are not shielded from cumulative marine industrialization. The framing of “insignificant” ignores that Indigenous Peoples bear disproportionate burdens of environmental degradation compared to commercial shipping interests.

#### 8. Visual Integrity

- Report’s claim: Vessel presence is “negligible.”
- Visual integrity is not just about aesthetics—it is about Indigenous spiritual connection to the sea. Even temporary industrial presence disrupts sacred seascapes and traditional practices. Indigenous perspectives on landscape integrity are absent from the assessment.

#### 9. Cumulative Impacts

- Report’s claim: Cumulative impacts increase significance from “medium” to “high.”
- This is critical. Indigenous Peoples already face layered disadvantages from past mining, dispossession, and poverty. Adding new cumulative impacts compounds

historical injustices. The precautionary approach should prioritize Indigenous rights, yet the report treats “high” negative impacts as manageable rather than unacceptable.

#### 10. No-go Option

- Report’s claim: Lost scientific and economic opportunities, but no environmental harm.
- For Indigenous Peoples, the “no-go” option is the only path that safeguards livelihoods, heritage, and cultural rights. The report frames lost opportunities as negative, but Indigenous communities see preservation of the sea as a positive outcome. Economic “opportunities” promised by prospecting are negligible compared to the risks of dispossession.

#### 11. Constitutional Rights

As citizens and communities, we are guaranteed, by the Supreme Law of this country, that our Rights, as enshrined in the Constitution of South Africa, the Bill of Rights, must be respected, protected, promoted and fulfilled by the State. The Bill of Rights applies to all law, and binds the legislature, the executive, the judiciary and all organs of state. It also states that no law may limit any right entrenched in the Bill of Rights.

#### 12. Overall Comment

The Draft Basic Assessment Report systematically minimizes impacts by labeling them “low” or “insignificant.” For Indigenous Peoples, these categories erase lived realities of poverty, cultural dependence on the sea, and historical marginalization. What is “insignificant” to a corporation is existential to Indigenous communities. The report fails to apply the principle of Free, Prior, and Informed Consent (FPIC) and ignores Indigenous disadvantage in every section.

Submitted by:

.....  
Andries Maarman  
Paralegal - CRM

## Steve September

**From:** Thesme van Zyl <thesme@matzikama.gov.za>  
**Sent:** Monday, 20 April 2026 17:07  
**To:** Steve September  
**Cc:** Environmental Intern; Annali Van der Westhuizen; Bernette Kriek; Cc:  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL  
AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION  
AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No.  
WC30/5/1/1/2/10522 PR)

## APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS: SEA CONCESSION AREA 11C

### 1. Introduction

The Matzikama Local Municipality hereby submits a formal objection to the application for Environmental Authorisation (EA) and Prospecting Rights for offshore prospecting activities within Sea Concession Area 11C.

This submission is made in accordance with the provisions of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Environmental Impact Assessment Regulations, 2014 (as amended).

In terms of **Section 2 of NEMA**, all organs of state must apply environmental management principles, including sustainable development, the precautionary principle, and the duty to avoid or minimise environmental harm. Furthermore, **Section 24(1)** of NEMA requires that activities which may significantly affect the environment must be considered, investigated, and assessed prior to authorisation.

### 2. Grounds for Objection

#### 2.1 Failure to Substantiate Socio-Economic Benefits

The application fails to provide sufficient, quantifiable evidence of socio-economic benefits.

This is inconsistent with:

- **Section 2(4)(q) of NEMA**, which requires that the costs, benefits, and impacts of activities be considered, assessed, and evaluated.
- **Section 2(4)(c)**, which requires that development be socially, environmentally, and economically sustainable.

The absence of verifiable data on employment creation and local economic benefit renders the assessment **incomplete and non-compliant**, as decision-makers are unable to properly weigh benefits against risks.

#### 2.2 Inadequate Assessment of Impacts on Fisheries and Livelihoods

The assessment of impacts on fisheries is insufficient and not scientifically robust.

This is contrary to:

- **Section 2(4)(a)(i) and (ii)** of NEMA, which require that environmental impacts be avoided, minimised, or remedied.
- **Section 2(4)(o)**, which recognises that the environment is held in public trust for the people and must be protected for the benefit of present and future generations.

The failure to adequately assess impacts on fisheries and dependent communities represents a **material omission**, particularly given the socio-economic vulnerability of affected communities.

#### 2.3 Failure to Adequately Consider Ecological Connectivity

The application does not adequately consider ecological connectivity between marine and estuarine systems.

This is inconsistent with:

- **Section 2(4)(e)** of NEMA, which requires a risk-averse and cautious approach (precautionary principle).
- **Section 2(4)(b)**, which requires that environmental management be integrated, acknowledging that all elements of the environment are interrelated.

The omission of ecological linkages, including those associated with the Olifants River Estuary (a system under conservation consideration by CapeNature), results in an **incomplete assessment of indirect and cumulative impacts**.

#### 2.4 Insufficient Spatial Information and Public Participation Constraints

The lack of clear spatial delineation of the proposed activities limits meaningful stakeholder engagement.

This is contrary to:

- **Section 2(4)(f)** of NEMA, which requires public participation in environmental governance.
- **Regulation 41 of the EIA Regulations, 2014**, which requires that I&APs be provided with sufficient information to participate meaningfully.

The absence of adequate mapping and spatial clarity **compromises procedural fairness and transparency**, rendering the process procedurally deficient.

#### 2.5 Inadequate Baseline Environmental Information

The reliance on insufficient baseline data undermines the integrity of the assessment.

This is inconsistent with:

- **Regulation 31(2)(l)** of the EIA Regulations, which requires that an Environmental Impact Assessment Report include a description of the environment that may be affected.
- **Appendix 3 of the EIA Regulations**, which requires specialist reports to be based on sufficient data and appropriate methodologies.

Without detailed, site-specific baseline data, the assessment fails to meet minimum regulatory requirements and cannot support a defensible decision.

## 2.6 Failure to Consider Climate Change and Cumulative Impacts

The application does not adequately consider climate change and cumulative impacts.

This is contrary to:

- **Section 2(4)(e)** of NEMA (precautionary principle).
- **Section 240(1)(b)**, which requires the competent authority to consider cumulative impacts.
- **Section 2(4)(k)**, which requires that decisions consider the interests, needs, and values of all interested and affected parties.

The absence of a cumulative impact assessment in a context of increasing development pressure represents a **significant regulatory gap**.

## 2.7 Inadequate Consideration of Tourism Impacts

The failure to assess tourism impacts is inconsistent with:

- **Section 2(4)(a)(iv)** of NEMA, which requires consideration of the social and economic impacts of activities.
- **Section 2(4)(c)**, which requires sustainable development.

Tourism is a key economic sector in the West Coast region, and the omission of a detailed assessment constitutes a **material deficiency**.

## 2.8 Absence of Strategic Environmental Assessment and Marine Spatial Planning Context

The application has not been assessed within a broader strategic framework.

This is inconsistent with:

- **Section 2(4)(i)** of NEMA, which requires a holistic and integrated approach to environmental management.
- **Section 240(1)(b)(i)**, which requires consideration of all relevant factors, including cumulative impacts and strategic context.

In the absence of a Strategic Environmental Assessment (SEA) and an applicable Marine Spatial Plan, the competent authority is **unable to make a fully informed and legally defensible decision**.

## 3. Conclusion

The Municipality finds that the application:

- Does not comply with key provisions of NEMA and the EIA Regulations.
- Fails to provide adequate, reliable, and site-specific information.
- Does not sufficiently assess or mitigate environmental and socio-economic risks.
- Does not demonstrate adherence to the principles of sustainable development.

## 4. Recommendation

The Matzikama Local Municipality formally objects to the application and recommends that:

- The application **be refused in its current form**; alternatively
- The application be **remitted for substantial revision**, requiring:
  - Comprehensive baseline studies
  - Quantified socio-economic assessments
  - Detailed fisheries and ecological impact analyses
  - Full consideration of cumulative and climate-related impacts
  - Improved spatial planning and transparency

## 5. Final Position

In the absence of:

- A Strategic Environmental Assessment; and
- An applicable Marine Spatial Plan.

**the Matzikama Local Municipality maintains its objection and cannot support the approval of this application.**

Kind Regards

**Thesmé van Zyl**  
**Community Services – Environmental Coördinator**  
**MATZIKAMA MUNISIPALITEIT / MUNICIPALITY**

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**From:** Steve September <steve@anchorenvironmental.co.za>

**Sent:** Tuesday, 17 March 2026 09:53

**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Some people who received this message don't often get email from [steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za). [Learn why this is important](#)

**DIE AFRIKAANSE VERTALING VAN HIERDIE E-POS VOLG NA DIE ENGELS**



Formele Kommentaar op die Aansoek van Trans Atlantic Diamonds:

**West Coast Guriqua Council.**

**Onderwerp:**

Formele beswaar/kommentaar teen die voorgestelde diamantmynaktiwiteite in seegebied area 11C.

**Ingedien deur:**

P.C. Anthony Andrews (Paramount Chief)

West Coast Guriqua Council

Ferreira Str. 70

Lambertbaai

Tel: 078 749 5736

Email: [wc.guriquacouncil@gmail.com](mailto:wc.guriquacouncil@gmail.com)

**1. Inleiding**

Ons verteenwoordig Vissersgemeenskappe en Inheemse Mense wat 'n historiese, geestelike en kulturele verbintenis met die see het.

Die aansoek van Trans Atlantic Diamonds om onderwater diamantmynaktiwiteite te onderneem, word hiermee formeel teengestaan.

**2. Historiese en Maatskaplike Konteks**

- Mynbou in Suid-Afrika het oor dekades heen kapitaal opgebou ten koste van Inheemse en plaaslike gemeenskappe.

- Hierdie gemeenskappe, wat reeds volkslagting en historiese onteiening oorleef het, bly armlastig terwyl buitelandse en kapitalistiese maatskappye hulself verryk.

- Die regering se praktyk om aansoeke goed te keur ondanks gemeenskapsbesware, ondermyn die reg op selfbeskikking en die beginsel van vrye, voorafgaande en ingeligte toestemming (FPIC).

**3. Omgewings- en Ekologiese Impak**

- Die seegebiede waar myn beplan word, bevat unieke natuurlike habitate, onderwater rotse en ekosisteme wat noodsaaklik is vir biodiversiteit.

- Mynaktiwiteite bedreig die volhoubaarheid van visserye, wat die primêre bestaansbron van gemeenskappe is.

- Die besoedeling en vernietiging van mariene ekosisteme het langtermyn gevolge wat nie deur maatskappye herstel word nadat minerale uitgeput is nie.

**4. Gemeenskapsbelange en Regte**

- Vissersgemeenskappe het 'n reg op toegang tot seegebiede, wat nie net ekonomies nie maar ook kultureel en geestelik van waarde is.

- Die aansoek ignoreer die kollektiewe stem van gemeenskappe wat reeds "nee" gesê het vir soortgelyke projekte.

- Die praktyk van maatskappye om te verdwyn nadat hulpbronne uitgeput is, laat gemeenskappe met armoede en ekologiese skade.

**5. Beleids en Regsoortredings**

- Trans Atlantic Diamonds voldoen nie aan die vereistes van volhoubare ontwikkeling en gemeenskapskonsultasie nie.

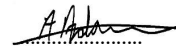
- Die regering se goedkeuring van sulke aansoeke, ondanks besware, is 'n skending van internasionale norme en die Grondwetlike regte van Inheemse en plaaslike gemeenskappe.

- Die aansoek weerspieël 'n patroon van buitelandse maatskappye wat plaaslike hulpbronne uitbuit sonder werklike voordeel vir die gemeenskappe.

**6. Gevolgtrekking en Aanbeveling**

Ons versoek dat die aansoek van Trans Atlantic Diamonds ten sterkste afgekeur word. Die beskerming van mariene ekosisteme, die erkenning van Inheemse regte, en die bevordering van volhoubare gemeenskapsontwikkeling moet prioriteit geniet bo korttermyn winsbejag.

Handtekening:



Anthony Andrews  
Paramount Chief



Protect the West Coast NPC  
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**DMPR Ref: WC30/5/1/1/2/10522 PR**  
**Our Ref: Trans Atlantic 10522 PR**

**RE: FINAL PUBLIC PARTICIPATION COMMENTS – TRANS ATLANTIC DIAMONDS (PTY) LTD SEA CONCESSION AREA 11C PROSPECTING RIGHT APPLICATION (WC30/5/1/1/2/10522 PR)**

Protect the West Coast ("PTWC") is a registered Interested and Affected Party in respect of this application and submits these comments in that capacity.

PTWC has reviewed the Draft Basic Assessment Report ("DBAR"), Environmental Management Programme ("EMPr"), Redacted Prospecting Work Programme ("PWP"), and associated documentation made available as part of the public participation process.

PTWC objects to the granting of the application.

These comments identify material procedural defects, substantive omissions in the environmental assessment, and failures to comply with the requirements of the National Environmental Management Act, 1998 ("NEMA"), the Environmental Impact Assessment Regulations, 2014, and the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA"). Taken together, these deficiencies render the application incapable of supporting a lawful and informed decision.

**1. Executive summary**

This application concerns a large-scale offshore prospecting programme covering approximately 164,023 hectares within a sensitive marine environment along the West Coast.

Although presented as a low-impact and discrete prospecting operation, the proposed activities involve repeated seabed disturbance, drill-based dredging, onboard processing, and the discharge of tailings. When considered cumulatively, these activities give rise to a sustained and material disturbance of the marine environment.

Protect the West Coast objects to the application on the basis that it is affected by fundamental legal, technical and environmental deficiencies which render it incapable of supporting a lawful and informed decision.

First, the Prospecting Work Programme is not compliant with Regulation 7. It lacks a defensible geological basis, contains internal inconsistencies, and is materially underfunded. The proposed exploration programme is either technically incapable of achieving its stated objectives or has not been properly designed, as supported by "X1".

Second, the environmental assessment is speculative and procedurally flawed. Key aspects of the activity, including sampling locations and operational parameters, remain undefined and are deferred to future phases. Notwithstanding this, impacts are assessed as if these parameters

Date: 20 April 2026

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are known. This approach is inconsistent with the EIA Regulations and undermines the integrity of the assessment process, as supported by “X2”.

Third, the application proceeds in the absence of adequate site-specific baseline data. The proposed benthic sampling programme is insufficient, sediment characteristics are unknown, and key impact pathways such as plume dispersion are not supported by empirical evidence. Impact significance is therefore assigned on assumption rather than fact, contrary to the precautionary principle under NEMA. In the absence of baseline data one simply cannot assess an impact in a meaningful and defensible manner.

Fourth, the nature and scale of the proposed activities have been understated. The recovery, processing and disposal of substantial volumes of seabed material over an extended period constitutes bulk sampling, or an activity analogous thereto. This triggers additional regulatory requirements under the MPRDA and EIA Regulations and necessitates assessment through a Scoping and Environmental Impact Reporting process, rather than a Basic Assessment.

Fifth, the DBAR expressly acknowledges that cumulative impacts cannot be meaningfully assessed within the Basic Assessment process (page 85), and recommends that a Strategic Environmental Assessment be undertaken (page 88 and page xii). In these circumstances, it is not open to the decision-maker to proceed with the application in isolation.

Sixth, the application is located within an area comprising Critical Biodiversity Areas, Ecological Support Areas and an Ecologically and Biologically Significant Area. Despite this, no avoidance-based approach is adopted, and long-term ecological risks, including impacts to benthic communities, foundational to marine ecosystems, and slow-recovering habitats such as offshore reefs and cold-water corals, are not adequately assessed.

Seventh, rehabilitation is acknowledged as not feasible, with reliance placed on natural recovery processes. The rehabilitation framework is incomplete, no standalone Environmental Risk Assessment Report has been provided, and the adequacy of financial provisioning cannot be verified.

Finally, the public participation process has been materially compromised by the redaction of key financial and technical information. This has limited the ability of Interested and Affected Parties to meaningfully assess the actual feasibility of the application and undermines the transparency required under NEMA.

Taken together, these deficiencies are not minor or technical in nature. They go to the core of the application and prevent a proper assessment of environmental risk, regulatory compliance and decision-making.

In these circumstances, the application should not be approved.

At a minimum, the application should be refused, or held in abeyance pending:

- the completion of a Strategic Environmental Assessment for the West Coast;

- the submission of a revised and Regulation 7 compliant Prospecting Work Programme;
- the collection of adequate site-specific baseline environmental data based on anticipated prospecting areas; and
- the undertaking of a lawful and comprehensive environmental assessment aligned with the true nature and scale of the proposed activities.

Absent these steps, any approval would be premature and inconsistent with NEMA, the EIA Regulations and the MPRDA.

## **2. Deficiencies In The Prospecting Work Programme**

The Prospecting Work Programme is required to demonstrate a coherent geological basis, a technically sound exploration strategy, and a realistic financial plan. It fails on all three fronts.

The application lists a wide range of target minerals without providing any geological justification for their inclusion. While the application area may hold potential for alluvial diamonds and heavy mineral sands, no explanation is provided for inclusion of other commodities such as gemstones, precious metals or base metals. In particular, the potential for heavy mineral sands is not meaningfully assessed. There is no geological model, supporting data, or explanation of mineral occurrence within the application area. This is inconsistent with Regulation 7(1)(e) and undermines the credibility of the application, as supported by “X1”.

The proposed geophysical programme is internally inconsistent. Page 12 of the DBAR refers to survey line spacing of 50–200 metres, while page 13 refers to 100–1000 metres. Similarly, the duration of the survey is described as both five days and approximately two months. These contradictions demonstrate that the programme has not been properly designed or costed.

The deficiencies in the geophysical programme extend beyond internal inconsistencies. The DBAR states that high resolution geophysical data is required, yet the proposed survey design and associated budget do not support this objective. As supported by “X1”, a survey capable of producing high resolution data across the application area would require substantially greater time and cost than provided for. The programme is therefore either technically incapable of achieving its stated objectives, or materially underfunded.

The sequencing of the exploration programme, in principle, follows a conventional approach, with geophysical surveys intended to inform the identification of target areas for subsequent drilling. However, the environmental assessment does not align with this sequencing. Benthic sampling is not proposed at each drilling location and is instead limited to approximately 50 grab samples across the entire concession area. Benthic sampling should be undertaken at each proposed drilling site to establish an adequate environmental baseline, prior to any activities being undertaken whatsoever as an absolute minimum.

The proposed baseline sampling programme is therefore inadequate. Approximately 50 benthic grab samples across 164,023 hectares cannot possibly constitute a meaningful baseline against

which impacts can be assessed and seem to suggest that the entire concession is similar in nature.

The financial assumptions are similarly flawed. The stated budget of approximately R16.8 million is inconsistent with the scope of work described. As supported by "X1" and "X2", the actual cost is likely to be in the order of R46–48 million.

Taken together, these deficiencies indicate that the PWP is not Regulation 7 compliant and cannot be relied upon.

### **3. Defective Project Description And Unlawful Deferral Of Environmental Assessment**

The environmental assessment is undertaken in the absence of a clearly defined and assessable activity. Key aspects of the proposed programme, including sampling locations, drilling layout and operational parameters, remain undefined and are deferred to future phases.

Notwithstanding this, the DBAR proceeds to assess impacts as if these parameters are known. This renders the assessment inherently speculative and non-compliant with the EIA Regulations.

The DBAR further contains material internal inconsistencies. For example, conflicting descriptions of survey line spacing (pages 12–13) and survey duration (five days versus two months) undermine the reliability of the assessment, as supported by "X2".

The assessment also proceeds in the absence of baseline data. Environmental conditions are acknowledged as unknown, yet impact significance is nevertheless assigned and mitigation proposed. Comparisons with other concession areas are relied upon without demonstrating any ecological equivalence.

Of particular concern is the deferral of environmental assessment to post-authorisation stages. Pages 27–28 state that sensitive features will only be identified after geophysical surveys are completed. There is no provision in the EIA Regulations for a second public participation process following authorisation, and once sensitive areas may have been identified, nor for the deferral of impact identification and assessment to post-authorisation stages.

The consideration of alternatives is similarly deficient, with the preferred alternative left undefined pending future surveys.

Taken together, the assessment is speculative, internally inconsistent, and procedurally flawed. It does not meet the requirements of the EIA Regulations and cannot support a lawful decision.

### **4. Inadequate Baseline Data And Speculative Impact Assessment**

As referred to above, the application proceeds in the absence of adequate site-specific baseline data.

The DBAR relies on comparisons with other concession areas located more than 200 kilometres away, without demonstrating ecological equivalence or providing sufficient detail on sampling methodology. These comparisons cannot substitute for site-specific data. What should have been applied for was a reconnaissance permit to allow surveys to have taken place to understand and assess the seabed conditions at the various sites at which prospecting is to take place, before any prospecting activities actually take place. Assess the baseline first, and then based on that data, and understanding the actual environmental conditions, make decisions on how and where to prospect.

The proposed benthic sampling programme is inadequate. Approximately 50 grab samples across the concession area equate to one sample per 3,280 hectares and do not provide a defensible ecological baseline. As supported by "X2", sampling should occur at each potential drilling location.

No site-specific sediment data is provided. In the absence of vibracore or equivalent sampling, there is no factual basis for assessing sediment composition or plume behaviour. This is material to understanding the impact of the prospecting activities.

Similarly, the presence of offshore rocky reefs and associated communities is acknowledged, yet no mapping or ground-truthing has been undertaken.

As a result, key impacts, including sediment dispersion and benthic disturbance, are assessed on assumptions rather than site specific evidence. This is totally inconsistent with the precautionary principle under NEMA and renders the assessment unreliable.

### **5. Nature and Scale of the Proposed Activities**

The proposed activities involve drill-based dredging of seabed material, onboard processing, discharge of tailings, and repeated sampling across a large number of locations within the concession area. Individual sampling events involve the removal of approximately 9 to 15 cubic metres of material. When considered cumulatively, these activities give rise to a substantial disturbance footprint.

The DBAR characterises these activities as discrete and low-impact on the basis that each sampling event affects a small area. This approach is misleading. The scale of the programme, including hundreds to potentially more than a thousand sampling events, must be assessed cumulatively. Repeated disturbance, in the absence of a baseline that would notionally allow one to measure the actual disturbance, combined with the discharge of processed material, results in impacts extending beyond individual sampling points, including sediment plume generation and habitat smothering.

As supported by "X2", the proposed programme includes extensive geotechnical and resource drilling, with drilling phases extending over sustained periods. This is not a once-off or limited intervention, but an ongoing and intensive disturbance of what is an unmapped and poorly understood, at best, seabed.

The mismatch between the scale of drilling and the limited environmental sampling further underscores the extent of disturbance relative to available baseline data.

When the scale, duration and cumulative footprint of the programme are properly considered, the activity cannot be characterised as low-intensity prospecting. The scale, duration and cumulative footprint indicate a materially more intensive activity than presented in the DBAR.

## **6. Bulk Sampling and Mischaracterisation of the Activity**

As set out above, the scale and methodology of the proposed activities extend beyond limited prospecting.

The programme involves the recovery, processing and disposal of substantial volumes of seabed material over an extended period and area. This is more appropriately characterised as bulk sampling, or an activity analogous thereto.

This distinction has direct regulatory implications under the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA"). Section 20(2) requires Ministerial consent for the removal and disposal of minerals, including bulk samples, during prospecting operations.

Where section 20(2) is triggered, the activity falls within Listing Notice 2 Activity 19 of the EIA Regulations, which requires environmental authorisation through a Scoping and Environmental Impact Reporting ("S&EIR") process.

The proposed removal of more than 5 cubic metres of seabed material also triggers Listing Notice 1 Activity 19A. However, Listing Notice 1 does not displace Listing Notice 2 where both apply. The applicable listed activities must be considered cumulatively.

The classification of the activity must be determined objectively, based on its nature and scale, and not on the applicant's characterisation.

In these circumstances, the use of a Basic Assessment process is inappropriate. The application has been assessed under a lower level of scrutiny than required, constituting a material procedural defect.

## **7. Cumulative Impact Failure and Marine Ecological Impacts**

The DBAR acknowledges that Concession Area 11C includes offshore rocky reefs supporting epifaunal (animals living on the seafloor) communities, including cold-water corals, and that recovery following disturbance is specifically noted as uncertain (page 33). Notwithstanding this, impacts on these habitats are assigned low significance without a defensible evidentiary basis. It is totally incongruous to suggest that prospecting activities would have a low impact on cold water coral, as just one example. These are crucial, high diversity habitats, providing complex habitats with multiple ecological niches in areas of enhanced hydrodynamics favoring increased food supply by locally reducing flow velocity and turbulence in the shadowed central zones of

the reef improving food capture and the settlement of larvae. The impacts on environments like this would be devastating and potentially irreparable depending on the extent thereof.

In circumstances where ecological recovery is uncertain and poorly understood, and the seabed itself is unknown, a precautionary approach is required. The assignment of low impact significance in the absence of supporting data is therefore not justified and cannot be relied upon.

The assessment of sediment plume impacts is similarly deficient. The proposed dredging, processing and discharge of material will result in turbidity and sediment deposition, with associated risks to benthic habitats, which is uncontroversial and must be accepted by the applicant. However, no site-specific sediment data or plume modelling is provided to quantify the extent of these impacts. As supported by "X2", the assessment is therefore speculative. One needs to understand the actual sediment and ocean dynamics to assess this impact and neither are addressed

The most significant deficiency relates to cumulative impacts. Page 85 of the DBAR states that it is not possible to obtain sufficient information to meaningfully assess cumulative impacts within the Basic Assessment process. This is a critical admission.

Page 88 and page xii of the DBAR further recommend that a Strategic Environmental Assessment ("SEA") be undertaken to assess cumulative impacts at a regional level. PTWC agrees with this recommendation.

In circumstances where cumulative impacts cannot be assessed, it is not open to the decision-maker to proceed with this application in isolation. To do so would be inconsistent with the precautionary principle under NEMA. The SEA needs to happen as a precursor to applications being granted.

## **8. Impact on Benthic Communities**

The DBAR explicitly notes the following: "Studies undertaking assessments of prospecting and mining-related impacts on these habitats in this region are relatively new and the time taken for disturbed epifaunal communities inhabiting offshore rocky reefs to recover has not yet been determined (Biccard et al. 2021)."

This statement, read together with section 7.2.4 (pages 69–70) of the DBAR dealing with seabed sampling and tailings disposal, constitutes an acknowledgement that prospecting and mining activities will result in impacts to benthic communities within Concession Area 11C, while the extent of those impacts and the associated recovery rates remain uncertain. This is notwithstanding earlier work such as Penney et al. (2007), which indicates benthic recovery periods of between 6 and 15 years in post-mining environments.

In these circumstances, it is essential that benthic communities within Concession Area 11C are properly surveyed and classified prior to the commencement of prospecting activities.

The DBAR indicates that Van Veen grab sampling will be used to collect samples for biological, environmental and geotechnical studies. While the Van Veen grab is a widely accepted and commonly used sampling tool, its application is subject to important methodological limitations. Grab sampling produces a disturbed sediment sample and does not preserve sediment structure, vertical stratification, or the natural positioning of benthic organisms. This may result in the underrepresentation of deeper-dwelling species and provides limited insight into vertical habitat structure.

An alternative sampling method that should be considered is the use of an OSIL (Ocean Scientific International Ltd., UK) multicorer. This method enables the collection of multiple undisturbed sediment cores that preserve the sediment–water interface and *in situ* ecological structure, thereby providing a more accurate and functionally relevant baseline.

The DBAR further states that offshore reefs within Concession Area 11C should be visually assessed by means of drop camera deployments or remotely operated underwater vehicles during the baseline environmental survey, with repeat surveys following mining activities. While this is identified as an appropriate methodology by the Environmental Assessment Practitioner, it has not been incorporated into the proposed sampling programme.

There is therefore a disconnect between the assessment of impacts and the proposed methodology for establishing baseline conditions.

In addition, the financial provision does not adequately support the proposed benthic sampling and analysis programme. Section 9 (page 120) and Table 29 of the DBAR set out the estimated expenditure for each phase of the prospecting operation. While Phase 2 includes Van Veen grab sampling, the costs associated with biological analysis of these samples are not clearly itemised.

Table 30 refers to “Annual biophysical monitoring”, including benthic macrofauna and fish sampling, sample collection and laboratory analysis. However, these costs are not clearly linked to the relevant project phases and the associated methodologies are not specified. On the information provided, it is unclear whether biological sample analysis has been adequately budgeted for.

To the extent that biological analyses are included under “Annual biophysical monitoring”, the allocated amount of R100,000 per annum (R500,000 over five years) appears inadequate when compared to previous benthic survey and monitoring cost estimates provided in the Algoa Bay Sea-Based Aquaculture Development Zone Final Basic Assessment Report.<sup>1</sup> The expected costs for benthic surveying and monitoring by CLS Southern Africa and Anchor Research and

Monitoring were R18,037,402 and R8,267,331.30, respectively, over a period of 36 months (three years).

Furthermore, the independent environmental consultancy responsible for undertaking the biological analyses has not been identified or appointed.

In the absence of clearly defined sampling methodologies, appropriate survey techniques, adequate financial provision, and identified specialists, it cannot be concluded that the proposed baseline and monitoring programme is capable of generating reliable ecological data.

## **9. Biodiversity Sensitivity**

The proposed activities are located within an area identified as comprising Critical Biodiversity Areas, Ecological Support Areas, and part of the Namaqua Coastal Ecologically and Biologically Significant Area.

These designations identify areas of high ecological importance and are intended to guide development away from sensitive environments. The DBAR itself acknowledges that the area is significant in terms of EBSA criteria, including productivity, naturalness, and importance for threatened or declining species.

Despite this, no avoidance-based approach is adopted. Instead, the assessment relies on the assumption that impacts will be limited due to the small footprint of individual sampling events. As set out above, this approach fails to account for the cumulative and long-term nature of the disturbance.

The DBAR and EMPr acknowledge that recovery of offshore benthic environments may take years to decades, and that long-lived species may take significantly longer to re-establish. In such circumstances, even localised disturbance may result in long-term or irreversible impacts.

In the absence of adequate baseline data and a spatially defined avoidance strategy aligned with mapped biodiversity priorities, and no go areas, the assessment does not meet the requirements of the EIA Regulations or the precautionary principle under NEMA. We are nowhere told what the criteria ought to be that would, for example, preclude prospecting from taking place at a particular site due to the environmental considerations.

## **10. Rehabilitation, Closure and Financial Provision**

Environmental rehabilitation and financial provisioning are governed by the Financial Provisioning Regulations (GNR 1147) which require the preparation of an Annual Rehabilitation Plan, a Final Rehabilitation and Closure Plan, and an Environmental Risk Assessment Report.<sup>2</sup>

The documentation provided does not demonstrate compliance with these requirements.

<sup>1</sup> ALGOA BAY SEA-BASED AQUACULTURE DEVELOPMENT ZONE - ref. 14/12/16/3/3/1/2055.

<sup>2</sup> GN R1147 in GG 39425 of 20 November 2015 - Financial Provisioning Regulations, 2015 (NEMA).

The applicant has stated that rehabilitation of the seabed is not feasible and that recovery will occur naturally over time ("X3"). This does not discharge the obligations under GNR 1147. Where rehabilitation is not feasible, the risk profile of the activity is elevated and requires more rigorous assessment and financial provisioning or alternatively no prospecting is to take place there.

No standalone Environmental Risk Assessment Report has been provided, and the rehabilitation framework is high-level and not capable of being audited or implemented. There would have to at the very least be ongoing monitoring to actually measure the rehabilitation that it is contended is going to place over time.

The methodology used to calculate financial provision is not disclosed, and it is not possible to determine whether long-term monitoring, remediation or residual impacts have been adequately provided for.

In addition, the professional qualifications of those responsible for the financial provisioning have not been disclosed.

In these circumstances, it cannot be determined whether adequate financial security exists to address environmental impacts. The application is therefore materially deficient.

#### **11. Public participation and Access to Information**

PTWC formally requested access to key documents, including the Prospecting Work Programme, rehabilitation plans and budgets, and spatial data relating to the proposed activities. Only a redacted version of the PWP was provided.

Financial and technical information has been withheld on the basis that it is not required for public participation. This position is untenable. Financial information is critically important and directly relevant to the feasibility of the project, the adequacy of environmental management measures, and the applicant's ability to meet closure and rehabilitation obligations.

As reflected in correspondence with the Environmental Assessment Practitioner ("X3"), the withholding of this information has materially limited the ability of Interested and Affected Parties to participate meaningfully in the process.

The DBAR asserts that the proposed sampling programme will contribute to scientific knowledge. However, no mechanism is provided for the disclosure or sharing of data with the scientific community or Interested and Affected Parties. This is particularly concerning in light of the redaction of information during the public participation process. In the absence of transparency and data accessibility, the claimed scientific benefit is totally unsubstantiated and simply meaningless.

#### **12. Conclusion and Recommendation**

The application is affected by material legal, technical and environmental deficiencies. This is an application that is somewhat novel in that it is taking place offshore and requires careful consideration given the obvious limits on the available knowledge to the parties and the decision makers.

The Prospecting Work Programme is not compliant with Regulation 7. The environmental assessment is speculative and unsupported by adequate baseline data. Cumulative impacts cannot be assessed, yet the application proceeds. The rehabilitation framework is incomplete and financial provisioning cannot be verified.

The DBAR itself recommends that a Strategic Environmental Assessment be undertaken. PTWC agrees that such an assessment is required before applications of this nature can be considered.

In these circumstances, the application should not be approved.

At a minimum, the application should be refused or placed on hold pending:

- a Strategic Environmental Assessment;
- a revised and compliant Prospecting Work Programme;
- adequate site-specific baseline studies are done by qualified specialists; and
- a lawful and comprehensive environmental assessment.

Until these deficiencies are addressed, any approval would be premature and inconsistent with NEMA, the EIA Regulations and the MPRDA.

Kindly acknowledge receipt of this correspondence.

Yours faithfully,



Michael Yaman  
Legal Department  
Protect the West Coast

## COMMENTS ON TRANS ATLANTIC'S EXPLORATION PLAN AND BUDGET FOR THE SEA CONCESSION 11C (WC30/5/1/1/2/10522PR)

### 1. EXECUTIVE SUMMARY

Prospecting for minerals is a high-risk, multi-stage endeavour with numerous technical, environmental and financial risks. In a PWP the applicant must prove to government that he has the expertise, technical skills and financial resources to promote proper exploration and responsible resource development.

The content and detail that must be provided in the PWP is governed by Regulation 7. <sup>1</sup> Trans Atlantic's PWP falls way short of the minimum standards contemplated under Regulation 7. Information called for under Regulation 7(1) (d), Regulation 7(1) (e), Regulation 7(1) (f), Regulation 7(1) (h), Regulation 7(1) (i), Regulation 7(1) (j)(i) and Regulation 7(1) (k) has not been provided.

Minerals listed in an application must be motivated using robust geological models and verified geological data. Trans Atlantic has offered no geological motivation for listing gemstones, industrial minerals, precious metals or base metals in the application. There is no evidence to suggest that these commodities occur in the application area.

Trans Atlantic prospecting budgeted of R16.8 million is woefully inadequate because prospecting activities have not been planned and scheduled in sufficient detail. The budget of R16.8 million shown in table 29 of the dBAR is inadequate because the cost of hiring survey vessels has been underestimated. This poorly designed and underfunded exploration program points to a lack of geological expertise in Trans Atlantic.

A PWP is a geological report in which topics such as target generation, economic potential, mineral distribution, prospecting methods, exploration budget and exploration schedule, must be analysed and weaved into the exploration plan. A PWP must therefore be drawn up by a geologist registered as geological scientists with the South African Council for Natural Scientific Professions (SACNASP) as contemplated in the Natural Scientific Professions Act (Act no. 27 of 2003). <sup>2</sup>

The geological content, work program and budget in this PWP is flawed. It is unlikely that the PWP was drawn up by a suitably qualified professional geologist.

***Trans Atlantic's prospecting right application must be rejected because its Prospecting Work Programme lacks the detail and content called for under Regulation 7. This document must be reconstituted by a SACNASP registered Professional Geologist as contemplated in the Natural Scientific Professions Act (Act no. 27 of 2003).***

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<sup>1</sup> Department of Mineral Resources. A guideline for a Prospecting Work Programme to be submitted for applications for a prospecting right in terms of the Mineral and Petroleum Resources Development Act, 2002.

<sup>2</sup> Natural Scientific Professions Act (Act no. 27 of 2003)

### 2. TRANS ATLANTIC'S PROSPECTING WORK PROGRAMME

The format, content and detail on an exploration program are governed by Regulation 7. <sup>1</sup> Trans Atlantic's exploration program does not meet Regulation 7 requirements.

#### 2.1. Target minerals

Regulation 7(1) (d) requires that minerals to be prospected for are listed. Trans Atlantic has listed alluvial diamonds, gemstones, heavy minerals, industrial minerals, precious metals, ferrous and base metals.

The application area has alluvial diamond and heavy mineral potential. There is no indication of any gemstones, industrial minerals, precious metals or base metals potential in the application area.

***There is no indication that the application area holds any gemstones, industrial minerals, precious metals or base metal potential.***

#### 2.2. Geology and economic potential

Under Regulation 7(1) (e) the geological motivation behind the application must be explained. The geology and economic potential of the application area must be discussed in context of the regional geology and illustrated on a map.

The geology map in the PWP has been redacted. From the size of the redacted area it is clear that the map does not meet the stipulated requirements.

***The geological content and map included in the PWP by Trans Atlantic does not provide the detail contemplated under Regulation 7(1) (e).***

#### 2.3. Prospecting methods and activities

Under Regulation 7(1) (f), (g) and (h) technical details of prospecting methods and activities must be discussed in detail.

Geophysical techniques are summarised rather superficially in the PWP as seismics and echosounding. There are a host of seismic and echosounding tools that could be used. The technical detail of the geophysics tools Trans Atlantic plan to use has not been discussed in detail.

The purpose of the geophysical survey is to collect high resolution data. DP Star that is earmarked for this survey costs ~\$20,000 per day. It is said that the geophysics survey will take two months to complete. The geophysics program will cost ~\$1,2 million or R19.7 million. There has only been R1.5 million (table 29 in dBAR) budgeted for geophysics.

Van Veen grab samples will be taken to establish baseline benthic data. A maximum of 50 samples will be taken which equates to one benthic sample per 3,280 hectares.

A geotechnical sampling program of 100 to 200 sonic or vibracore holes are planned.

1,200 resource definition holes are planned which will take 40 days to complete. The MS Explorer earmarked for this work costs \$40,000 per day. The resource definition drilling will cost ~\$1,6 million or R26.4 million. There has only been R12.8 million (table 29 in dBAR) budgeted for resource definition drilling.



Under Regulation 7(1) (f), (g) and (h) Trans Atlantic has listed prospecting activities and tabulated the results and come up with a very rudimentary schedule as depicted in table 5. Trans Atlantic's budgeted of R16.8 million is hopelessly inadequate.

**The exploration budget of R16.8 million shown in table 29 of the dBAR is incorrect. Approximately R48 million will be needed to complete the planned exploration program.**

#### Scheduling and budgeting

Under Regulation 7(1) (i) technical details of the prospecting methods and the time required to complete each activity must be discussed in detail. This detailed plan is an essential component of drawing up a realistic prospecting budget. **Trans Atlantic has not provided the detail required under Regulation 7(1) (i).**

Scheduling activities in a mineral exploration program is *critical* for both technical and financial success. It means breaking the exploration process into logical, sequential stages, each designed to reduce uncertainty, manage cost, and make informed go/no-go decisions before moving to the next step.

Trans Atlantic has not planned or scheduled the proposed prospecting program in sufficient detail. The budget of R16.8 million shown in table 29 of the dBAR is inadequate because the cost of hiring survey vessels has been underestimated.

#### 2.4. Technical ability

Under Regulation 7(1) (j)(i) details and proof of the applicants technical ability must be provided. **The detail required under Regulation 7(1) (j)(i) has not been provided.**

The "PWP" submitted with a prospecting right application is required to be detailed technical report. It is a technical report in which the geological topics prescribed in Regulation 7, such as target generation, economic potential, mineral distribution, prospecting methods, exploration budget and exploration schedule, must be analysed and reported on. A legitimate analysis of these topics can only be done by a SACNASP registered geologist as stipulated in the Natural Scientific Professions Act (Act no. 27 of 2003).

The geological content, work program and budget in this PWP is flawed. It is unlikely that the PWP was drawn up by a suitable qualified professional geologist.

#### 2.5. Prospecting budget

REGULATION 7 (1) (k) requires applicant to estimate prospecting expenditure. Trans Atlantic's exploration budget is woefully inadequate because the cost of hiring survey vessels has been underestimated.

Obvious shortcomings in the exploration budget are:

- Phase 1 geophysics has been budgeted at \$90,000. The DP Star that is earmarked for this survey costs ~\$20,000 per day. It is said that the geophysics survey will take two months to complete. The geophysics program will cost ~\$1,2 million or R19.7 million
- Phase 3 resource definition drilling has been budgeted at \$835,000. The 1,200 resource definition holes that are planned which will take 40 days to complete. The MS Explorer

earmarked for this work costs \$40,000 per day. The resource definition drilling will cost ~\$1,6 million or R26.4 million.

Trans Atlantic's budget of R16.8 million is woefully inadequate. It will cost ~R48 million to take this project to feasibility.

#### 2.6. Conclusion

Prospecting for minerals is a high-risk, multi-stage endeavour with numerous technical, environmental and financial risks. Phasing activities in a mineral exploration program is *critical* to technical and financial success. Finding an ore body requires specialised technical skills, significant funding and systematic work practices. This critically flawed PWP points to a lack of technical expertise in Trans Atlantic.

Trans Atlantic's PWP is not Regulation 7 compliant. Information called for under Regulation 7(1) (e), Regulation 7(1) (f), Regulation 7(1) (h), Regulation 7(1) (i), Regulation 7(1) (j)(i) and Regulation 7 (1) (k) has not been provided in the required detail.

Under Regulation 7(1) (e) geological motivation behind the minerals listed in the application must be explained. Trans Atlantic has offered no geological explanation for listing gemstones, industrial minerals, precious metals or base metals in the application.

Under Regulation 7(1) (i) technical details of the prospecting methods and the time required to complete each activity must be discussed in detail. Trans Atlantic has not provided the detail required under Regulation 7(1) (i). The budget of R16.8 million shown in table 29 of the dBAR is inadequate because prospecting activities have not been planned and scheduled in sufficient detail.

Under Regulation 7(1) (j)(i) details and proof of the applicants technical ability must be provided. The detail required under Regulation 7(1) (j)(i) has not been provided. This scientifically flawed PWP points to a lack of technical expertise in Trans Atlantic.

Regulation 7(1) (k) requires applicant to estimate prospecting expenditure. The budget of R16.8 million shown in table 29 of the dBAR is inadequate because the cost of hiring survey vessels has been underestimated. It will cost ~R48 million to take this project to feasibility.

Trans Atlantic's PWP was not compiled by a suitable experienced exploration geologist as contemplated in the Natural Scientific Professions Act (Act no. 27 of 2003).

**This application must be rejected. The PWP must be redone by a SACNASP registered Professional Geologist as stipulated in the Natural Scientific Professions Act (Act no. 27 of 2003).**



**Allen Lyons**

PrSciNat

400134/88

15 April 2026

Professional Geologist

"X2"

Comments on Trans Atlantic's DBAR for Sea Concession 11C (WC30/5/1/1/2/10522PR)

**Minerals to be prospected for**

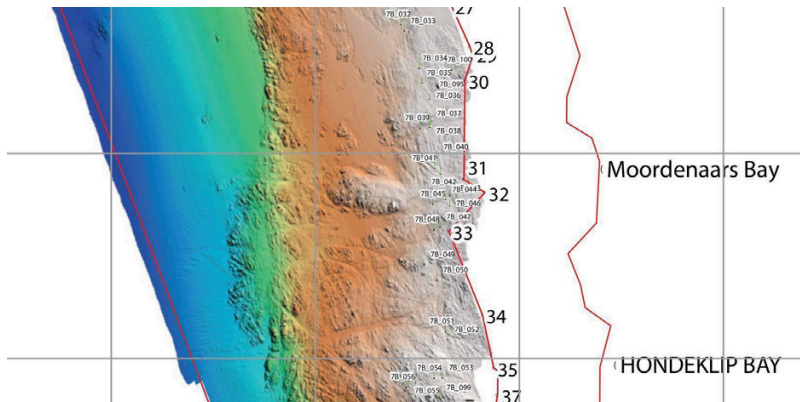
Statement: Trans Atlantic Diamonds (Pty) Ltd is proposing to prospect for precious metals (gold, silver and platinum), gemstones (alluvial diamonds, sapphires and garnets), ferrous and base metals such as rare earths (monazite mineral), black sand minerals (titanium minerals e.g. ilmenite and rutile), zirconium ore (zircon) and iron ore (magnetite)) within Sea Concession area 11C. Comment: Rare earths are not base metals. It is heavy mineral sands, not black sand minerals. I am nit-picking but it irritates when consultants send out reports that have not been proof read.

**Geophysics**

On page 12 it is said that survey lines will be 50m to 200m apart. On page 13 it is said that survey lines will be 100m to 1,000m apart. So are the survey traverses going to be 50m, 100m, 200m, 250m, 500m or 1,000m apart? It would be nonsensical to run the survey at 50m line spacing because the survey traverse will be 33,800km long, take 280 days to complete and cost \$5.6 million. A survey done at 1,000 metre line spacing will not deliver the high resolution geophysics map Trans Atlantic is hoping for. The applicant has clearly not put any thought into the geophysics plan.

On page 13 it is stated that the geophysics survey will take 5 days to complete. On page 13 of the PWP it states that the geophysics survey will take two months to complete. Comment: Is the geophysics survey going to take 5 days or 60 days? The budget implications are significant because the survey vessel costs ~\$20,000 per day. The applicant has clearly not put any thought into the geophysics survey.

In the PWP it is stated on page 12 that the purpose of the geophysics program is to collect high resolution data. Figure 1 is an example of a high resolution geophysics map.



going to be another PPP when the geophysics program has been completed? Is there anything in the legislation that provides the scope for a 2<sup>nd</sup> PPP after the right has been approved?

#### ***Contribution to Science***

It is claimed that the Van Veen sampling program will contribute towards scientific and environmental knowledge. For this program to be of scientific benefit the data must be shared with the scientific community. Trans Atlantic has thus far been reluctant to share its in house data with stakeholders. How will this data and knowledge be shared with the scientific and environmental community?

#### ***No-go option***

Statement: If the project does not precede the baseline data that will not be collected is seen as a lost opportunity in term of scientific data. Comment: Scientific data is meaningless data if it is not made available to the scientific community. Should this application be approved baseline environmental data must be shared with stakeholders and the scientific community.

#### ***Subtidal sandy benthic habitat***

Statement on page 33: Benthic sampling undertaken by Anchor in concessions 1B, 1C and 2C (similar depth range and biogeographical zone as Concession Area 11C) yielded a benthic macrofaunal community consisting of 45 species with an average biomass of 86 g/m<sup>2</sup> (1B), 32 g/m<sup>2</sup> (1C) and 39 g/m<sup>2</sup> (2C) respectively (Mostert et al. 2016, Biccard et al. 2020a). Available evidence suggests that the macrofaunal communities of Concession Area 11C are more similar to those found in the offshore, open coast areas such as 1C and 2C than the sheltered, productive west coast bays, but this will be confirmed during the proposed baseline sampling. Comment: How many samples were taken at 1C and 2C? Is this really a valid comparison because the two areas are more than 200km apart? What type of samples and how many samples will be taken during the baseline sampling program at 11C? Has the cost of 11C sampling program been included in the GNR 1147 closure plan?

#### ***Offshore rocky reefs***

Statement on page 33: Concession Area 11C lies within what is mostly classified as sandy inner shelf habitat interspersed with rocky outcrops (Figure 6.4). The sandy inner shelf habitat type has the greatest extent within our EEZ, with muddy, gravel and mixed sediment habitat types constituting smaller areas (Sink et al. 2012). These offshore rocky reefs are colonised by a range of epifauna including bryozoans, encrusting and upright sponges, solitary and colonial ascidians, sea anemones and cold-water coral colonies – the latter being slow-growing and taking many years to become established (Biccard et al. 2021). Studies undertaking assessments of prospecting and mining-related impacts on these habitats in this region are relatively new and the time taken for disturbed epifaunal communities inhabiting offshore rocky reefs to recover has not yet been determined (Biccard et al. 2021). Comment: Absolutely nothing is known about the ecology of 11C. A detailed benthic sampling program must be designed by a marine ecologist once the geophysics has been interpreted and drill targets identified. Biccard et al. 2021 is not listed in the references.

Statement on page 34: These offshore reefs within Concession Area 11C should be visually assessed (by means of drop camera deployments or remotely operated underwater vehicle) during the baseline environmental survey with regular repeat surveys following mining operations in the area –

offshore reefs may not be directly impacted (mined) but are at risk of being indirectly impacted by tailings disposal. Comment: Which of the survey vessels carries this equipment and how much will such a survey cost? There does not appear to be any money in the budget for such a survey.

#### ***Cumulative impacts***

Statement on page 85: Obtaining detailed information on the scale, extent, methodology (and hence intensity) of various current and pending applications is, however, not possible within the prescribed timeframes of a Basic Assessment Process for a single application (such as this one). Comment: This statement is incriminating. Anchor has been writing reports up and down the West Coast for ~10 years. Anchor not having its own data base of current and pending applications after 10 years in the area borders on negligence.

Statement on page 88: It is recommended that a strategic level Environmental Impact Assessment (EIA) process based on marine spatial planning principles be undertaken to assess and manage potential cumulative impacts in a holistic manner and to identify and implement regional level mitigation measures. The decision making authority (DMPR) must take cognisance of this recommendation to do a strategic level EIA in order for Specialists and Environmental Assessment Practitioners to accurately assess cumulative impacts. Comment: I thought the purpose of an EMPr is for EAP to quantify the cumulative impacts and come up with recommendations.

#### ***Aspects for inclusion as conditions of Authorisation.***

Statement: Baseline grab samples should be collected before core samples to determine the nature of benthic communities before disturbance. Comment: Agree 100%. The 50 planned Van Veen grab samples are however hopelessly inadequate. 100 to 200 geotechnical holes are planned and 300 resource definition holes. Van Veen grab samples must be taken at every geotechnical and resource drill sites.

Another condition that must be included that has been overlooked is the public participation process mentioned on page 27 and 28. Targets identified from the geophysics must be discussed with affected parties and the general public before geotechnical and resource drilling commences.

#### ***Financial provision***

The exploration budget of R16.79 million is inadequate because the time it will take to complete a high resolution geophysics survey has been under estimated. DP Star that is earmarked for this survey costs ~\$20,000 per day. It is said that the geophysics survey will take two months to complete. The geophysics program will cost ~\$1,2 million or R19.7 million. There has only been R3.698 million (table 29 in dBAR) budgeted for geophysics.

The 1,200 resource definition holes that are planned which will take 40 days to complete. The MS Explorer earmarked for this work costs \$40,000 per day. The resource definition drilling will cost ~\$1,6 million or R26.4 million. There has only been R12.8 million (table 29 in dBAR) budgeted for resource definition drilling.

To completing a high resolution geophysics survey, 300 geotechnical boreholes, 1,200 resource boreholes and a feasibility study will cost R46.39 million. The exploration budget of R16.79 shown in table 29 is therefore woefully inadequate.



Michael Yaman &lt;michael.y@protectthewestcoast.org&gt;

The rehabilitation plan presented in table 30 is not GNR 1147 compliant. In terms of Regulation 11 (1) of GNR 1147, three distinct plans are required per prospecting right with financial provisioning required for each. Rehabilitation activities must be itemised, scheduled and budgeted in detail. This is in order that rehabilitation activities can be reviewed and audited annually. Table 29 does not provide the detail contemplated under GNR 1147.

#### Recommendation

Statement on page xii: Anchor Environmental Consultants strongly recommends that the DMPR commissions an updated Strategic Environmental Impact Assessment to better understand and manage cumulative impacts of marine and coastal mining along the South African West Coast. Comment: PTWC fully agrees. This application must be put on holds until a regional cumulative impact study has been completed.

## PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)

Steve September &lt;steve@anchorenvironmental.co.za&gt;

Fri, Apr 17, 2026 at 10:56 AM

To: Michael Yaman &lt;michael.y@protectthewestcoast.org&gt;

Cc: Allen Lyons &lt;allen@protectthewestcoast.org&gt;, Patrick Forbes &lt;patrick@protectthewestcoast.org&gt;, Mike Schlebach &lt;mike@protectthewestcoast.org&gt;, Tiaan Engelbrecht &lt;tiaan@protectthewestcoast.org&gt;, "talía@transatlanticdiamonds.com" &lt;talía@transatlanticdiamonds.com&gt;

Dear Mr Michael Yaman,

I hope this email finds you well.

With reference to your email below, please refer to Sections 9 and 11.7 of the BAR, which address rehabilitation and financial provision. As described in the BAR, and as is well established in marine science, and generally accepted in the context of offshore marine environments, rehabilitation of the seabed is typically not feasible due to the depth and nature of the receiving environment. In such systems, recovery occurs naturally over time through dynamic physical processes, including sediment movement and redistribution, particularly within soft sediment habitats where the proposed prospecting activities will take place. Given the very limited and localised disturbance associated with the proposed activities, natural recovery is anticipated. As no active rehabilitation measures are possible or required in this context, a detailed rehabilitation plan as contemplated in Appendix 3 of GNR 1147 cannot be meaningfully developed in the same manner as for land-based prospecting or mining activities. The purpose of such a plan is to outline specific rehabilitation actions, timeframes and responsibilities, which are not applicable where no direct rehabilitation interventions can be undertaken. Notwithstanding this, the applicant remains committed to full compliance with the requirements of GNR 1147 and actions to undertake rehabilitation monitoring have been outlined in the BAR. In addition, ample financial provision has been made for monitoring, management of potential impacts, and remediation should it become necessary. Provision has also been made for the implementation of the EMPr. While the rehabilitation component is limited by the nature of the receiving environment, the financial provision made is considered appropriate and sufficient in relation to the scale and risk of the proposed activities.

With regard to the redaction of information, certain sections have been redacted based on guidance from the Department of Mineral and Petroleum Resources (DMPR), as they contain sensitive company information, signatures, intellectual property, and financial details. The DMPR has advised that such information is not required to be circulated as part of the public participation process and that it may be redacted. All relevant information necessary to understand the proposed activity and to provide meaningful comment on its potential environmental impacts has been made available through the Basic Assessment Report (BAR), associated specialist studies, and appendices. This includes the substantive project information contained in the application form and Prospecting Work Programme. The redacted portions relate to administrative, technical, company, and financial information submitted to the DMPR to assess the applicant's competence. These details are not required to be disclosed as part of the EIA Public Participation Process, which is focused on the assessment of environmental impacts rather than the full disclosure of all MPRDA application information.

Regarding the submission of a Promotion of Access to Information Act (PAIA) request, we acknowledge that you are entitled to do so. However, please note that the information redacted from the circulated documents may also be protected in terms of the Protection of Personal Information Act (POPIA). As such, similar redactions may apply to any information disclosed through that process. As indicated, the redacted information is not relevant to the environmental assessment or the evaluation of potential impacts, and its omission does not limit the ability of I&APs to meaningfully participate in the process or to provide informed comment.

Kind Regards,

**Steve September**

**From:** Bianca Lombard  
**Sent:** Monday, 20 April 2026 09:01  
**To:** Cheruscha Swart; Steve September  
**Subject:** Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Sunday, April 19, 2026 09:32  
**To:** Bianca Lombard <admin@anchorenvironmental.co.za>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.  
New registration as an I&AP from [REDACTED]  
**Details**

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



**forestry, fisheries  
& the environment**

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

Branch: Fisheries Management, Directorate: Sustainable Aquaculture Management, Private Bag X2, Vaeberg, Cape Town, 8018  
Tel: +27 21 402 3911

**Ref:** WC30/5/1/1/2/10522 PR and WC30/5/1/1/2/10522 PR

**Enquiries:** Alexis Osborne **Tel:** +27 21 402 3672 **Email:** EnvironAssessments@dfre.gov.za

**Anchor Environmental Consultants (Pty) Ltd**  
8 Steenberg House  
Silverwood Close  
**Tokai**  
7966

Email: cher@anchorenvironmental.co.za

Dear Cheruscha Swart

**RE: APPLICATION FOR A PROPOSED PROSPECTING RIGHT APPLICATION IN SEA CONCESSION AREA 11C, WEST COAST, SOUTH AFRICA.**

The Directorate: Sustainable Aquaculture Management of the Department of Forestry, Fisheries and the Environment ("DFFE") has reviewed the Basic Assessment Report and associated reports for the Trans Atlantic Diamonds Prospecting Right Application in Sea Concession 11c, West Coast, South Africa.

The comments of the DFFE are as follows:

1. The DFFE, Branch: Fisheries Management has a mandate in the development and management of aquaculture in South Africa, please register the Directorate: Sustainable Aquaculture Management as an Interested and Affected Party (I&AP) to be included for further communication (EnvironAssessment@dfre.gov.za).
2. The Department has noted that it has previously commented on other EIAs close to the proposed site for this activity and would therefore request these comments be read in conjunction with the A previous submissions on adjacent concession areas (11A, 12A, 13A, 11B, 12B and 13B), as the current application is geographically contiguous and forms part of a broader area subject to prospecting activities along the West Coast.
3. While the impacts associated with the proposed prospecting activities are assessed as low at an individual project level, the Department reiterates its concern regarding the potential cumulative impacts arising from multiple prospecting applications across adjacent concession areas. The inclusion of Concession Area 11C, in addition to previously assessed concession areas may result in increased cumulative impacts such as:
  - Repeated and overlapping disturbance of the seabed;
  - Increased frequency and spatial extent of sediment plume generation; and

**Batho pele** – putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and/or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

**RE: APPLICATION FOR A TRANS HEX MULTI-COMMODITY PROSPECTING RIGHT APPLICATION  
IN MARINE CONCESSIONS 11A, 12A, 13A, 11B, 12B AND 13B, WEST COAST, SOUTH AFRICA.**

- Broader-scale alteration of benthic habitats and associated ecosystem processes.
- 4. It should be noted that the proposed Trans Atlantic Diamonds Prospecting Right Application in Sea Concession 11C area falls within the Doring Bay Abalone (Pty) Ltd aquaculture ranching sea concession area and the proposed Papendorp ranching sea concession area that was recently published on 28 February 2025 (Government Notice (GN) No.52199).
- 5. Doring Bay Abalone (Pty) Ltd has a valid ranching abalone right and permit issued by the Department. The ranching concession area is approximately seven (7) kilometres along the coastline between Doring Bay and Strandfontein Bay located at co-ordinates (Point A: 31°45' 26.34"S; 18°13'25.35"E, Point B 31°49'14.43"S; 18°13'54.44"E [see GN No. 44636]).
- 6. Doring Bay Abalone Farm (Pty) Ltd also has a land-based facility abstracting and discharging sea water in close proximity to the proposed prospecting area. Please do ensure that Doring Bay Abalone Farm (Pty) Ltd is included as an Interested and Affected Party (I&AP).
- 7. The Papendorp abalone ranching sea concession area stretching from the North-West of Doring Bay, extending south of MSR Tormin mine (31°35'20.00"S, 18°6'49.00"E) to 17 km North-West of Strandfontein (31°37'25.00"S; 18°7'50.00"E) overlapping with 11 C.
- 8. The Department has noted that concession areas 11C overlaps with the abalone ranching sites and will be likely to have an impact on the ranching sites in Doring Bay and North-West of Doring Bay. It is therefore recommended that monitoring of heavy metal and resuspension from the sediments emanating from the prospecting and/or mining activity taking place near the ranching site, which have the potential to impact the ranched abalone by accumulating heavy metals in the flesh of the animal is monitored to ensure that impact to the seeded abalone is mitigated at all stages of the operations.
- 9. It is also recommended that when the applicant want to apply for the mining activity, the Department be consulted as this activity would have more impact than the proposed prospecting activity being currently applied for.
- 10. The applicant must coordinate and plan prospecting activities not to occur during sensitive periods for when aquaculture ranching (grow out) and abalone farming activities occur.

Please note that the Directorate: Sustainable Aquaculture Management reserves the right to review and/or provide additional comments in future. Enquiries may be directed to the contacts provided at the top of this correspondence.

Yours sincerely

  
**Mr Asanda Njobeni**  
**DIRECTOR: SUSTAINABLE AQUACULTURE MANAGEMENT**  
**DATE: 2026/4/21**

**Steve September**

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Thursday, 23 April 2026 10:17  
**To:** Steve September  
**Cc:** Jaco du Plooy; Ian Hestermann; Linda Njemla; Marco Wentzel; Elza Klopper; Talia Norvall; Pieter Swart; Anthony Peter; Cheruscha Swart  
**Subject:** TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/2/10522 PR)

Hi Steve

THO's position / views differ, for the below reason/s.

As we understand it, TAD / Anchor's contention that the withheld technical and operational information is irrelevant to the environmental assessment is contradicted by TAD's own BAR and EMPr.

The BAR and EMPr expressly assume a contractor-based operational model, including the appoint of a sampling contractor(s), contractor personnel and vessel crew and further claim potential local and regional socio-economic benefits, including job creation, preferential procurement and socio-economic development.

Yet the disclosed documents contain no meaningful project-specific indication as to who the contractor(s) will be, whether local contractors or local employees will be used, what employment opportunities are in fact contemplated or how any such community benefits will actually be realised.

In those circumstances, the information THO has requested is not collateral; it is precisely the information required to test whether the benefits asserted in the BAR / EMPr are real, or merely aspirational – I believe that THO has made this point previously.

Be that as it may, THO has belaboured the point and trust the above will be properly captured in the comments and responses report.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [Aaronl@transhex.co.za](mailto:Aaronl@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



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**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Monday, 20 April 2026 08:34  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Jaco du Plooy <jacodp@transhex.co.za>; Ian Hestermann <ianh@transhex.co.za>; Linda Njemla <linda.njemla@dmpr.gov.za>; Marco Wentzel <marco@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Talia



Norvall <tal@transatlanticdiamonds.com>; Pieter Swart <pieter.swart@dmp.gov.za>; Anthony Peter <anthony@transatlanticgemsales.com>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** RE: TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron

We acknowledge receipt of your letter dated 17 April 2026 (the "Letter").

During the process for an application for environmental authorisation ("EA") under the National Environmental Management Act, 1998 ("NEMA"), information should be made available to enable Interested and Affected Parties ("I&AP") to understand and inform decision-making regarding the assessment of **environmental impacts** associated with the proposed activities. The requested documents have been made available for that purpose.

As you are aware, the obligation to disclose information during the EA application process is limited to information relevant to the assessment of **environmental impacts**. The information relating to technical and financial capability requested in your Letter is not relevant to the assessment of environmental impacts. Neither the NEMA nor the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA") makes provision for I&APs to assess whether the application complies with the requirements of section 17 of the MPRDA. That determination falls within the responsibility of the Minister of Mineral and Petroleum Resources and the DMPR.

Therefore, at this stage, we do not intend to respond to the averments contained in your Letter. We confirm we will include your comments in the Comments and Responses Report, forming part of the Final Basic Assessment Report, wherein we will respond to your various comments, insofar as they relate to the assessment of environmental impacts.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Friday, 17 April 2026 10:11  
**To:** Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Cc:** Jaco du Plooy <jacodp@transhex.co.za>; Ian Hestermann <ianh@transhex.co.za>; Linda Njemla <linda.njemla@dmp.gov.za>; Marco Wentzel <marco@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Steve September <steve@anchorenvironmental.co.za>; Talia Norvall <talia@transatlanticdiamonds.com>; Anthony Peter <pieter.swart@dmp.gov.za>; Pieter Swart <pieter.swart@dmp.gov.za>; Anthony Peter <anthony@transatlanticgemsales.com>  
**Subject:** TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Cheruscha.

Please see attached THO's response to the below email and redacted documents.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [Aaronl@transhex.co.za](mailto:Aaronl@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
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**From:** Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Sent:** Monday, 13 April 2026 13:43  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Jaco du Plooy <jacodp@transhex.co.za>; Ian Hestermann <ianh@transhex.co.za>; Linda Njemla <linda.njemla@dmp.gov.za>; Marco Wentzel <marco@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Steve September <steve@anchorenvironmental.co.za>; Talia Norvall <talia@transatlanticdiamonds.com>; Anthony Peter <anthony@transatlanticgemsales.com>; Pieter Swart <pieter.swart@dmp.gov.za>  
**Subject:** RE: TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron,

I trust you are well.

Further to the email below and in response to your previous queries, please find attached the relevant documents as requested.

Vriendelike Groete  
Kind Regards



CHERUSCHA SWART  
SENIOR CONSULTANT

+27 21 701 3420 (tel)  
cher@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Reg no.2021/3298  
Pr.Sci.Nat. 155305

**From:** Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Sent:** Tuesday, 07 April 2026 11:25  
**To:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>; Pieter Swart <[pieter.swart@dmpr.gov.za](mailto:pieter.swart@dmpr.gov.za)>; Anthony Peter <[anthony@transatlanticgemsales.com](mailto:anthony@transatlanticgemsales.com)>  
**Cc:** Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Linda Njemla <[linda.njemla@dmpr.gov.za](mailto:linda.njemla@dmpr.gov.za)>; Marco Wentzel <[marco@transhex.co.za](mailto:marco@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>  
**Subject:** RE: TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

Good morning Aaron

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received Trans Hex's objection letter.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Sent:** Thursday, 02 April 2026 10:05  
**To:** Pieter Swart <[pieter.swart@dmpr.gov.za](mailto:pieter.swart@dmpr.gov.za)>; Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>; Anthony Peter <[anthony@transatlanticgemsales.com](mailto:anthony@transatlanticgemsales.com)>  
**Cc:** Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Linda Njemla <[linda.njemla@dmpr.gov.za](mailto:linda.njemla@dmpr.gov.za)>; Marco Wentzel <[marco@transhex.co.za](mailto:marco@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>  
**Subject:** TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Mr Swart, Mr September and Mr Peter.

Please see attached Trans Hex Operations (Pty) Ltd's formal objection to Trans Atlantic Diamonds (Pty) Ltd's application for a prospecting right in respect of sea concession 11C (Ref. No. WC30/5/1/1/2/10522 PR) – a board resolution authorising me to submit the formal objection on behalf of THO is annexed.

Kindly confirm receipt.

Kind regards

Aaron Larkens  
Head of Legal

## Trans Atlantic Diamonds Prospecting Right Application - Sea Concession 11C



T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
Tel: 021 202 8660  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
Case ID: 16424

Date: Friday, 24 April, 2026

### Final Comment

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

Anchor Environmental Consultants were appointed by Trans Atlantic Diamonds (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for proposed prospecting activities in Sea Concession Area 11C (WC30/5/1/1/2/10522 PR).

A revised Draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed prospecting right application area will cover 164 023 ha, and will target minerals such as precious metals, gemstones, ferrous and base metals, black sand minerals, zirconium ore and iron ore.

A previous EA was granted for these activities; however, it was not renewed within the prescribed timeframes. The current application is a resubmission of the previous application. Invasive activities will include Van Veen grab and core sampling, and drilling.

As part of the previous application, a Heritage Impact Assessment (HIA) was conducted that assessed the impact of the proposed development on heritage resources (Gribble, 2021). A summary of that report is as follows:

Palaeontology within the development area may include shell casts, fossilised bones and teeth of sharks and other fishes, skulls of extinct whale species and occasional remains of ice-age animals. Fossils may be present within core samples and it was recommended that these fossils be recorded and identified by a specialist. Additional recommendations included that a set of core samples be provided for fossil research.

Submerged heritage resources that may include Stone Age material due to the long term occupation of the West Coast. No shipwrecks are expected to be present.

A letter has been submitted by the previous heritage specialist, confirming that the results and recommendations of the previous report remain valid (Gribble, J. 2026. Concession Area 11C: Report Validity Confirmation Letter).



## Trans Atlantic Diamonds Prospecting Right Application - Sea Concession 11C



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
Tel: 021 202 8660  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
Case ID: 16424

Date: Friday, 24 April, 2026

### 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 Development Applications Unit (DAU) has no objections to the proposed 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:
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. fossils, shipwrecks, Stone Age material) or other categories of heritage resources are found during the proposed development, SAHRA DAU (Natasha Higgitt/Nokukhanya Khumalo) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51(1) of the NHRA regarding offences;
- 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, these materials must be conserved onboard the vessel and handed over to Iziko Museums Maritime Lab for inspection. The approximate location and depth of the find must be recorded and provided in a report to SAHRA;
- The Final BAR and EMPr must be submitted to SAHRA for record purposes;
- The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

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

Yours faithfully

## Trans Atlantic Diamonds Prospecting Right Application - Sea Concession 11C



an agency of the  
Department of Arts and Culture

Date: Friday, 24 April, 2026

Enquiries: Natasha Higgitt  
Tel: 021 202 8660  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
Case ID: 16424

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Natasha Higgitt  
Manager: Development Applications Unit  
South African Heritage Resources Agency

Ben Mwasinga  
Manager: Built Environment Unit  
South African Heritage Resources Agency

### 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.

### ADMIN:

Direct URL to case: <https://sahris.org.za/node/158233>

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**APPENDIX C:**  
**Proof of Correspondence — Response emails**

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## Steve September

**From:** Cheruscha Swart  
**Sent:** Tuesday, 03 March 2026 12:40  
**To:** Michael Yaman  
**Cc:** talia@transatlanticdiamonds.com; Allen Lyons; Patrick Forbes; Miles Masterson; Mike Schleich; Tiaan Engelbrecht; Steve September  
**Subject:** RE: Attention PPP - I&AP Registration and Doc Request

Dear Mr Michael Yaman,

I trust you are well.

Thank you for your email.

We will add Protect the West Coast as an I&AP with you and your associates as the contacts. All documents required to be made public as part of the EIA process will be shared during the public participation process.

The 30-day commenting is set to occur from around mid-March to Mid-April, although an email confirming the details will be sent in due course.

The name and contact details of the applicant is Trans Atlantic Diamonds (Pty) Ltd. With Ms Talia, copied in on the email, being the contact person.

Vriendelike Groete  
Kind Regards



CHERUSCHA SWART  
SENIOR CONSULTANT

+27 21 701 3420 (tel)  
cher@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Reg no.2021/3298  
Pr.Sci.Nat. 155305

**From:** Michael Yaman <michael.y@protectthewestcoast.org>  
**Sent:** Thursday, 26 February 2026 15:22  
**To:** Cheruscha Swart <cher@anchorenmvironmental.co.za>  
**Cc:** talia@transatlanticdiamonds.com; Allen Lyons <allen@protectthewestcoast.org>; Patrick Forbes <patrick@protectthewestcoast.org>; Miles Masterson <miles@protectthewestcoast.org>; Mike Schleich <mike@protectthewestcoast.org>; Tiaan Engelbrecht <tiaan@protectthewestcoast.org>  
**Subject:** Attention PPP - I&AP Registration and Doc Request

Dear Cher,

I hope this email finds you well.

Kindly note that Protect the West Coast, a Non-Profit Company, would like to register as an Interested and Affected Party for the Prospecting Application made by Trans Atlantic Diamonds (Pty) Ltd. with reference number WC 30/5/1/1/2/10522 PR.

In the interests of procedural transparency and informed stakeholder engagement, we respectfully request that you furnish us with the following information.

- Draft BAR and EMPr;
- Relevant specialist studies;
- Prospecting Work Programme;
- NEMA and GNR 1147 compliant rehabilitation plans and budgets;
- Excel spreadsheet giving co-ordinates of planned prospecting on sea concession 11 CC;
- Google Earth file showing application area;
- Name and contact details of applicant; and
- Detailed CV and professional registration certificates of consultants.

We thank you in advance for your urgent attention to this matter. Further, please advise when the 30-day commenting period begins and ends. Kindly acknowledge receipt of this email.

Kind Regards

Michael Yaman  
Contract Paralegal

**Protect The West Coast**

E: [michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)  
W: <https://www.protectthewestcoast.org/>

Watch Ours, Not Mine [here](#)

## Steve September

**From:** Steve September  
**Sent:** Friday, 20 March 2026 09:42  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: Konsessie area 11C  
**Attachments:** BID -Prospecting 11C\_2026.03.17.pdf

**Tracking:**

| Recipient       | Read                   |
|-----------------|------------------------|
| [REDACTED]      |                        |
| [REDACTED]      |                        |
| [REDACTED]      |                        |
| Cheruscha Swart | Read: 2026/03/20 10:04 |
| Talia Norvall   |                        |

Goeie more [REDACTED]

Ek vertrou dit gaan goed.

Baie dankie vir jou epos. Hiermee bevestig ek dat u, Jeanne and Ray as Belanghebbende en Geaffekteerde Partye (I&AP) geregistreer is, en toekomstige informasie sal met julle gedeel word.

Vind asb aangeheg die Background Information Document (BID) wat 'n opsomming is van die aansoek. Sien ook die link na *Anchor Environmental Consultants* se webtuiste, waar jy die die BAR, en al die bylaes sal vind. Al die dokumente is in Engels, maar as jy 'n verduideliking in Afrikaans nodig het, kan ons vir u skakel.

<https://www.anchorenvironmental.co.za/public-documents>

Ek gaan ook binnekort die epos wat met al die geregistreerde I&APs gedeel was, met u deel.

Voel vry om vir ons te kontak as jy enige vrae het of verdere inligting benodig.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** [REDACTED]  
**Sent:** Thursday, 19 March 2026 16:11

**To:** Steve September <steve@anchorenvironmental.co.za>; [REDACTED]

**Subject:** Konsessie area 11C

Meneer September

Ek is inwoner van Strandfontein en op die belastingbetalersvereniging

Kan u my meer inligting verskaf oor u aansoek en meer spesifiek die BAR saamgestel vir die aansoek

Dankie



Reg: 2012/218144/07

Email : [REDACTED]  
Mobile: [REDACTED]  
Address: 35 Jonkershoek Road,

[REDACTED] CA(SA), M.Acc  
Trust and Taxation Consultant

## Steve September

**From:** [REDACTED]  
**Sent:** Friday, 20 March 2026 09:12  
**To:** Steve September  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good morning Steve,

Thanks so much

Kind Regards

[REDACTED]

---

**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Friday, March 20, 2026 7:42 AM  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good morning [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have updated your email address on our database.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

---

**From:** [REDACTED]  
**Sent:** Thursday, 19 March 2026 18:14  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Subject:** FW: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND

PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST  
- (Ref. No. WC30/5/1/1/2/10522 PR)

Dear Steve,

I have retired and now have a new email address. Please send any correspondence to [REDACTED]

Thank you  
Kind Regards

Ilona

---

**From:** [REDACTED]  
**Sent:** Tuesday, March 17, 2026 10:06 AM  
**To:** [REDACTED]  
**Subject:** FW: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

fyi

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**From:** Steve September <steve@anchorenvironmental.co.za>  
**Sent:** Tuesday, 17 March 2026 09:53  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

### DIE AFRIKAANSE VERTALING VAN HIERDIE E-POS VOLG NA DIE ENGELS

Dear Interested and Affected Party,

You have been identified as a potential interested and affected (I&AP) on the following NEMA EIA Application:

**RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)**

**APPLICANT: Trans Atlantic Diamonds (Pty) Ltd**

**NEW EA APPLICATION REF. NO.: WC30/5/1/1/2/10522 PR**

Trans Atlantic Diamonds (Pty) Ltd (TAD) was granted Environmental Authorisation (EA) and Prospecting Rights (PR) to prospect minerals in Concession Area 11C (Ref. No. (WC30/5/1/1/2/10384 PR ). As the PR was not renewed within the prescribed timeframe, the EA and PR lapsed and TAD was required to reapply for EA and PR. A new application was lodged in December 2025 (Ref. No. WC30/5/1/1/2/10522 PR) to the Department of Mineral and Petroleum Resources (DMPR) in terms of the National Environmental Management Act, 107 of 1999 (NEMA) and the Mineral and Petroleum Resource Development Act, 28 of 2002 (MPRDA). Anchor Environmental Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to assist TAD with the re-application and to conduct the Public Participation Process (PPP) prior to submission of the final documentation to the DMPR.



# Trans Atlantic Diamonds

To: Trans Hex Operations (Pty) Ltd  
Attention: Mr AM Larkens  
BY EMAIL

23 March 2026

Dear Sir,

## TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION 11C – RESPONSE TO OBJECTION TO BASIC ASSESSMENT PROCESS

1. We refer to your correspondence received 18 March 2026 titled “*Objection to Basic Assessment Process*” in respect of the above-mentioned application.
2. Your objection has been duly noted and considered. This response is provided on behalf of Trans Atlantic Diamonds (Pty) Ltd (“TAD”) and Anchor Environmental Consultants (Pty) Ltd, the appointed independent Environmental Assessment Practitioner (“EAP”).

### REGULATORY FRAMEWORK AND COMPETENT AUTHORITY

3. At the outset, it is important to emphasise that the determination of the applicable environmental assessment process in terms of the National Environmental Management Act 107 of 1998 (“NEMA”) and the Mineral and Petroleum Resources Development Act 28 of 2002 (“MPRDA”) read with the Environmental Impact Assessment Regulations 2014 (“EIA Regulations”), vests with the competent authority being the Department of Mineral and Petroleum Resources (“DMPR”).
4. In this regard, the DMPR has formally acknowledged and accepted the present application as one to be processed through a Basic Assessment (BA) process. This position is confirmed in the Department’s correspondence dated 4 February 2026.
5. In terms of section 240 of NEMA, the competent authority is required to consider all relevant factors and exercise its discretion in determining the appropriate level of assessment.
6. Accordingly, the DMPR’s determination regarding the applicable process remains valid and binding.

### RESPONSE TO SECTION 20(2) MPRDA ARGUMENT

7. Your objection is premised on the assertion that section 20(2) of the MPRDA is automatically triggered in respect of all prospecting for diamonds, thereby necessitating a Scoping and Environmental Impact Reporting (“S&EIR”) process under Listing Notice 2.
8. This interpretation is not supported by a proper reading of the statutory framework for the following reasons:
  - 8.1. Section 20(2) of the MPRDA regulates the removal and disposal of minerals, not the activity per se.
  - 8.2. The requirement for ministerial permission under section 20(2) is contingent upon the nature, scale, and purpose of the removal and disposal and is not automatically triggered in that the mineral in question is a diamond.
  - 8.3. The EIA Regulations must be interpreted purposively and in alignment with section 2 of NEMA, which promotes a risk-based and proportionate approach to environmental assessment.
9. The theoretical applicability of section 20(2) does not, in itself, trigger Listing Notice 2 Activity 19, rather the actual scope and intensity of the proposed activity and whether it constitutes removal and disposal at a scale requiring such permission must be considered.
10. In the present case, the proposed prospecting activities are of a limited, investigative nature which is consistent with prospecting as defined in the MPRDA and does not constitute mining or large-scale extraction.

### DISTINCTION BETWEEN PROSPECTING AND BULK SAMPLING

11. Your assertion that the proposed activities constitute “bulk sampling” is noted but not accepted.
12. The activities described (including drill sampling, onboard processing and disposal of tailings) are standard prospecting methodologies in the offshore diamond industry and do not, in themselves, elevate the activity to one requiring an S&EIR process.
13. Importantly, it is to be noted that:
  - 13.1. The sample volumes cited must be assessed in context. Namely as discrete, spatially limited sampling events rather than continuous or large-scale extraction.
  - 13.2. The cumulative volumes referenced are programmatic estimates and do not reflect a single, contiguous disturbance footprint.
  - 13.3. The environmental impacts associated with such activities have been previously assessed (2022) and remain unchanged in substance.
14. The BA process is specifically designed under NEMA to assess activities with predictable, site-specific and manageable impacts, which is applicable in this instance.

### LISTED ACTIVITIES AND PROCESS APPROPRIATENESS

15. It is acknowledged that:
  - 15.1. Listing Notice 1 activities (including Activities 19A and 20) are triggered; and
  - 15.2. These activities are appropriately assessed through a Basic Assessment process.
16. The applicability of Listing Notice 2 Activity 19 is not automatically applied and depends on whether the activity demonstrably requires section 20(2) permission at a scale contemplated by that Listing Notice.
17. The competent authority has considered this issue and has not required the application to proceed via S&EIR.

### PRIOR AUTHORISATION AND REAPPLICATION CONTEXT

18. The present application constitutes a re-application for the same concession area and the same prospecting activities were previously authorised in 2022.
19. The environmental assessment documentation (BAR, EMPR, H A, and specialist studies) remains substantially unchanged, with only minor updates to baseline information.
20. The previous acceptance of the BA process by the DMPR is a relevant consideration in ensuring regulatory consistency and administrative certainty in line with section 2 of NEMA.

### ALLEGATION OF PROCESS CIRCUMVENTION

21. The allegation that TAD is attempting to circumvent the S&EIR process is unfounded and rejected.
22. The application has been undertaken in full compliance with:
  - 22.1. The EIA Regulations;
  - 22.2. Guidance and direction from the DMPR; and
  - 22.3. The principles of transparency and public participation under NEMA.
23. All interested and Affected Parties, including THO, are being afforded a full and fair opportunity to participate in the process.

### CONCLUSION

24. In light of the above:
  - 24.1. The Basic Assessment process has been lawfully initiated and is procedurally correct;
  - 24.2. The interpretation advanced by THO regarding section 20(2) and Listing Notice 2 is not supported by the applicable legal framework; and

24.3. The final determination regarding the appropriate process and the merits of the application rests with the DMPR and ultimately, the Minister.

25. All comments received, including your objection, will be recorded in the Comments and Response Report (CRR) and submitted to the DMPR for consideration as part of its decision-making process.

26. This response is written on a without prejudice basis

Yours faithfully

  
Mr. Anthony Charles Peter  
Director

## Steve September

**From:** Steve September  
**Sent:** Wednesday, 25 March 2026 16:25  
**To:** Aaron Larkens  
**Cc:** Ian Hestermann; Jaco du Plooy; Elza Klopper; Cheruscha Swart  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Dear Aaron.

Thank you. Your comment has been received and noted, and will be captured in the Comments and Responses Report (CRR) accordingly, along with the formal/detailed response you will be sending.

Please note that all further responses will be recorded in the CRR table and circulated with the Final BAR for your consideration.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Wednesday, 25 March 2026 14:50  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Cc:** Ian Hestermann <ianh@transhex.co.za>; Jaco du Plooy <jacodp@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenvironmental.co.za>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Hi Steve

Thanks for your email, we are working on a formal/detailed response.

In the interim, we would suggest you consider the Baleni judgment (attached), which dealt with a similar request from IAPs for a copy of the application for a mining right with annexures, in which it is stated:

*"[92] I would have thought that taking into account the developments in the various legislation, the persons in the position of the applicants would be entitled to a copy from the application (sic.) as*

*and when it is submitted to the Regional Manager, even before they ask for it. That is not the relief sought though."*

Please be guided accordingly.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



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---

**From:** Steve September <[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)>  
**Sent:** Wednesday, 25 March 2026 12:30  
**To:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenmvironmental.co.za](mailto:cheruscha@anchorenmvironmental.co.za)>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Dear Aaron,

Thank you for your email.

We note your request for the Prospecting Right application and supporting annexures submitted via SAMRAD.

Please note that under the system, the PR and EA are integrated. In practice, we submit a single, integrated application via SAMRAD. The application is not a single form; much of the information is completed and uploaded directly into the SAMRAD system.

The Public Participation Process is being conducted in accordance with the National Environmental Management Act EIA Regulations (2014). All relevant information necessary to understand the proposed activity and provide meaningful comments on its potential environmental impacts has been made available through the Basic Assessment Report (BAR), associated specialist studies, and appendices.

This includes the information contained in the application form and Prospecting Work Programme, except for certain appendices and details related specifically to administrative, technical, company, and financial information submitted directly to the Department of Mineral and Petroleum Resources (DMPR) to assess the competence of Trans Atlantic Diamonds in conducting the work. These details are not required to be circulated as part of the EIA Public Participation Process, as they are not relevant to the environmental assessment. The PPP focuses on environmental impacts, not the full disclosure of all MPRDA application details.

We note your interest in the requirements of Section 17(1) of the MPRDA. These provisions relate to the Department's internal decision-making criteria when considering a Prospecting Right application. They reflect the Department's requirements for granting a Prospecting Right and are not part of the PPP obligations.

If there is specific information relevant to the environmental assessment that you believe is not adequately covered in the BAR, please indicate this, and we will consider providing additional detail where appropriate. As mentioned, all information in the application form and PWP is included in the BAR, where it is more clearly explained and structured. The DMPR template is not designed as a notice template for public circulation and including it in that format may cause confusion or give the impression that information is missing.

Finally, regarding the vessels mentioned in the BAR, these were provided as examples and not indicative of the actual vessels to be used. A dedicated survey vessel will be constructed for the project.

Further to the above, and for us to maintain an accurate I&AP database, please could you disclose any direct business, financial, personal, or other interest you may have in the approval or refusal of the application.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

---

**From:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Sent:** Tuesday, 24 March 2026 11:58  
**To:** Steve September <[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenmvironmental.co.za](mailto:cheruscha@anchorenmvironmental.co.za)>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Hi Steve

Thanks for your email.

I had already received and reviewed the application for an environmental authorisation, draft BAR and supporting documentation, which formed the basis of THO's initial comments regarding correct process to be followed by TAD.

At this stage, I am, however, requesting a copy of the application for a prospecting right (and supporting annexures), not the application for an environmental authorisation (and supporting annexures) – you would be aware that TAD would have submitted two separate applications to the DMPR and each contain different information, aimed at satisfying different legislative requirements.



We, as an IAP, are evidently very interested in understanding if TAD satisfies the requirements of section 17(1) of the MPRDA – as there will not be another public participation process and opportunity for IAPs to comment, we would like to ensure that all of our comments are included at this stage.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



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**From:** Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Sent:** Tuesday, 24 March 2026 11:39  
**To:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

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Good morning Aaron

I hope this email finds you well.

See the link below containing the Draft BAR and all appendices for Concession 11C.

<https://www.anchorenvironmental.co.za/resources/basic-assessment-and-public-participation-process-re-application-prospecting-rights>

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Sent:** Tuesday, 24 March 2026 10:53  
**To:** Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>

**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Cheruscha.

Leaving aside the point raised regarding the correct application process to be followed.

I would be if you could please provide me with a copy of TAD's application for a prospecting right (including all annexures), so we may properly assess the contents thereof.

You will recall that we previously requested the information in relation to the application for a prospecting right in respect of sea concession 14C (see exchanges attached) – you are welcome to redact the same commercially sensitive information again.

As before, we require this information to properly assess TAD's application/s, given the fact that our vessels are specifically named in the BAR and EMPr.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



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**From:** Aaron Larkens  
**Sent:** Tuesday, 24 March 2026 09:52  
**To:** 'Steve September' <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>; 'anthony@transatlanticgemsales.com' <[anthony@transatlanticgemsales.com](mailto:anthony@transatlanticgemsales.com)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve and Anthony.

Please see THO's response to TAD's letter dated 23 March 2026.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,



[www.transhex.co.za](http://www.transhex.co.za)

To view Trans Hex's E-mail Disclaimer please visit [www.transhex.co.za/email-disclaimer/](http://www.transhex.co.za/email-disclaimer/)

**From:** Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Sent:** Monday, 23 March 2026 14:36  
**To:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Cheruscha Swart <[cheruscha@anchorenvironmental.co.za](mailto:cheruscha@anchorenvironmental.co.za)>  
**Subject:** RE: INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Trans Hex IT Department

Dear Aaron

I hope this email finds you well.

Please find attach our response to your comments provided to us on the 18<sup>th</sup> of March 2026.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <[aaronl@transhex.co.za](mailto:aaronl@transhex.co.za)>  
**Sent:** Wednesday, 18 March 2026 14:30  
**To:** Steve September <[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)>  
**Cc:** Ian Hestermann <[ianh@transhex.co.za](mailto:ianh@transhex.co.za)>; Jaco du Plooy <[jacodp@transhex.co.za](mailto:jacodp@transhex.co.za)>; Elza Klopper <[elzak@transhex.co.za](mailto:elzak@transhex.co.za)>; Anchor Environmental <[info@anchorenvironmental.co.za](mailto:info@anchorenvironmental.co.za)>  
**Subject:** INVITATION TO COMMENT ON THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS FOR OFFSHORE SEA CONCESSION AREA 11C, 40KM NORTH OF STRANDFONTEIN, WEST COAST - (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Steve.

## Steve September

**From:** Steve September  
**Sent:** Thursday, 09 April 2026 15:10  
**To:** 'Michael Yaman'  
**Cc:** Allen Lyons; Patrick Forbes; Mike Schleich; Tiaan Engelbrecht; talia@transatlanticdiamonds.com; Cheruscha Swart  
**Subject:** RE: PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)  
**Attachments:** Concession area 11C Western Cape.kmz

Dear Mr Michael Yaman

Thank you for your email.

With reference to your queries below:

1. Please note that all the relevant information contained in the PWP has been incorporated into the BAR in a manner that is more clearly explained and structured. This excludes certain PWP appendices and details related to sensitive or administrative, technical, company, and financial information submitted directly to the Department of Mineral and Petroleum Resources (DMPR), and which are not required to be made public.
2. The rehabilitation plan and associated budget are contained in Section 9 of the BAR.
3. As outlined in Section 5.5.3 of the BAR, the prospecting campaign will be undertaken in phases, with Phase 1 comprising a desktop study and geophysical survey. The outcomes of this phase will be used to identify suitable target areas, inform appropriate sampling methods, and importantly, identify any environmentally sensitive areas that should be avoided. As such, the specific coordinates for grab and core sampling can only be determined once Phase 1 has been completed and are therefore not yet available.
4. The Google Earth KMZ file has been attached for your reference.

Lastly, all relevant information required to understand the proposed activity and to provide meaningful comment on its potential environmental impacts and associated rehabilitation measures has been made available through the Basic Assessment Report (BAR), associated specialist studies, EMPs and appendices.

We trust the above addresses your queries.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Michael Yaman <michael.y@protectthewestcoast.org>  
**Sent:** Wednesday, 08 April 2026 12:34  
**To:** Steve September <steve@anchorenenvironmental.co.za>  
**Cc:** Allen Lyons <allen@protectthewestcoast.org>; Patrick Forbes <patrick@protectthewestcoast.org>; Mike Schleich <mike@protectthewestcoast.org>; Tiaan Engelbrecht <tiaan@protectthewestcoast.org>; talia@transatlanticdiamonds.com  
**Subject:** PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)

Dear Steve,

I hope you're well.

We refer to the above-mentioned re-application and the ongoing public participation process.

To date, we have only been able to access the draft Basic Assessment Report, specialist studies, and the EMP. In order to ensure that public participation is properly informed and meaningful, we request that the following additional documents be made available:

- Prospecting Work Programme
- NEMA and GNR 1147 compliant rehabilitation plans and budgets
- Excel spreadsheet reflecting the coordinates of planned grab and core samples
- Google Earth (.kmz/.kml) file showing the application area

These documents are necessary to adequately assess the scope, impacts, and rehabilitation provisions associated with the proposed activities.

We would appreciate it if you could provide the above information at your earliest convenience.

Thanks and kind regards,

Michael Yaman  
Contract Paralegal

**Protect The West Coast**

E: [michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)

W: <https://www.protectthewestcoast.org/>



Watch Ours, Not Mine [here](#)



## Steve September

**From:** Steve September  
**Sent:** Friday, 10 April 2026 14:01  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

| Tracking: | Recipient       | Read                   |
|-----------|-----------------|------------------------|
|           | [REDACTED]      |                        |
|           | Cheruscha Swart | Read: 2026/04/10 14:00 |
|           | Talia Norvall   |                        |

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenenvironmental.co.za](mailto:steve@anchorenenvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Friday, 10 April 2026 10:22  
**To:** Bianca Lombard <admin@anchorenenvironmental.co.za>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

**Details**

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Friday, 10 April 2026 14:02  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from Jimi Glen

|                  |                  |                        |
|------------------|------------------|------------------------|
| <b>Tracking:</b> | <b>Recipient</b> | <b>Read</b>            |
|                  | [REDACTED]       |                        |
|                  | Cheruscha Swart  | Read: 2026/04/10 14:06 |
|                  | Talia Norvall    |                        |

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
 steve@anchorenmvironmental.co.za  
 8 Steenberg House, Silverwood Close  
 Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Friday, 10 April 2026 09:11  
**To:** Bianca Lombard <admin@anchorenmvironmental.co.za>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

**Details**

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
I use the area recreationally as a surfer and am concerned about the impacts on the bathymetry and sea life disturbance, how that impacts the inshore environment is significant to the area as whole. Everything is connected here up and down the coast.
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Friday, 10 April 2026 14:12  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Friday, 10 April 2026 06:05  
**To:** Bianca Lombard <admin@anchorenvironmental.co.za>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I live on and/or occupy land in the area
- **Additional comments:**  
Prospecting and resultant mining operations have a severe impact on the marine life as well as vulnerable fauna and flora inter-related ecosystems. The West Coast is already saturated with mining and the impact of accumulated mining is destroying the environment while protected areas are being ignored.

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Friday, 10 April 2026 14:04  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

|                  |                  |                        |
|------------------|------------------|------------------------|
| <b>Tracking:</b> | <b>Recipient</b> | <b>Read</b>            |
|                  | [REDACTED]       |                        |
|                  | Cheruscha Swart  | Read: 2026/04/10 14:06 |
|                  | Talia Norvall    |                        |

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
 steve@anchorenmvironmental.co.za  
 8 Steenberg House, Silverwood Close  
 Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Ripl - No Reply <no-reply@protectthewestcoast.org>  
**Sent:** Thursday, 09 April 2026 17:20  
**To:** Bianca Lombard <admin@anchorenmvironmental.co.za>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

**Details**

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
My family visits this area of the West Coast often, the impact on the natural resources of the area will be significant and will permanently destroy and impact this fragile natural environment.
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes
- **Additional comments:**  
I oppose the proposed prospecting in Concession 11C due to the severe environmental risks. Invasive sampling and seabed disturbance threaten slow-growing habitats, benthic species, and marine mammals, with recovery taking years if recovery is at all possible. The area overlaps critical biodiversity zones and the Namaqua Coastal EBSA, which are essential for marine life. Pursuing these activities risks irreversible damage and contradicts NEMA's mandate to protect vulnerable ecosystems.

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Monday, 13 April 2026 12:25  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your objection and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
 steve@anchorenmvironmental.co.za  
 8 Steenberg House, Silverwood Close  
 Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Monday, 13 April 2026 11:36  
**To:** Steve September <steve@anchorenmvironmental.co.za>  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]



- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**

- **Further details concerning the impact:**

No comment

- **Interest(s) impacted as a result of this application:**

I am concerned about the impact on the environment

- **Additional comments:**

I wish to object to the proposed prospecting programme in Concession 11C due to its significant environmental risks, particularly within sensitive and protected marine areas. The project includes invasive sampling methods such as grab sampling, core drilling, and seabed disturbance, which will directly impact benthic habitats. The discharge of tailings back into the ocean is likely to create sediment plumes, potentially smothering surrounding ecosystems beyond the immediate sampling sites. The assessment acknowledges that habitat recovery may take 6–15 years or longer, indicating long-term impacts. Underwater noise from acoustic surveys poses a serious risk to marine mammals, including cetaceans known to occur along the West Coast. While mitigation measures are proposed, these are not fully reliable and do not eliminate the risk of disturbance or harm. Importantly, over half of the proposed area overlaps with Critical Biodiversity Areas, Ecological Support Areas, and the Namaqua Coastal EBSA. These are priority conservation areas, and allowing prospecting within them conflicts with the principles of the National Environmental Management Act (NEMA), which seeks to protect sensitive environments. Given the ecological importance of the area, the scale of disturbance, and the likelihood of lasting impacts, the proposed mitigation measures are insufficient. I therefore object to this application and request that authorisation be refused, or that all sensitive biodiversity areas be excluded from any prospecting activities.

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Monday, 13 April 2026 12:27  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Monday, 13 April 2026 09:39  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

**From:** Ripl - No Reply <[no-reply@protectthewestcoast.org](mailto:no-reply@protectthewestcoast.org)>  
**Sent:** Saturday, April 11, 2026 08:19  
**To:** Bianca Lombard <[admin@anchorenvironmental.co.za](mailto:admin@anchorenvironmental.co.za)>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

**Details**



- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Monday, 13 April 2026 13:33  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
 steve@anchorenmvironmental.co.za  
 8 Steenberg House, Silverwood Close  
 Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Monday, 13 April 2026 13:21  
**To:** Steve September <steve@anchorenmvironmental.co.za>  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



---

## Steve September

**From:** Steve September  
**Sent:** Tuesday, 14 April 2026 11:55  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

---

**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Tuesday, 14 April 2026 10:45  
**To:** Steve September <steve@anchorenvironmental.co.za>  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
I am a recreational fisher worried about the impact of seismic surveys on the migration of the snoek and the disturbance of the marine ecosystem. I am also worried that beyond the ecological damage, these activities have little of no benefit to resident communities, and South Africans in general.
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes

Sent via Protect the West Coast - RipL Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Tuesday, 14 April 2026 11:53  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
 steve@anchorenmvironmental.co.za  
 8 Steenberg House, Silverwood Close  
 Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Steve September <stevecseptember@gmail.com>  
**Sent:** Tuesday, 14 April 2026 10:44  
**To:** Steve September <steve@anchorenmvironmental.co.za>  
**Subject:** Fwd: Fw: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Wednesday, 15 April 2026 10:53  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Good morning Johan

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
I am deeply concerned about the environmental impact on the coast.
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I visit the area for recreational purposes

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Wednesday, 15 April 2026 11:00  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Good morning [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments and that you have been registered you as an I&AP.

Furthermore, please note that all comments will be captured and addressed in the Comments and Response Report (CRR).

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
 steve@anchorenviroental.co.za  
 8 Steenberg House, Silverwood Close  
 Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Ripl - No Reply <[no-reply@protectthewestcoast.org](mailto:no-reply@protectthewestcoast.org)>  
**Sent:** Wednesday, April 15, 2026 09:08  
**To:** Bianca Lombard <[admin@anchorenviroental.co.za](mailto:admin@anchorenviroental.co.za)>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

### Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]

- I&AP Mobile: [REDACTED]

- 
- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
  - **Further details concerning the impact:**  
No comment
  - **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment | I am concerned about the impact on the community | I am concerned about the impact on my income
- 

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED] This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



---

### Steve September

**From:** Steve September  
**Sent:** Friday, 17 April 2026 10:57  
**To:** 'Michael Yaman'  
**Cc:** Allen Lyons; Patrick Forbes; Mike Schleich; Tiaan Engelbrecht; talia@transatlanticdiamonds.com  
**Subject:** RE: PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)

Dear Mr Michael Yaman,

I hope this email finds you well.

With reference to your email below, please refer to Sections 9 and 11.7 of the BAR, which address rehabilitation and financial provision. As described in the BAR, and as is well established in marine science, and generally accepted in the context of offshore marine environments, rehabilitation of the seabed is typically not feasible due to the depth and nature of the receiving environment. In such systems, recovery occurs naturally over time through dynamic physical processes, including sediment movement and redistribution, particularly within soft sediment habitats where the proposed prospecting activities will take place. Given the very limited and localised disturbance associated with the proposed activities, natural recovery is anticipated. As no active rehabilitation measures are possible or required in this context, a detailed rehabilitation plan as contemplated in Appendix 3 of GNR 1147 cannot be meaningfully developed in the same manner as for land-based prospecting or mining activities. The purpose of such a plan is to outline specific rehabilitation actions, timeframes and responsibilities, which are not applicable where no direct rehabilitation interventions can be undertaken. Notwithstanding this, the applicant remains committed to full compliance with the requirements of GNR 1147 and actions to undertake rehabilitation monitoring have been outlined in the BAR. In addition, ample financial provision has been made for monitoring, management of potential impacts, and remediation should it become necessary. Provision has also been made for the implementation of the EMPr. While the rehabilitation component is limited by the nature of the receiving environment, the financial provision made is considered appropriate and sufficient in relation to the scale and risk of the proposed activities.

With regard to the redaction of information, certain sections have been redacted based on guidance from the Department of Mineral and Petroleum Resources (DMPR), as they contain sensitive company information, signatures, intellectual property, and financial details. The DMPR has advised that such information is not required to be circulated as part of the public participation process and that it may be redacted. All relevant information necessary to understand the proposed activity and to provide meaningful comment on its potential environmental impacts has been made available through the Basic Assessment Report (BAR), associated specialist studies, and appendices. This includes the substantive project information contained in the application form and Prospecting Work Programme. The redacted portions relate to administrative, technical, company, and financial information submitted to the DMPR to assess the applicant's competence. These details are not required to be disclosed as part of the EIA Public Participation Process, which is focused on the assessment of environmental impacts rather than the full disclosure of all MPRDA application information.

Regarding the submission of a Promotion of Access to Information Act (PAIA) request, we acknowledge that you are entitled to do so. However, please note that the information redacted from

the circulated documents may also be protected in terms of the Protection of Personal Information Act (POPIA). As such, similar redactions may apply to any information disclosed through that process. As indicated, the redacted information is not relevant to the environmental assessment or the evaluation of potential impacts, and its omission does not limit the ability of I&APs to meaningfully participate in the process or to provide informed comment.

Kind Regards,



EAPASA Cand. Reg no.2023/7868

**From:** Michael Yaman <michael.y@protectthewestcoast.org>  
**Sent:** Tuesday, 14 April 2026 15:52  
**To:** Steve September <steve@anchorenmvironmental.co.za>  
**Cc:** Allen Lyons <allen@protectthewestcoast.org>; Patrick Forbes <patrick@protectthewestcoast.org>; Mike Schiebach <mike@protectthewestcoast.org>; Tiaan Engelbrecht <tiaan@protectthewestcoast.org>; talia@transatlanticdiamonds.com  
**Subject:** Re: PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)

Dear Steve,

Thank you for the PWP attached above.

As requested before, please provide us with the GNR 1147 compliant rehabilitation plan and associated budget. Failing that, please confirm that the rehab plan and budget in section 9 of the BAR is the only rehabilitation plan that you have prepared.

If you see it necessary to redact certain allegedly commercially sensitive information as you have done with the Prospecting Works Program, we shall record this in our comments. Further, we reserve our right to request and if necessary, internally appeal unredacted versions of the provided documents through the Promotion of Access to Information Act and supplement our comments at a later date.

Kindly attend to this request at your earliest convenience in the interests of giving I&APs a full and fair opportunity to participate in the public participation process.



Kind Regards

Michael Yaman  
Contract Paralegal

**Protect The West Coast**

E: [michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)

W: <https://www.protectthewestcoast.org/>



Watch Ours, Not Mine [here](#)

On Mon, Apr 13, 2026 at 1:31 PM Steve September <[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)> wrote:

Dear Mr. Yaman

I hope this email finds you well.

Please find attached the PWP as requested.

Kind Regards,



EAPASA Cand. Reg no.2023/7868

**From:** Michael Yaman <[michael.y@protectthewestcoast.org](mailto:michael.y@protectthewestcoast.org)>  
**Sent:** Wednesday, 08 April 2026 12:34  
**To:** Steve September <[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)>  
**Cc:** Allen Lyons <[allen@protectthewestcoast.org](mailto:allen@protectthewestcoast.org)>; Patrick Forbes <[patrick@protectthewestcoast.org](mailto:patrick@protectthewestcoast.org)>; Mike

Schlebach <[mike@protectthewestcoast.org](mailto:mike@protectthewestcoast.org)>; Tiaan Engelbrecht <[tiaan@protectthewestcoast.org](mailto:tiaan@protectthewestcoast.org)>;  
[taliala@transatlanticdiamonds.com](mailto:taliala@transatlanticdiamonds.com)

**Subject:** PTWC - Additional Information Request - TAD Re-Application (WC30/5/1/1/2/10522 PR)

Dear Steve,

I hope you're well.

We refer to the above-mentioned re-application and the ongoing public participation process.

To date, we have only been able to access the draft Basic Assessment Report, specialist studies, and the EMPr. In order to ensure that public participation is properly informed and meaningful, we request that the following additional documents be made available:

- Prospecting Work Programme
- NEMA and GNR 1147 compliant rehabilitation plans and budgets
- Excel spreadsheet reflecting the coordinates of planned grab and core samples
- Google Earth (.kmz/.kml) file showing the application area

These documents are necessary to adequately assess the scope, impacts, and rehabilitation provisions associated with the proposed activities.

We would appreciate it if you could provide the above information at your earliest convenience.

Thanks and kind regards,



Michael Yaman  
Contract Paralegal

**Protect The West Coast**

E: [michael.v@protectthewestcoast.org](mailto:michael.v@protectthewestcoast.org)

W: <https://www.protectthewestcoast.org/>



Watch Ours, Not Mine [here](#)

## Steve September

**From:** Steve September  
**Sent:** Monday, 20 April 2026 07:34  
**To:** 'Xolani Myanga'  
**Cc:** OCEIA; Cheruscha Swart; Talia Norvall  
**Subject:** RE: DFFE COMMENTS ON BACKGROUND INFORMATION DOCUMENT FOR THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)

| Tracking: | Recipient       | Read                   |
|-----------|-----------------|------------------------|
|           | 'Xolani Myanga' |                        |
|           | OCEIA           |                        |
|           | Cheruscha Swart | Read: 2026/04/20 08:25 |
|           | Talia Norvall   |                        |

Good morning Xolani

I hope this email finds you well.

Thank you for the comments. Received.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Xolani Myanga <[XMyanga@dffe.gov.za](mailto:XMyanga@dffe.gov.za)>  
**Sent:** Friday, 17 April 2026 16:45  
**To:** Steve September <[steve@anchorenmvironmental.co.za](mailto:steve@anchorenmvironmental.co.za)>  
**Cc:** OCEIA <[OCEIA@dffe.gov.za](mailto:OCEIA@dffe.gov.za)>  
**Subject:** DFFE COMMENTS ON BACKGROUND INFORMATION DOCUMENT FOR THE RE-APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND PROSPECTING RIGHTS IN OFFSHORE SEA CONCESSION AREA 11C, WEST COAST, WESTERN CAPE (40 KM NORTH OF STRANDFONTEIN, VANRHYNSDORP MAGISTERIAL DISTRICT)

Dear Steve,

I trust this email finds you well,

Kindly find the attached comments for your consideration.



Please note that the comments provided are aligned with those previously raised on the Draft Basic Assessment Report (BAR) for the original application. During the next phase of the Public Participation Process (PPP), the Branch will confirm whether these comments have been adequately addressed.

*Thanks & Regards* 

Xolani Myanga  
Specialised Environmental Officer  
Directorate: Coastal Development & Coordination  
Chief Directorate: Integrated Coastal Management  
Branch: Oceans and Coasts  
V&A Waterfront,  
Cape Town,  
8001

Tel: (+27) 21 493 7064  
Cell: (+27) 83 3909 617  
Email: [xmyanga@dfre.gov.za](mailto:xmyanga@dfre.gov.za)



## Steve September

**From:** Steve September  
**Sent:** Monday, 20 April 2026 10:30  
**To:** [REDACTED]  
**Cc:** Cheruscha Swart  
**Subject:** RE: I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Good morning [REDACTED]

I hope this email finds you well.

Please accept this email as confirmation of receipt that you have been registered as an Interested and Affected Party.

Please note that Anchor Environmental Consultants complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). All comments received, together with responses thereto, will be compiled into a Comments and Responses Report, which will be made available to the Competent Authority and the public as part of the consultation process.

If you object to your name, email address, or the name of the company/organisation you represent, being made publicly available in this Report, please notify us at your earliest convenience, and no later than 24 April 2026. If no response is received, it will be assumed that you consent to your details being included.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
[steve@anchorenvironmental.co.za](mailto:steve@anchorenvironmental.co.za)  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

---

**From:** Ripl - No Reply <[no-reply@protectthewestcoast.org](mailto:no-reply@protectthewestcoast.org)>  
**Sent:** Sunday, April 19, 2026 09:32  
**To:** Bianca Lombard <[admin@anchorenvironmental.co.za](mailto:admin@anchorenvironmental.co.za)>  
**Subject:** I&AP Registration for WC30/5/1/1/2/10522 PR from [REDACTED]

Dear Anchor Environmental Consultants (Pty) Ltd.

New registration as an I&AP from [REDACTED]

## Details

- **Application:** Prospecting application in Sea Concession Area 11c By Trans Atlantic Diamonds (Pty) Ltd, DMPR ref no.: WC30/5/1/1/2/10522 PR
- **Application Code:** WC30/5/1/1/2/10522 PR
- **I&AP Name:** [REDACTED]
- **I&AP Email:** [REDACTED]
- **I&AP Mobile:** [REDACTED]

- **I do not have a business, financial, personal, or cultural stake that will be directly impacted because of the approval or refusal of this application.**
- **Further details concerning the impact:**  
No comment
- **Interest(s) impacted as a result of this application:**  
I am concerned about the impact on the environment

Sent via Protect the West Coast - Ripl Platform, on behalf of [REDACTED]. This email has been sent to you with their express consent. Kindly direct any further correspondence in relation to this application using the I&AP contact details above.



## Steve September

**From:** Steve September  
**Sent:** Monday, 20 April 2026 08:34  
**To:** 'Aaron Larkens'  
**Cc:** Jaco du Plooy; Ian Hestermann; Linda Njemla; Marco Wentzel; Elza Klopper; Talia Norvall; Pieter Swart; Anthony Peter; Cheruscha Swart  
**Subject:** RE: TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

| Tracking: | Recipient       | Read                   |
|-----------|-----------------|------------------------|
|           | 'Aaron Larkens' |                        |
|           | Jaco du Plooy   |                        |
|           | Ian Hestermann  |                        |
|           | Linda Njemla    |                        |
|           | Marco Wentzel   |                        |
|           | Elza Klopper    |                        |
|           | Talia Norvall   |                        |
|           | Pieter Swart    |                        |
|           | Anthony Peter   |                        |
|           | Cheruscha Swart | Read: 2026/04/20 08:34 |

Dear Aaron

We acknowledge receipt of your letter dated 17 April 2026 (the "Letter").

During the process for an application for environmental authorisation ("EA") under the National Environmental Management Act, 1998 ("**NEMA**"), information should be made available to enable Interested and Affected Parties ("**I&AP**") to understand and inform decision-making regarding the assessment of **environmental impacts** associated with the proposed activities. The requested documents have been made available for that purpose.

As you are aware, the obligation to disclose information during the EA application process is limited to information relevant to the assessment of **environmental impacts**. The information relating to technical and financial capability requested in your Letter is not relevant to the assessment of environmental impacts. Neither the NEMA nor the Mineral and Petroleum Resources Development Act, 2002 ("**MPRDA**") makes provision for I&APs to assess whether the application complies with the requirements of section 17 of the MPRDA. That determination falls within the responsibility of the Minister of Mineral and Petroleum Resources and the DMPR.

Therefore, at this stage, we do not intend to respond to the averments contained in your Letter. We confirm we will include your comments in the Comments and Responses Report, forming part of the Final Basic Assessment Report, wherein we will respond to your various comments, insofar as they relate to the assessment of environmental impacts.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Friday, 17 April 2026 10:11  
**To:** Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>  
**Cc:** Jaco du Plooy <jacodp@transhex.co.za>; Ian Hestermann <ianh@transhex.co.za>; Linda Njemla <linda.njemla@dmpr.gov.za>; Marco Wentzel <marco@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Steve September <steve@anchorenmvironmental.co.za>; Talia Norvall <talia@transatlanticdiamonds.com>; Pieter Swart <pieter.swart@dmpr.gov.za>; Anthony Peter <anthony@transatlanticdiamonds.com>  
**Subject:** TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Cheruscha.

Please see attached THO's response to the below email and redacted documents.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [Aaronl@transhex.co.za](mailto:Aaronl@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



[www.transhex.co.za](http://www.transhex.co.za)

To view Trans Hex's E-mail Disclaimer please visit [www.transhex.co.za/email-disclaimer/](http://www.transhex.co.za/email-disclaimer/)

**From:** Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>  
**Sent:** Monday, 13 April 2026 13:43  
**To:** Aaron Larkens <aaronl@transhex.co.za>  
**Cc:** Jaco du Plooy <jacodp@transhex.co.za>; Ian Hestermann <ianh@transhex.co.za>; Linda Njemla <linda.njemla@dmpr.gov.za>; Marco Wentzel <marco@transhex.co.za>; Elza Klopper <elzak@transhex.co.za>; Steve September <steve@anchorenmvironmental.co.za>; Talia Norvall <talia@transatlanticdiamonds.com>; Anthony Peter <anthony@transatlanticdiamonds.com>; Pieter Swart <pieter.swart@dmpr.gov.za>  
**Subject:** RE: TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Trans Hex IT Department

Dear Aaron,

I trust you are well.

Further to the email below and in response to your previous queries, please find attached the relevant documents as requested.

Vriendelike Groete  
Kind Regards



CHERUSCHA SWART  
SENIOR CONSULTANT

+27 21 701 3420 (tel)  
cher@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Reg no.2021/3298  
Pr.Sci.Nat. 155305

**From:** Steve September <steve@anchorenmvironmental.co.za>  
**Sent:** Tuesday, 07 April 2026 11:25  
**To:** Aaron Larkens <aaronl@transhex.co.za>; Pieter Swart <pieter.swart@dmpr.gov.za>; Anthony Peter <anthony@transatlanticdiamonds.com>  
**Cc:** Jaco du Plooy <jacodp@transhex.co.za>; Ian Hestermann <ianh@transhex.co.za>; Linda Njemla <linda.njemla@dmpr.gov.za>; Marco Wentzel <marco@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>; Elza Klopper <elzak@transhex.co.za>  
**Subject:** RE: TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

Good morning Aaron

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received Trans Hex's objection letter.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Aaron Larkens <aaronl@transhex.co.za>  
**Sent:** Thursday, 02 April 2026 10:05  
**To:** Pieter Swart <pieter.swart@dmp.gov.za>; Steve September <steve@anchorenmvironmental.co.za>; Anthony Peter <anthony@transatlanticgemsales.com>  
**Cc:** Jaco du Plooy <jacodp@transhex.co.za>; Ian Hestermann <ianh@transhex.co.za>; Linda Njemla <linda.njemla@dmp.gov.za>; Marco Wentzel <marco@transhex.co.za>; Cheruscha Swart <cheruscha@anchorenmvironmental.co.za>; Elza Klopper <elzak@transhex.co.za>  
**Subject:** TRANS ATLANTIC DIAMONDS (PTY) LTD: SEA CONCESSION AREA 11C — DETAILED OBJECTION TO THE GRANTING OF A PROSPECTING RIGHT AND ENVIRONMENTAL AUTHORISATION (Ref. No. WC30/5/1/1/2/10522 PR)

Good day Mr Swart, Mr September and Mr Peter.

Please see attached Trans Hex Operations (Pty) Ltd's formal objection to Trans Atlantic Diamonds (Pty) Ltd's application for a prospecting right in respect of sea concession 11C (Ref. No. WC30/5/1/1/2/10522 PR) – a board resolution authorising me to submit the formal objection on behalf of THO is annexed.

Kindly confirm receipt.

Kind regards

Aaron Larkens  
Head of Legal

Tel: +27 21 510 1881  
E-mail: [AaronL@transhex.co.za](mailto:AaronL@transhex.co.za)  
19 Chain Avenue, Montague Gardens,  
7441  
South Africa



[www.transhex.co.za](http://www.transhex.co.za)

To view Trans Hex's E-mail Disclaimer please visit [www.transhex.co.za/email-disclaimer/](http://www.transhex.co.za/email-disclaimer/)

## Steve September

**From:** Steve September  
**Sent:** Tuesday, 21 April 2026 09:05  
**To:** Andries Maarman  
**Cc:** wc.guriquacouncil; Ferdienand Fransman; Cheruscha Swart  
**Subject:** RE: Comments on the Re-application of an EIA for Trans-Atlantic Diamonds

| Tracking: | Recipient           | Read                   |
|-----------|---------------------|------------------------|
|           | Andries Maarman     |                        |
|           | wc.guriquacouncil   |                        |
|           | Ferdienand Fransman |                        |
|           | Cheruscha Swart     | Read: 2026/04/21 09:29 |

Good morning Mr. Maarman

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments.

Please note that Anchor Environmental Consultants complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). All comments received, together with responses thereto, will be compiled into a Comments and Responses Report, which will be made available to the Competent Authority and the public as part of the consultation process.

If you object to your name, email address, or the name of the company/organisation you represent, being made publicly available in this Report, please notify us at your earliest convenience, and no later than 24 April 2026. If no response is received, it will be assumed that you consent to your details being included.

Kind Regards,



STEVE SEPTEMBER  
CONSULTANT

+27 21 701 3420 (tel)  
steve@anchorenmvironmental.co.za  
8 Steenberg House, Silverwood Close  
Tokai 7945, South Africa

EAPASA Cand. Reg no.2023/7868

**From:** Andries Maarman <andries@naturaljustice.org>  
**Sent:** Monday, 20 April 2026 18:59  
**To:** Steve September <steve@anchorenmvironmental.co.za>  
**Cc:** wc.guriquacouncil <wc.guriquacouncil@gmail.com>; Ferdienand Fransman <ferdienandfransman54@gmail.com>  
**Subject:** Comments on the Re-application of an EIA for Trans-Atlantic Diamonds

Good day sir/madam

Please find attached an official comment piece on the re-application for an Environmental Authorization and Prospecting Rights in OffshoreSea Concession 11C.

I thank you  
A. M



**Andries Maarman**  
Community Environmental Legal Officer (West Coast)  
Standing with Communities  
Cape Town Hub  
T +27 63 381 9467

## Steve September

**From:** Steve September  
**Sent:** Tuesday, 21 April 2026 09:08  
**To:** Andries Maarman  
**Cc:** Cheruscha Swart  
**Subject:** RE: My Comments on Trans Atlantic Diamonds

| Tracking: | Recipient       | Read                   |
|-----------|-----------------|------------------------|
|           | Andries Maarman |                        |
|           | Cheruscha Swart | Read: 2026/04/21 09:30 |

Good morning Mr. Maarman

I hope this email finds you well.

Please accept this email as confirmation of receipt that we have received your comments.

Please note that Anchor Environmental Consultants complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). All comments received, together with responses thereto, will be compiled into a Comments and Responses Report, which will be made available to the Competent Authority and the public as part of the consultation process.

If you object to your name, email address, or the name of the company/organisation you represent, being made publicly available in this Report, please notify us at your earliest convenience, and no later than 24 April 2026. If no response is received, it will be assumed that you consent to your details being included.

Kind Regards,

EAPASA Cand. Reg no.2023/7868

-----Original Message-----

From: Andries Maarman <khoi.maarman@gmail.com>  
Sent: Monday, 20 April 2026 19:07  
To: Steve September <steve@anchorenvironmental.co.za>  
Subject: My Comments on Trans Atlantic Diamonds

Please find attached a formal written comment piece on the Re-application for an Environmental Authorization and Prospecting Rights in Offshore Sea Concession 11C.

Best Regards:  
A. Maarman

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## **APPENDIX D:**

### **Interested and Affected Party Database**

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| Initial Contact (Requested Email, Requested meeting, Referred, By Default) | NAME AND SURNAME                      | Stakeholder reference | CATEGORY                              | AFFILIATION                                                                         | PHONE NO                  | Email                                                                                                |
|----------------------------------------------------------------------------|---------------------------------------|-----------------------|---------------------------------------|-------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------|
|                                                                            |                                       |                       | <b>LOCAL MUNICIPALITIES 11C</b>       |                                                                                     |                           |                                                                                                      |
| Registered                                                                 | Ms. Thesme van Zyl                    | Stakeholder 1         | Government                            | Matzikama Municipality                                                              | 027 201 3351              | <a href="mailto:thesme@matzikama.gov.za">thesme@matzikama.gov.za</a>                                 |
| Registered                                                                 | Bernette Kriek                        | Stakeholder 2         | Government                            | Matzikama Municipality                                                              |                           | <a href="mailto:bernettek@matzikama.gov.za">bernettek@matzikama.gov.za</a>                           |
| By default                                                                 | Ms Amanda Kotze                       | Stakeholder 3         | Government                            | Matzikama Municipality                                                              |                           | <a href="mailto:amandak@matzikama.gov.za">amandak@matzikama.gov.za</a>                               |
| Registered                                                                 | Annali van der Westhuizen             | Stakeholder 4         | Governemnt                            | Matzikama Municipality                                                              | 027 201 3323              | <a href="mailto:annalivdw@matzikama.gov.za">annalivdw@matzikama.gov.za</a>                           |
| By default                                                                 | Lionel Philips (Regional IDP manager) | Stakeholder 5         | Governemnt                            | Matzikama Municipality Regional IDP manager, Natural resource management & research | 027 2013200, 082 329 0166 | <a href="mailto:lionelp@matzikama.gov.za">lionelp@matzikama.gov.za</a>                               |
| By default                                                                 | Mrs Deone Wessels                     | Stakeholder 6         | Governemnt                            | Spatial Planning                                                                    |                           | <a href="mailto:deonew@matzikama.gov.za">deonew@matzikama.gov.za</a>                                 |
|                                                                            |                                       |                       | <b>NEARBY MUNICIPALITIES</b>          |                                                                                     |                           |                                                                                                      |
| Previous PPP                                                               | Mr Graeme Clemitson                   | Stakeholder 7         | Government                            | Bergriver Municipality                                                              | 0648722940                | <a href="mailto:gclemitson@gmail.com">gclemitson@gmail.com</a>                                       |
| By default                                                                 | Mr Danne Joubert                      | Stakeholder 8         | Government                            | Cederberg Municipality & Verlorenvlei Estuary Advisory Forum                        |                           | <a href="mailto:dannej@cederbergmun.gov.za">dannej@cederbergmun.gov.za</a>                           |
| Previous PPP                                                               | Duarte Nazeema                        | Stakeholder 9         | Government                            | Saldanha Bay Municipality                                                           |                           | <a href="mailto:nazeema.duarte@sbm.gov.za">nazeema.duarte@sbm.gov.za</a>                             |
| Previous PPP                                                               | Admin                                 | Stakeholder 10        | Government                            | Saldanha Bay Municipality                                                           |                           | <a href="mailto:Mun@sbm.gov.za">Mun@sbm.gov.za</a>                                                   |
| By default                                                                 | Clr W Farmer                          | Stakeholder 11        | Government                            | Cederberg Local Municipality                                                        |                           | <a href="mailto:williamf@cederbergraad.co.za">williamf@cederbergraad.co.za</a>                       |
| By default                                                                 | Alyssa Goncalves                      | Stakeholder 12        | Government                            | Cederberg Local Municipality                                                        |                           | <a href="mailto:admin@cederbergraad.co.za">admin@cederbergraad.co.za</a>                             |
|                                                                            |                                       |                       | <b>NEARBY MUNICIPALITIES</b>          |                                                                                     |                           |                                                                                                      |
| By default                                                                 | Ms. G Bezuidenhout                    | Stakeholder 13        | Government                            | Namakwa District Municipality NC                                                    |                           |                                                                                                      |
| By default                                                                 | Mr. C Fortuin                         | Stakeholder 14        | Government                            | Namakwa District Municipality NC                                                    |                           | <a href="mailto:info@namakwa-dm.gov.za">info@namakwa-dm.gov.za</a>                                   |
|                                                                            |                                       |                       | <b>DISTRICT MUNICIPALITIES</b>        |                                                                                     |                           |                                                                                                      |
| By default                                                                 | Mr David C Joubert                    | Stakeholder 15        | Government                            | West Coast District Municipality                                                    | 0224338410                | <a href="mailto:mm@wcdm.co.za">mm@wcdm.co.za</a>                                                     |
| By default                                                                 | Ms Estelle Bester                     | Stakeholder 16        | Government                            | West Coast District Municipality                                                    | 0224338411                | <a href="mailto:hfbester@wcdm.co.za">hfbester@wcdm.co.za</a>                                         |
| Previous PPP                                                               | Charles Malherbe                      | Stakeholder 17        | Government                            | West Coast District Municipality                                                    | 0224338400                | <a href="mailto:cjmalherbe@wcdm.co.za">cjmalherbe@wcdm.co.za</a>                                     |
| Previous PPP                                                               | Ms Cindy Ganten-Bein                  | Stakeholder 18        | Government                            | West Coast District Municipality                                                    | 0227135950                | <a href="mailto:cgbein@wcdm.co.za">cgbein@wcdm.co.za</a>                                             |
| By default                                                                 | Mr W Markus                           | Stakeholder 19        | Government                            | West Coast District Municipality                                                    | +27 22 433 8410           | <a href="mailto:wmarkus@wcdm.co.za">wmarkus@wcdm.co.za</a>                                           |
| By default                                                                 | Earl Williams                         | Stakeholder 20        | Governemnt                            | West Coast District Municipality                                                    |                           | <a href="mailto:fwilliams@wcdm.co.za">fwilliams@wcdm.co.za</a>                                       |
|                                                                            |                                       |                       | <b>Provincial DEA &amp; DP</b>        |                                                                                     |                           |                                                                                                      |
| By default                                                                 | Mr Achmad Bassier                     | Stakeholder 21        | Government                            | Environmental Law Enforcement                                                       |                           | <a href="mailto:achmad.bassier@westerncape.gov.za">achmad.bassier@westerncape.gov.za</a>             |
|                                                                            |                                       |                       | <b>Coordination &amp; Enforcement</b> |                                                                                     |                           |                                                                                                      |
| By default                                                                 | Ms Charmaine Maré                     | Stakeholder 22        | Government                            | Environmental Governance                                                            |                           | <a href="mailto:Charmaine.mare@westerncape.gov.za">Charmaine.mare@westerncape.gov.za</a>             |
|                                                                            |                                       |                       | <b>Environmental Sustainability</b>   |                                                                                     |                           |                                                                                                      |
| By default                                                                 | Mr Goosain Isaacs                     | Stakeholder 23        | Government                            | Climate Change                                                                      |                           | <a href="mailto:Goosain.isaacs@westerncape.gov.za">Goosain.isaacs@westerncape.gov.za</a>             |
| By default                                                                 | Mr Ronald Mukanya                     | Stakeholder 24        | Government                            | Sustainability Management                                                           |                           | <a href="mailto:Ronald.Mukanya@westerncape.gov.za">Ronald.Mukanya@westerncape.gov.za</a>             |
| By default                                                                 | Ms Marlene Laros                      | Stakeholder 25        | Government                            | Biodiversity and Coastal Management                                                 |                           | <a href="mailto:marlene.laros@westerncape.gov.za">marlene.laros@westerncape.gov.za</a>               |
| By default                                                                 | Coastal management                    | Stakeholder 26        | Government                            | Coastal Management                                                                  |                           | <a href="mailto:coastal.enquiries@westerncape.gov.za">coastal.enquiries@westerncape.gov.za</a>       |
| Previous PPP                                                               | Melisa Naiker                         | Stakeholder 27        | Government                            | Coastal Management                                                                  | 0214832885                | <a href="mailto:mellisa.naiker@westerncape.gov.za">mellisa.naiker@westerncape.gov.za</a>             |
| Registered                                                                 | Maxhoba-ayakhawuleza Jezile           | Stakeholder 28        | Government                            | DFFE: Directorate Sustainable Aquaculture Management                                | 214307037                 | <a href="mailto:MJezile@environment.gov.za">MJezile@environment.gov.za</a>                           |
| Registered                                                                 | Fatima Daya                           | Stakeholder 29        | Government                            | DFFE: Directorate Sustainable Aquaculture Management                                |                           | <a href="mailto:FDaya@environment.gov.za">FDaya@environment.gov.za</a>                               |
| Registered                                                                 | Alexis Osborne                        | Stakeholder 30        | Government                            | DFFE: Directorate Sustainable Aquaculture Management                                |                           | <a href="mailto:Aosborne@dffe.gov.za">Aosborne@dffe.gov.za</a>                                       |
| Previous PPP                                                               | General                               | Stakeholder 31        | Government                            | Directorate: Sustainable Aquaculture Management                                     |                           | <a href="mailto:EnvironAssessment@environment.gov.za">EnvironAssessment@environment.gov.za</a>       |
|                                                                            |                                       |                       | <b>Environmental Quality</b>          |                                                                                     |                           |                                                                                                      |
| By default                                                                 | Dr Joy Leaner                         | Stakeholder 32        | Government                            | Air Quality Management                                                              |                           | <a href="mailto:joy.leaner@westerncape.gov.za">joy.leaner@westerncape.gov.za</a>                     |
| By default                                                                 | Gunther Frantz                        | Stakeholder 33        | Government                            | Pollution and Chemicals Management                                                  |                           | <a href="mailto:gunther.frantz@westerncape.gov.za">gunther.frantz@westerncape.gov.za</a>             |
| By default                                                                 | Mr. Lance McBain-Charles              | Stakeholder 34        | Government                            | DEA: Waste Management                                                               |                           | <a href="mailto:Lance.McBain-Charles@westerncape.gov.za">Lance.McBain-Charles@westerncape.gov.za</a> |
| By default                                                                 | Mr. Shaun Arendse                     | Stakeholder 35        | Government                            | DEA: Waste Management                                                               |                           | <a href="mailto:Shaun.Arendse@westerncape.gov.za">Shaun.Arendse@westerncape.gov.za</a>               |

|              |                                                |                |                                        |                                                           |                    |                                                                                                                                                                                                                                         |
|--------------|------------------------------------------------|----------------|----------------------------------------|-----------------------------------------------------------|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| By default   | Mr. Eugene Pienaar                             | Stakeholder 36 | Government                             | DEA: Waste Management                                     |                    | <a href="mailto:Eugene.Pienaar@westerncape.gov.za">Eugene.Pienaar@westerncape.gov.za</a>                                                                                                                                                |
| By default   | Mr. Abdullah Suliman                           | Stakeholder 37 | Government                             | DEA: Waste Management                                     |                    | <a href="mailto:Abdullah.Suliman@westerncape.gov.za">Abdullah.Suliman@westerncape.gov.za</a>                                                                                                                                            |
|              |                                                |                | <b>Development Planning</b>            |                                                           |                    |                                                                                                                                                                                                                                         |
| By default   | Mr Zaahir Toefy                                | Stakeholder 38 | Government                             | Development Management – Region 1                         |                    | <a href="mailto:zaahir.toefy@westerncape.gov.za">zaahir.toefy@westerncape.gov.za</a>                                                                                                                                                    |
| Previous PPP | Ms Melanese Schippers                          | Stakeholder 39 | Government                             | EIA Region 1 (Development Management)                     | 0214838349         | <a href="mailto:melanese.schippers@westerncape.gov.za">melanese.schippers@westerncape.gov.za</a>                                                                                                                                        |
| Previous PPP | Ms Adri La Meyer                               | Stakeholder 40 | Government                             | Development Facilitation                                  | 021 483 2887       | <a href="mailto:Adri.LaMeyer@westerncape.gov.za">Adri.LaMeyer@westerncape.gov.za</a>                                                                                                                                                    |
| By default   | Ms Helena Jacobs                               | Stakeholder 41 | Government                             | Development Planning Intelligence Management and Research |                    | <a href="mailto:Helena.jacobs@westerncape.gov.za">Helena.jacobs@westerncape.gov.za</a>                                                                                                                                                  |
| By default   | Ms Ieptieshaam Bekko                           | Stakeholder 42 | Government                             | Coastal Management                                        | 0214833370         | <a href="mailto:ieptieshaam.bekko@westerncape.gov.za">ieptieshaam.bekko@westerncape.gov.za</a>                                                                                                                                          |
| By default   | Mr Gerhard Gerber                              | Stakeholder 43 | Government                             | Development Planning                                      | +27 (0)83 2269 127 | <a href="mailto:Gerhard.Gerber@westerncape.gov.za">Gerhard.Gerber@westerncape.gov.za</a>                                                                                                                                                |
| Registered   | Main email for EIA Project docs                | Stakeholder 44 | Government                             | EIA projects                                              |                    | <a href="mailto:DEADPEIAAdmin@westerncape.gov.za">DEADPEIAAdmin@westerncape.gov.za</a>                                                                                                                                                  |
| By default   | PA to Ieptieshaam Bekko                        | Stakeholder 45 | Government                             | EIA projects                                              |                    | <a href="mailto:Mercia.Liddle@westerncape.gov.za">Mercia.Liddle@westerncape.gov.za</a>                                                                                                                                                  |
|              |                                                |                | <b>DMPR</b>                            |                                                           |                    |                                                                                                                                                                                                                                         |
| By default   | Mr Morne Koen                                  | Stakeholder 46 | Government                             | Department of Mineral and Petroleum Resources             | 0214271019         | <a href="mailto:morne.koen@dmp.gov.za">morne.koen@dmp.gov.za</a>                                                                                                                                                                        |
| By default   | Mr. T Mukwevho                                 | Stakeholder 47 | Government                             | Department of Mineral Resources and Energy                |                    | <a href="mailto:Tshifhiwa.Mukwevho@dmp.gov.za">Tshifhiwa.Mukwevho@dmp.gov.za</a>                                                                                                                                                        |
| By default   | Mr Pieter Swart                                | Stakeholder 48 | Government                             | Department of Mineral Resources and Energy                |                    | <a href="mailto:pieter.swart@dmp.gov.za">pieter.swart@dmp.gov.za</a>                                                                                                                                                                    |
| By default   | Nomfundo magubane                              | Stakeholder 49 | Governemnt                             | Department of Mineral and Petroleum Resources             |                    | <a href="mailto:nomfundo.magubane@dmp.gov.za">nomfundo.magubane@dmp.gov.za</a>                                                                                                                                                          |
| By default   | Pumla Mntuyedwa                                | Stakeholder 50 | Governemnt                             | Department of Mineral and Petroleum Resources             |                    | <a href="mailto:pumla.mntuyedwa@dmp.gov.za">pumla.mntuyedwa@dmp.gov.za</a>                                                                                                                                                              |
| By default   | Linda Njemla                                   | Stakeholder 51 | Government                             | Department of Mineral and Petroleum Resources             |                    | <a href="mailto:linda.njemla@dmp.gov.za">linda.njemla@dmp.gov.za</a>                                                                                                                                                                    |
|              |                                                |                | <b>DWS</b>                             |                                                           |                    |                                                                                                                                                                                                                                         |
| Previous PPP | Rafieka Johaar                                 | Stakeholder 52 | Government                             | Sub Directorate: Proto CMA                                | (021) 941 6195     | <a href="mailto:JohaarR@dws.gov.za">JohaarR@dws.gov.za</a>                                                                                                                                                                              |
| Previous PPP | Ms Ntsoakeleng Nakin                           | Stakeholder 53 | Government                             |                                                           | 021 941 6297       | <a href="mailto:NakinN@dws.gov.za">NakinN@dws.gov.za</a>                                                                                                                                                                                |
| Previous PPP | Ms Thembisa Torch                              | Stakeholder 54 | Government                             | Department of Water and Sanitation                        | 0219416236         | <a href="mailto:torcht@dws.gov.za">torcht@dws.gov.za</a>                                                                                                                                                                                |
| By default   | Mrs Kuvha Badana                               | Stakeholder 55 | Government                             | Department of Water and Sanitation                        |                    | <a href="mailto:badanak@dws.gov.za">badanak@dws.gov.za</a>                                                                                                                                                                              |
| By default   | Mr Sabelo Magaqana                             | Stakeholder 56 | Government                             | Department of Water and Sanitation                        |                    | <a href="mailto:magaqanas@dws.gov.za">magaqanas@dws.gov.za</a>                                                                                                                                                                          |
| By default   | Mr Zolile Simawo                               | Stakeholder 57 | Government                             | Department of Water and Sanitation                        |                    | <a href="mailto:SimawoZ@dws.gov.za">SimawoZ@dws.gov.za</a>                                                                                                                                                                              |
| By default   | Ms. Nelisa Ndobeni                             | Stakeholder 58 | Government                             | Department of Water and Sanitation                        |                    | <a href="mailto:NdobeniN2@dws.gov.za">NdobeniN2@dws.gov.za</a>                                                                                                                                                                          |
| Previous PPP | Mr Bentley Engelbrecht                         | Stakeholder 59 | Government                             | Department of Water and Sanitation- Olifants Doorn WMA    |                    | <a href="mailto:engelbrechtb@dws.gov.za">engelbrechtb@dws.gov.za</a>                                                                                                                                                                    |
| Previous PPP | Ms Melissa Lintnaar-Strauss                    | Stakeholder 60 | Government                             | Department of Human Settlements Water and Sanitation      |                    | <a href="mailto:lintnaar-Straussm@dws.gov.za">lintnaar-Straussm@dws.gov.za</a>                                                                                                                                                          |
| Previous PPP | Ms Samantha Saayman                            | Stakeholder 61 | Government                             | Department of Human Settlements Water and Sanitation      |                    | <a href="mailto:saaymans@dws.gov.za">saaymans@dws.gov.za</a>                                                                                                                                                                            |
| By default   | Ms Q Zantanta/ Ms Debbie Hene                  | Stakeholder 62 | Government                             | Department of Water and Sanitation                        | 021 941 6303       | <a href="mailto:zantantaq@dws.gov.za">zantantaq@dws.gov.za</a>                                                                                                                                                                          |
| By default   | Ms M Claassen                                  | Stakeholder 63 | Government                             | Department of Water and Sanitation                        |                    | <a href="mailto:claassenm@dws.gov.za">claassenm@dws.gov.za</a>                                                                                                                                                                          |
|              |                                                |                | <b>DFFE</b>                            |                                                           |                    |                                                                                                                                                                                                                                         |
| By default   | Ms Miriam Phasha/ Leah Ditshego / Livia Modiba | Stakeholder 64 | Government                             | Biodiveristy and Conservation                             |                    | <a href="mailto:MPhasha@environment.gov.za">MPhasha@environment.gov.za</a> ;<br><a href="mailto:LDitshego@environment.gov.za">LDitshego@environment.gov.za</a> ; <a href="mailto:Livia@environment.gov.za">Livia@environment.gov.za</a> |
| Previous PPP | Ms Matlala Rabothata                           | Stakeholder 65 | Government                             | Biodiveristy and Conservation                             |                    | <a href="mailto:MRABOTHATA@dfpe.gov.za">MRABOTHATA@dfpe.gov.za</a>                                                                                                                                                                      |
|              |                                                |                | <b>Biodiversity &amp; Conservation</b> |                                                           |                    |                                                                                                                                                                                                                                         |
| Referred     | Mr Seoka Lekota                                | Stakeholder 66 | Government                             | Biodiveristy and Conservation                             | 0123999573         | <a href="mailto:slekota@environment.gov.za">slekota@environment.gov.za</a>                                                                                                                                                              |
| By default   | Mr Khorommbi Matibe                            | Stakeholder 67 | Government                             | Biodiveristy and Conservation                             |                    | <a href="mailto:kmatibe@environment.gov.za">kmatibe@environment.gov.za</a>                                                                                                                                                              |
| Previous PPP | Zugera Galant                                  | Stakeholder 68 | Government                             | Biodiveristy and Conservation                             |                    | <a href="mailto:Zgalant@environment.gov.za">Zgalant@environment.gov.za</a>                                                                                                                                                              |



|                      |                                  |                 |                                 |                                                                                        |                |                                                                                                                                   |
|----------------------|----------------------------------|-----------------|---------------------------------|----------------------------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------|
| By default           | West Coast Rock Lobster          | Stakeholder 69  | Government                      | Biodiveristy and Conservation                                                          |                | WCRL@environment.gov.za                                                                                                           |
|                      |                                  |                 | <b>Oceans &amp; Coasts</b>      |                                                                                        |                |                                                                                                                                   |
| Registered           | Oceans and Coasts EIA            | Stakeholder 70  | Government                      | Oceans and Coasts                                                                      | 021 819 2432   | <a href="mailto:OCEIA@environment.gov.za">OCEIA@environment.gov.za</a> : <a href="mailto:OCEIA@dfpe.gov.za">OCEIA@dfpe.gov.za</a> |
| Registered           | Xolani Myanga                    | Stakeholder 71  |                                 | DFFE: Oceans and Coasts<br>Marine Protection Services and Ocean Governance work stream | 021 493 7064   | <a href="mailto:xmyanga@dfpe.gov.za">xmyanga@dfpe.gov.za</a>                                                                      |
| By default           | Mr Tembaletu Tanci               | Stakeholder 72  | Government                      |                                                                                        |                | TTanci@environment.gov.za                                                                                                         |
| Previous PPP         | Trevor J. Coetzee                | Stakeholder 73  | Government                      | Chief Directorate: Specialist Monitoring Services; Directorate: Monitoring             |                | TCoetzee@environment.gov.za                                                                                                       |
| Referred             | Sandiso Magaqa                   | Stakeholder 74  | Government                      | Oceans and Coasts                                                                      |                | <a href="mailto:SMagaqa@environment.gov.za">SMagaqa@environment.gov.za</a>                                                        |
|                      |                                  |                 | <b>Integrated Environmental</b> |                                                                                        |                |                                                                                                                                   |
| By default           | Fiona Grimett                    | Stakeholder 75  | Government                      | National Infrastructure Projects                                                       |                | <a href="mailto:fgrimett@environment.gov.za">fgrimett@environment.gov.za</a>                                                      |
| Redirected via email | Ms Sindiswa Dlomo                | Stakeholder 76  | Government                      | National Infrastructure Projects                                                       |                | <a href="mailto:sdlomo@environment.gov.za">sdlomo@environment.gov.za</a>                                                          |
| By default           | Ms Fiona Grimett                 | Stakeholder 77  | Government                      |                                                                                        |                | <a href="mailto:FGrimett@environment.gov.za">FGrimett@environment.gov.za</a>                                                      |
| By default           | Ms Thulisile Nyalunga            | Stakeholder 78  | Government                      |                                                                                        |                | <a href="mailto:TNyalunga@environment.gov.za">TNyalunga@environment.gov.za</a>                                                    |
| By default           | Mr. X Myanga                     | Stakeholder 79  | Government                      |                                                                                        |                | <a href="mailto:XMyanga@environment.gov.za">XMyanga@environment.gov.za</a>                                                        |
| By default           | Mr. A Share                      | Stakeholder 80  | Government                      |                                                                                        |                | <a href="mailto:AShare@environment.gov.za">AShare@environment.gov.za</a>                                                          |
| Requested Email      | Ms Michelle Pretorius            | Stakeholder 81  | Government                      |                                                                                        | 021 430 7034   | <a href="mailto:MPretorius@environment.gov.za">MPretorius@environment.gov.za</a>                                                  |
| By default           | Mr Belemane Semoli               | Stakeholder 82  | Government                      |                                                                                        | 021 402 3024   | <a href="mailto:bsemoli@environment.gov.za">bsemoli@environment.gov.za</a>                                                        |
|                      |                                  |                 | <b>Fisheries Management</b>     |                                                                                        |                |                                                                                                                                   |
| By default           | Mr Mpo Beta                      | Stakeholder 83  | Government                      | Fisheries Operations Support                                                           | 021-402-3368   | <a href="mailto:mbeta@environment.gov.za">mbeta@environment.gov.za</a>                                                            |
| By default           | Mr Desmond Stevens               | Stakeholder 84  | Government                      | Fisheries Partnerships Management:                                                     | (021) 402 3104 | <a href="mailto:DStevens@environment.gov.za">DStevens@environment.gov.za</a>                                                      |
| By default           | Mr Saasa Pheeha                  | Stakeholder 85  | Government                      | Marine Resources Management: Offshore                                                  | (021) 402 3574 | <a href="mailto:spheeha@environment.gov.za">spheeha@environment.gov.za</a>                                                        |
| By default           | Ms Odwa Dubula                   | Stakeholder 86  | Government                      | Marine Resources Management: Inshore                                                   |                | <a href="mailto:odubula@environment.gov.za">odubula@environment.gov.za</a>                                                        |
| By default           | Small-scale fisheries management | Stakeholder 87  | Government                      | Small-scale fisheries management                                                       |                | <a href="mailto:SSFM@environment.gov.za">SSFM@environment.gov.za</a>                                                              |
| By default           | Mr Craig Johnson                 | Stakeholder 88  | Government                      | Cultural Services                                                                      |                | <a href="mailto:Craig.Johnson@westerncape.gov.za">Craig.Johnson@westerncape.gov.za</a>                                            |
| By default           | Stakeholder 89                   |                 | Government                      | Fisheries Development                                                                  |                |                                                                                                                                   |
|                      |                                  |                 | <b>SAHRA</b>                    |                                                                                        |                |                                                                                                                                   |
| Registered           | Ms. Briege Williams              | Stakeholder 90  | Government                      | South African Heritage Resources Agency                                                |                | <a href="mailto:bwilliams@sahra.org.za">bwilliams@sahra.org.za</a>                                                                |
| Registered           | Ms. Natasha Higgitt              | Stakeholder 91  | Government                      | South African Heritage Resources Agency                                                |                | <a href="mailto:nhiggitt@sahra.org.za">nhiggitt@sahra.org.za</a>                                                                  |
| Registered           | Nokukhanya Khumalo               | Stakeholder 92  | Government                      | South African Heritage Resources Agency                                                |                | <a href="mailto:nkhumalo@sahra.org.za">nkhumalo@sahra.org.za</a>                                                                  |
|                      |                                  |                 | <b>DTPW</b>                     |                                                                                        |                |                                                                                                                                   |
| By default           | Riyaadh Kara                     | Stakeholder 93  | Government                      | Department of Public Works                                                             |                | <a href="mailto:riyaadh.kara@dpw.gov.za">riyaadh.kara@dpw.gov.za</a>                                                              |
| By default           | Ms Kim Gierdien                  | Stakeholder 94  | Government                      | Department of Public Works                                                             |                | <a href="mailto:Kim.Gierdien@dpw.gov.za">Kim.Gierdien@dpw.gov.za</a>                                                              |
| Previous PPP         | Mr Basson Geldenhuys             | Stakeholder 95  | Government                      | Department of Public Works                                                             | 0214022174     | <a href="mailto:basson.geldenhuys@dpw.gov.za">basson.geldenhuys@dpw.gov.za</a>                                                    |
| By default           | Ms Suzy Valentine                | Stakeholder 96  | Government                      | Department of Public Works                                                             |                | <a href="mailto:suzy.valentine@dpw.gov.za">suzy.valentine@dpw.gov.za</a>                                                          |
| By default           | Mr Mthunzi Madiya                | Stakeholder 97  | Government                      | Marine Transport and Manufacturing work                                                |                | <a href="mailto:madiyam@dot.gov.za">madiyam@dot.gov.za</a>                                                                        |
| By default           | Ms Tsepiso Toana-Mashilo         | Stakeholder 98  | Government                      | Transport                                                                              | 012 309 3112   | <a href="mailto:MashiloT@dot.gov.za">MashiloT@dot.gov.za</a>                                                                      |
| By default           | Vanessa Stoffels                 | Stakeholder 99  | Government                      | Department of Transport and Public Works                                               |                | <a href="mailto:Vanessa.Stoffels@westerncape.gov.za">Vanessa.Stoffels@westerncape.gov.za</a>                                      |
|                      |                                  |                 | <b>DALRRD</b>                   |                                                                                        |                |                                                                                                                                   |
| By default           | Benjamin Mars                    | Stakeholder 100 | Government                      | Rural development                                                                      |                | <a href="mailto:BMars@dalrrd.gov.za">BMars@dalrrd.gov.za</a>                                                                      |
| By default           | Lubabalo Mbekeni                 | Stakeholder 101 | Government                      | Rural development                                                                      |                | <a href="mailto:Lubabalo.Mbekeni@dalrrd.gov.za">Lubabalo.Mbekeni@dalrrd.gov.za</a>                                                |
| By default           | Lazarus Joseph                   | Stakeholder 102 | Government                      | Rural development                                                                      |                | <a href="mailto:LJoseph@dalrrd.gov.za">LJoseph@dalrrd.gov.za</a>                                                                  |
| By default           | Jimmy Freysen                    | Stakeholder 103 | Government                      | Rural development                                                                      |                | <a href="mailto:Jimmy.Freysen@dalrrd.gov.za">Jimmy.Freysen@dalrrd.gov.za</a>                                                      |
| By default           | Emmanuel Jeje                    | Stakeholder 104 | Government                      | Rural development                                                                      |                | <a href="mailto:EmmanuelJeje@dalrrd.gov.za">EmmanuelJeje@dalrrd.gov.za</a>                                                        |
|                      |                                  |                 | <b>TOURISM</b>                  |                                                                                        |                |                                                                                                                                   |
| By default           | Mr Xolani Dlamini                | Stakeholder 105 | Government                      | Coastal and Marine Tourism work stream                                                 | 012 444 6568   | <a href="mailto:xdlamini@tourism.gov.za">xdlamini@tourism.gov.za</a>                                                              |
| By default           | Mr Jacques Stoltz                | Stakeholder 106 | Government                      | Department of Tourism                                                                  |                | <a href="mailto:jacques.stoltz@westerncape.gov.za">jacques.stoltz@westerncape.gov.za</a>                                          |
| By default           | Neo Mocum                        | Stakeholder 107 | Government                      | Department of Tourism<br>WCG: Department of Economic Development & Tourism             |                | <a href="mailto:neo.mocumi@westerncape.gov.za">neo.mocumi@westerncape.gov.za</a>                                                  |
| By default           | S Fourie                         | Stakeholder 108 | Government                      |                                                                                        |                | <a href="mailto:ecohead@westerncape.gov.za">ecohead@westerncape.gov.za</a>                                                        |
|                      |                                  |                 | <b>TRANSPORT</b>                |                                                                                        |                |                                                                                                                                   |
| By default           | Mr Simon Peterson                | Stakeholder 109 | Government                      | Transport- SANRAL                                                                      | 0413983200     | <a href="mailto:KleinhansM@nra.co.za">KleinhansM@nra.co.za</a>                                                                    |
| By default           | Marbu Saayman                    | Stakeholder 110 | Government                      | Transnet                                                                               |                | <a href="mailto:marlon.saayman@transnet.net">marlon.saayman@transnet.net</a>                                                      |

|              |                                         |                 |                         |                                                 |              |                                                                                      |
|--------------|-----------------------------------------|-----------------|-------------------------|-------------------------------------------------|--------------|--------------------------------------------------------------------------------------|
| By default   | Ethel Coetzee                           | Stakeholder 111 | Government              | Transnet                                        |              | <a href="mailto:ethel.coetzee@transnet.net">ethel.coetzee@transnet.net</a>           |
| By default   | Ms Nicole Abrahams                      | Stakeholder 112 | Government              | SANRAL                                          | 021 957 4602 | <a href="mailto:AbrahamsN@nra.co.za">AbrahamsN@nra.co.za</a>                         |
| By default   | Marilyn Kleinhans                       | Stakeholder 113 | Government              | SANRAL (WCP)                                    |              | <a href="mailto:Jonesm@nra.co.za">Jonesm@nra.co.za</a>                               |
|              |                                         |                 | <b>AVIATION</b>         |                                                 |              |                                                                                      |
| By default   | Lizelle Stroh                           | Stakeholder 114 | Aviation                | Civil Aviation Authority South African          | 0115451232   | <a href="mailto:strohl@caa.co.za">strohl@caa.co.za</a>                               |
|              |                                         |                 | <b>SAMSA &amp; NAVY</b> |                                                 |              |                                                                                      |
| By default   | SAMSA cape Town office                  | Stakeholder 115 | SAMSA                   | South African Maritime Safety Authority (SAMSA) |              | <a href="mailto:samsacpt@samsa.org.za">samsacpt@samsa.org.za</a>                     |
| By default   | Captain T. Stokes/ Commander Theunissen | Stakeholder 116 | Navy                    | South African Navy Hydrographic Office          |              | <a href="mailto:hydrosan@iafrica.com">hydrosan@iafrica.com</a>                       |
|              |                                         |                 | <b>SANBI</b>            |                                                 |              |                                                                                      |
| By default   | Dr Kerry Sink                           | Stakeholder 117 | Government              | SANBI                                           |              | <a href="mailto:K.Sink@sanbi.org.za">K.Sink@sanbi.org.za</a>                         |
| By default   | Pridjeel                                | Stakeholder 118 | Government              | SANBI                                           |              | <a href="mailto:p.majiedt@sanbi.org.za">p.majiedt@sanbi.org.za</a>                   |
|              |                                         |                 | <b>SANParks</b>         |                                                 |              |                                                                                      |
| By default   | Pierre Nel                              | Stakeholder 119 | Government              | SANParks                                        | 0227722144   | <a href="mailto:pierre.nel@sanparks.org">pierre.nel@sanparks.org</a>                 |
|              |                                         |                 | <b>CAPE NATURE</b>      |                                                 |              |                                                                                      |
| Previous PPP | Mr Ismat Adams                          | Stakeholder 120 | Government              | CapeNature                                      | 0870873188   | <a href="mailto:iadams@capenature.co.za">iadams@capenature.co.za</a>                 |
| By default   | Pierre de Villiers                      | Stakeholder 121 | Government              | CapeNature                                      | 021 866 8023 | <a href="mailto:estuaries@capenature.co.za">estuaries@capenature.co.za</a>           |
|              |                                         |                 | <b>BirdLife</b>         |                                                 |              |                                                                                      |
| By Default   | Ms Samantha Ralston-Paton               | Stakeholder 122 | Conservation            | Birdlife South Africa                           |              | <a href="mailto:energy@birdlife.org.za">energy@birdlife.org.za</a>                   |
| Previous PPP | Melissa Lewis                           | Stakeholder 123 | Conservation            | Birdlife South Africa                           |              | <a href="mailto:Advocacy@birdlife.org.za">Advocacy@birdlife.org.za</a>               |
|              |                                         |                 | <b>CONSERVATION</b>     |                                                 |              |                                                                                      |
| By default   | Stakeholder 124                         | Stakeholder 130 | Conservation            | Marine Awareness Project                        |              | <a href="mailto:michael@protectthewestcoast.org">michael@protectthewestcoast.org</a> |
| By default   | Stakeholder 125                         |                 | Conservation            | Coast care coordinator, E bay area              |              |                                                                                      |
| By default   | Stakeholder 126                         |                 | Conservation            | Cape West Coast Biosphere Reserve               |              |                                                                                      |
| By default   | Stakeholder 127                         |                 | Conservation            | Bergriver Estuary Advisory Forum                |              |                                                                                      |
| By default   | Stakeholder 128                         |                 | Conservation            | Sustainable Futures ZA                          |              |                                                                                      |
| By default   | Stakeholder 129                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Michael Yaman                           |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 131                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 132                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 133                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 134                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 135                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 136                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 137                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 138                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 139                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 140                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 141                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 142                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 143                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 144                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 145                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 146                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
| Registered   | Stakeholder 147                         |                 | Conservation            | Protect the West Coast                          |              |                                                                                      |
|              |                                         |                 | <b>WWF</b>              |                                                 |              |                                                                                      |
| By default   | Mr Craig Smith                          | Stakeholder 148 | Conservation            | Marine Programme                                | 021 657 6600 | <a href="mailto:csmith@wwf.org.za">csmith@wwf.org.za</a>                             |
| By default   | WWF info                                | Stakeholder 149 | Conservation            | Admin                                           |              | <a href="mailto:info@wwf.org.za">info@wwf.org.za</a>                                 |
|              |                                         |                 | <b>WESSA</b>            |                                                 |              |                                                                                      |
| By default   | Dr Graham Avery                         | Stakeholder 150 | Conservation            | Wildlife and Environment Society of South       | 0214241285   | <a href="mailto:gavery@iziko.org.za">gavery@iziko.org.za</a>                         |
| By default   | Mr Patrick Dowling                      | Stakeholder 151 | Conservation            | Wildlife and Environment Society of South       |              | <a href="mailto:patrick@tops.org.za">patrick@tops.org.za</a>                         |
| By default   | Mervyn Brouard                          | Stakeholder 152 | Conservation            | Wildlife and Environment Society of South       |              | <a href="mailto:MPB@telkomsa.net">MPB@telkomsa.net</a>                               |
| By default   | Isobel Douglas-Jones                    | Stakeholder 153 | Conservation            | Wildlife and Environment Society of South       |              | <a href="mailto:timandisa@gmail.com">timandisa@gmail.com</a>                         |
| By default   | Gary M Koekemoer                        | Stakeholder 154 | Conservation            | Wildlife and Environment Society of South       |              | <a href="mailto:garyk22@me.com">garyk22@me.com</a>                                   |

|              |                                 |                 | EDUCATION               |                                                                                 |                                                                        |
|--------------|---------------------------------|-----------------|-------------------------|---------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Previous PPP | Stakeholder 155                 |                 | Environmental Education | Environmental Evaluation Unit UCT                                               |                                                                        |
| Previous PPP | Stakeholder 156                 |                 | University              | University of Stellenbosch                                                      |                                                                        |
| Previous PPP | Stakeholder 157                 |                 | Student                 | University of the Western Cape                                                  |                                                                        |
| Previous PPP | Stakeholder 158                 |                 | University              | UCT (EEU)                                                                       |                                                                        |
|              |                                 |                 | MINING/ GAS/ TRANSPORT  |                                                                                 |                                                                        |
| By default   |                                 | Stakeholder 159 | Mining/ gas/ transport  | De Beers Marine (Pty) Ltd                                                       |                                                                        |
| By default   |                                 | Stakeholder 160 | Mining/ gas/ transport  | De Beers Marine (Pty) Ltd                                                       |                                                                        |
| By default   |                                 | Stakeholder 161 | Mining/ gas/ transport  | De Beers Marine (Pty) Ltd                                                       |                                                                        |
| By default   |                                 | Stakeholder 162 | Mining/ gas/ transport  | De Beers Marine (Pty) Ltd                                                       |                                                                        |
| Previous PPP |                                 | Stakeholder 163 | Mining/ gas/ transport  | PetroSA (SOC) Limited                                                           | 0724337846                                                             |
| Referred     |                                 | Stakeholder 164 | Mining/ gas/ transport  | PetroSA (SOC) Limited                                                           |                                                                        |
| By default   |                                 | Stakeholder 165 | Mining/ gas/ transport  | PetroSA (SOC) Limited                                                           |                                                                        |
| By default   |                                 | Stakeholder 166 | Mining/ gas/ transport  | PetroSA (SOC) Limited                                                           |                                                                        |
| By default   |                                 | Stakeholder 167 | Mining/ gas/ transport  | PetroSA (SOC) Limited                                                           |                                                                        |
| Previous PPP |                                 | Stakeholder 168 | Mining/ gas/ transport  | Alexkor RMC JV                                                                  | 027 831 8383                                                           |
| Previous PPP |                                 | Stakeholder 169 | Mining/ gas/ transport  | Petroleum Agency SA                                                             |                                                                        |
| By default   |                                 | Stakeholder 170 | Mining/ gas/ transport  | GAC Shipping (SA) (Pty) Ltd                                                     |                                                                        |
| By default   |                                 | Stakeholder 171 | Mining/ gas/ transport  | GAC Shipping (SA) (Pty) Ltd                                                     |                                                                        |
| By default   |                                 | Stakeholder 172 | Mining/ gas/ transport  | GAC Shipping (SA) (Pty) Ltd                                                     |                                                                        |
| By default   |                                 | Stakeholder 173 | Mining/ gas/ transport  | Green Flash Trading 251 (Pty) Ltd                                               |                                                                        |
| By default   |                                 | Stakeholder 174 | Mining/ gas/ transport  | Prospect 35 (Pty) Ltd                                                           |                                                                        |
| By default   |                                 | Stakeholder 175 | Mining/ gas/ transport  | SASOL                                                                           | +27 10 344 5000                                                        |
| By default   |                                 | Stakeholder 176 | Mining/ gas/ transport  | South African Oil & Gas Alliance                                                | +27 21 425 8840                                                        |
| Registered   |                                 | Stakeholder 177 | Mining/ gas/ transport  | Trans Hex                                                                       | 0219372000                                                             |
| Registered   |                                 | Stakeholder 178 | Mining/ gas/ transport  | Trans Hex                                                                       |                                                                        |
| By default   |                                 | Stakeholder 179 | Mining/ gas/ transport  | Mamokgoka Group of Companies/                                                   | 0747330007                                                             |
| Previous PPP |                                 | Stakeholder 180 | Mining/ gas/ transport  | Tronox Namakwa sands - Brand se Baai                                            | +27272173911                                                           |
| Previous PPP |                                 | Stakeholder 181 | Mining/ gas/ transport  | Tronox Mineral Sands Proprietary Limited                                        |                                                                        |
| By default   |                                 | Stakeholder 182 | Mining/ gas/ transport  |                                                                                 |                                                                        |
| By default   |                                 | Stakeholder 183 | Mining/ gas/ transport  | Namco SA                                                                        |                                                                        |
| By default   |                                 | Stakeholder 184 | Mining/ gas/ transport  | Ocean Diamond Mining                                                            |                                                                        |
| Meeting      |                                 | Stakeholder 185 | Mining/ gas/ transport  | Diamond Fields SA                                                               |                                                                        |
| By default   |                                 | Stakeholder 186 | Mining/ gas/ transport  | Tronox Namakwa sands - Brand se Baai                                            |                                                                        |
| Previous PPP |                                 | Stakeholder 187 | Mining/ gas/ transport  | De Punt mine                                                                    |                                                                        |
|              |                                 |                 | CONSULTING              |                                                                                 |                                                                        |
|              |                                 |                 |                         | Placer Resource Management                                                      |                                                                        |
| Previous PPP |                                 | Stakeholder 188 | Consulting              | Capricorn Marine Environment                                                    |                                                                        |
| Previous PPP |                                 | Stakeholder 189 | Consulting              | (CapMarine)                                                                     |                                                                        |
| Previous PPP |                                 | Stakeholder 190 | Consulting              | Pisces Environmental Services                                                   |                                                                        |
| Previous PPP |                                 | Stakeholder 191 | Consulting              | SLR Consulting                                                                  |                                                                        |
|              |                                 |                 |                         | SDB ConsultingSA                                                                |                                                                        |
|              |                                 |                 | Law                     |                                                                                 |                                                                        |
| By default   | Centre for Environmental Rights | Stakeholder 192 | Law                     | Info                                                                            | <a href="mailto:info@cer.org.za">info@cer.org.za</a>                   |
| By default   | Lawyers for human rights        | Stakeholder 193 | Law                     | Info                                                                            | <a href="mailto:emmaa@mweb.co.za">emmaa@mweb.co.za</a>                 |
| Previous PPP | Natercia dos Santos Niz         | Stakeholder 194 | Law                     | Shepstone & Wylie Attonrneys:<br>Environmental & Clean Energy law<br>Department | <a href="mailto:natercia.dsn@wylie.co.za">natercia.dsn@wylie.co.za</a> |

|              |                                             |                 | LOCAL TOWNS INFO CENTRES                                    |                                                                                      |              |                                                                     |
|--------------|---------------------------------------------|-----------------|-------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------|---------------------------------------------------------------------|
| By default   | Strandfontein west coast information centre | Stakeholder 195 |                                                             | Visit North West Coast_Matzikama Municipality                                        | +27272013376 | tourism@visitnwc.com; info@visitnwc.com                             |
| Previous PPP | Monika de Jager                             | Stakeholder 196 | Government                                                  |                                                                                      | 0272013376   | manager@visitnwc.com;monika@namaquawestcoast.com                    |
| By default   | Strandfontein, Koekenaap and Doringbaai     | Stakeholder 197 | Government                                                  | Tourist info office                                                                  | 027 201 3376 | info@namaquawestcoast.com<br>kwela@intekom.co.za                    |
| By default   |                                             | Stakeholder 198 | Tourism                                                     | Namaqua West Coast                                                                   |              |                                                                     |
| By default   | Coleen Coetzee                              | Stakeholder 199 | Tourism                                                     | Weskus kreef staproete                                                               | 082 788 7046 | 733700782<br>vitalc@telkomsa.net<br>redakteur.onskontrei1@gmail.com |
| By default   | Lizette Appies                              | Stakeholder 200 | Tourism                                                     | Coast Care                                                                           |              |                                                                     |
| By default   | Ons Kontrei                                 | Stakeholder 201 | Newspaper                                                   | Ons Kontrei                                                                          |              |                                                                     |
|              |                                             |                 | STRANDFONTEIN                                               |                                                                                      |              |                                                                     |
| Previous PPP | Allen Lyons                                 | Stakeholder 202 | Community                                                   | Member of Strandfontein Ratepayers Association & Olifants Estuary Advisory Committee |              |                                                                     |
| Previous PPP |                                             | Stakeholder 203 | Community                                                   | Strandfontein Ratepayers Association                                                 |              |                                                                     |
| By default   |                                             | Stakeholder 204 | Community                                                   | Lower Olifants Water User Association                                                |              |                                                                     |
| Previous PPP |                                             | Stakeholder 205 | Community                                                   | Strandfontein Accommodation                                                          |              |                                                                     |
| By default   |                                             | Stakeholder 206 | Accommodation                                               | Strandfontein Accommodation                                                          |              |                                                                     |
| By default   |                                             | Stakeholder 207 | Accommodation                                               | Strandfontein Accommodation                                                          |              |                                                                     |
| By default   |                                             | Stakeholder 208 | Accommodation                                               | Strandfontein Accommodation                                                          |              |                                                                     |
| By default   |                                             |                 | Accommodation                                               | Strandfontein Accommodation                                                          |              |                                                                     |
| By default   |                                             | Stakeholder 210 | Restaurant                                                  | Restaurant Strandfontein                                                             |              |                                                                     |
| By default   |                                             |                 | Community                                                   | Member of Strandfontein Ratepayers Association                                       |              |                                                                     |
| Registered   | Stakeholder 211                             |                 | Community                                                   | Member of Strandfontein Ratepayers Association                                       |              |                                                                     |
| Registered   | Stakeholder 212                             |                 | Community                                                   | Member of Strandfontein Ratepayers Association                                       |              |                                                                     |
| Registered   | Stakeholder 213                             |                 | Community                                                   | Member of Strandfontein Ratepayers Association                                       |              |                                                                     |
| Registered   | Stakeholder 214                             |                 | Community                                                   | Member of Strandfontein Ratepayers Association                                       |              |                                                                     |
|              | Stakeholder 215                             |                 | LAMBERTSBAAI                                                |                                                                                      |              |                                                                     |
| By default   |                                             | Stakeholder 216 | Conservation                                                | Conservation                                                                         |              |                                                                     |
| By default   |                                             | Stakeholder 217 | Fishing                                                     | Lamberts Bay Harbour Affairs                                                         |              |                                                                     |
| By default   |                                             | Stakeholder 218 | Restaurant                                                  | Restaurant Lambertsbaai                                                              |              |                                                                     |
| By default   |                                             | Stakeholder 219 | Shop                                                        | Spar Lambertsbaai                                                                    |              |                                                                     |
|              |                                             |                 | PAPENDORP/ KOEKENAAP/ EBENHAESER/ LUTZVILLE/ OLIFANTS RIVER |                                                                                      |              |                                                                     |
| Previous PPP | Stakeholder 220                             | Stakeholder 221 | Community                                                   | Papendorp                                                                            |              |                                                                     |
| Previous PPP |                                             |                 | Community                                                   | Papendorp Ebenhaeser Youth Forum                                                     |              |                                                                     |
| Previous     | Stakeholder 222                             |                 | Community                                                   | Community                                                                            |              |                                                                     |
| Previous     | Stakeholder 223                             |                 | Community                                                   | M.J.O, Papendorp                                                                     |              |                                                                     |
| By default   |                                             | Stakeholder 224 | Shop                                                        | Helpmekaar Handelaars Koekenaap                                                      |              |                                                                     |
| By default   |                                             | Stakeholder 225 | School                                                      | Koekenaap Primary School                                                             |              |                                                                     |

|              |                 |                 |                                         |                                                                       |              |  |
|--------------|-----------------|-----------------|-----------------------------------------|-----------------------------------------------------------------------|--------------|--|
| By default   |                 | Stakeholder 226 | Library                                 | Ebenhaeser Library                                                    |              |  |
|              | Georgina        | Stakeholder 227 | Community                               | Ebenhaeser Community Centre<br>(Matzikama Mun)                        |              |  |
| By default   |                 | Stakeholder 228 | Community                               | Ebenhaeser Community Property<br>Association                          |              |  |
| By default   | Stakeholder 229 |                 | Community                               | Communal Property Association of<br>Ebenhaeser                        |              |  |
| By default   |                 | Stakeholder 230 | School                                  | Ebenhaeser Primary School                                             |              |  |
| By default   |                 | Stakeholder 231 | Library                                 | Lutzville Library                                                     |              |  |
| By default   |                 | Stakeholder 232 | SAPS                                    | Lutzville saps                                                        |              |  |
| By default   |                 | Stakeholder 233 | Restaurant                              | Olifants river settlement restuarant                                  |              |  |
| By default   | Stakeholder 234 |                 | Land Owner                              | Owner of the holiday resort Big River Bend<br>on the Olifants Estuary |              |  |
| Previous PPP |                 | Stakeholder 235 | School                                  | Lutzville High School                                                 |              |  |
| By default   |                 | Stakeholder 236 | School                                  | Uitkyk Primary School Lutzville                                       |              |  |
| Previous PPP | Stakeholder 237 |                 | Community                               | Community                                                             |              |  |
| Previous PPP | Stakeholder 238 |                 | Land Owner                              | Riparian landowners from                                              |              |  |
| Previous PPP | Stakeholder 239 |                 | Land Owner                              | Land owners                                                           |              |  |
| By default   |                 | Stakeholder 240 | Government                              | Ebenhaeser Land Reform DRDLR                                          |              |  |
| By default   | Stakeholder 241 |                 |                                         |                                                                       |              |  |
|              |                 |                 | <b>TRUSTS/ COMMUNITY/<br/>FISHERIES</b> |                                                                       |              |  |
| By default   |                 | Stakeholder 242 | Heritage                                | West Coast Aboriginal Council                                         |              |  |
| By default   |                 | Stakeholder 243 | Community/ Fisheries/ Trust/ Fund       | Masifundise Development Trust                                         |              |  |
|              |                 |                 |                                         | Sandveld Bewaringskomitee & Weskus                                    |              |  |
| Previous PPP |                 | Stakeholder 244 | Community/ Fisheries/ Trust/ Fund       | Hulpbron Komitee                                                      |              |  |
| By default   |                 | Stakeholder 245 | Community/ Fisheries/ Trust/ Fund       | Abalobi - Small scale fisheries                                       |              |  |
| By default   |                 | Stakeholder 246 | Community/ Fisheries/ Trust/ Fund       | South African Fisheries Development Fund                              | 083 798 8778 |  |
| Previous PPP |                 | Stakeholder 247 | Community/ Fisheries/ Trust/ Fund       | Oceana Group Limited                                                  |              |  |
| By default   |                 | Stakeholder 248 | Community/ Fisheries/ Trust/ Fund       | Oceana Group Limited                                                  |              |  |
| By default   |                 | Stakeholder 249 | Community/ Fisheries/ Trust/ Fund       | Irvin & Johnson Limited                                               |              |  |
| By default   |                 | Stakeholder 250 | Community/ Fisheries/ Trust/ Fund       | Irvin & Johnson Limited                                               |              |  |
|              |                 |                 |                                         | South African Pelagic Fishing Industry<br>Association                 |              |  |
| Previous PPP |                 | Stakeholder 251 | Community/ Fisheries/ Trust/ Fund       | Fisheries Sector                                                      | 0781321386   |  |
| Previous PPP |                 | Stakeholder 252 | Community/ Fisheries/ Trust/ Fund       | Sea Harvest Corporation Ltd                                           |              |  |
| By default   |                 | Stakeholder 253 | Community/ Fisheries/ Trust/ Fund       | South African Commercial Line Fishing<br>Association                  |              |  |
| By default   |                 | Stakeholder 254 | Community/ Fisheries/ Trust/ Fund       | South African Deep Sea Trawling Industry<br>Ass.                      |              |  |
| By default   |                 | Stakeholder 255 | Community/ Fisheries/ Trust/ Fund       |                                                                       |              |  |
| By default   |                 | Stakeholder 256 | Community/ Fisheries/ Trust/ Fund       | South African Hake Longline Association                               |              |  |
| By default   |                 | Stakeholder 257 | Community/ Fisheries/ Trust/ Fund       | South African Hake Longline Association                               |              |  |
| By default   |                 | Stakeholder 258 | Community/ Fisheries/ Trust/ Fund       | Viking Fishing                                                        |              |  |
| By default   |                 | Stakeholder 259 | Community/ Fisheries/ Trust/ Fund       | Aquaculture Association of SA                                         |              |  |
|              |                 |                 |                                         | Bivalve Shellfish Farmers Association of<br>South Africa (BSASA)      |              |  |
| By default   |                 | Stakeholder 260 | Community/ Fisheries/ Trust/ Fund       |                                                                       |              |  |
| By default   |                 | Stakeholder 261 | Community/ Fisheries/ Trust/ Fund       | Fisheries communiteis                                                 |              |  |
|              |                 |                 |                                         |                                                                       |              |  |
| Previous PPP |                 | Stakeholder 262 | Community/ Fisheries/ Trust/ Fund       | Masibambasani Fisheries (Pty) Ltd                                     |              |  |
| By default   |                 | Stakeholder 263 | Community/ Fisheries/ Trust/ Fund       | Association of Small Hake Industries                                  |              |  |

|                   |                      |                 |                                   |                                                                   |              |                                                                                |
|-------------------|----------------------|-----------------|-----------------------------------|-------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------|
| By default        |                      | Stakeholder 264 | Community/ Fisheries/ Trust/ Fund | Fish SA                                                           |              |                                                                                |
| By default        |                      | Stakeholder 265 | Community/ Fisheries/ Trust/ Fund | Fresh Tuna Exporters Association                                  |              |                                                                                |
| By default        |                      | Stakeholder 266 | Community/ Fisheries/ Trust/ Fund | South African Deep Sea Angling Association                        |              |                                                                                |
| By default        |                      | Stakeholder 267 | Community/ Fisheries/ Trust/ Fund | Pioneer Fishing (Pty) Ltd                                         |              |                                                                                |
| Previous PPP      |                      | Stakeholder 268 | Community/ Fisheries/ Trust/ Fund | Pioneer Fishing (Pty) Ltd                                         |              |                                                                                |
| By default        |                      | Stakeholder 269 | Community/ Fisheries/ Trust/ Fund | Luckystar                                                         |              |                                                                                |
| By default        |                      | Stakeholder 270 | Community/ Fisheries/ Trust/ Fund | Saldanha fisheries                                                |              |                                                                                |
| Previous PPP      |                      | Stakeholder 271 | Community/ Fisheries/ Trust/ Fund | Represents SH- Olifantsmond Beleggings which owns land on De Punt |              |                                                                                |
| Previous PPP      |                      | Stakeholder 272 | Community/ Fisheries/ Trust/ Fund | Olifants Vissersvereniging , Olifantsdrif                         |              |                                                                                |
| Previous PPP      |                      | Stakeholder 273 | Community/ Fisheries/ Trust/ Fund | Olifants Vissersvereniging , Olifantsdrif                         |              |                                                                                |
| Previous PPP      |                      | Stakeholder 274 | Community/ Fisheries/ Trust/ Fund | Fisherman, Olifants Vissersvereniging                             |              |                                                                                |
| Previous PPP      |                      | Stakeholder 275 | Community/ Fisheries/ Trust/ Fund | Olifants Vissersvereniging , Olifantsdrif                         |              |                                                                                |
| Previous PPP      |                      | Stakeholder 276 | Community/ Fisheries/ Trust/ Fund | Olifants Vissersvereniging , Olifantsdrif                         |              |                                                                                |
| Registered        |                      | Stakeholder 277 | Community/ Fisheries/ Trust/ Fund | Cederberg Rastafari Movement/ Coastal                             |              |                                                                                |
| Registered        |                      | Stakeholder 278 | Community/ Fisheries/ Trust/ Fund | Heritage Indigenous Land Dwellers                                 |              |                                                                                |
| Registered        | Stakeholder 279      |                 | Community/ Fisheries/ Trust/ Fund | Natural Justice                                                   |              |                                                                                |
| Registered        |                      | Stakeholder 280 | Community/ Fisheries/ Trust/ Fund | Natural Justice                                                   |              |                                                                                |
| <b>DORINGBAAI</b> |                      |                 |                                   |                                                                   |              |                                                                                |
| Previous PPP      | Stakeholder 281      |                 | Community                         | Concerned Party 14A & 11C                                         |              |                                                                                |
| Previous PPP      | Stakeholder 282      |                 | Community                         | Concerned Party 14A & 11C                                         |              |                                                                                |
| By default        | Stakeholder 283      |                 | Community                         |                                                                   |              |                                                                                |
| By default        | n/a                  | Stakeholder 284 | E-Centre                          | Doringbaai E-Centre                                               |              | <a href="mailto:doringbaai.ecentre@gmail.com">doringbaai.ecentre@gmail.com</a> |
| By default        | Captain EH Schreuder | Stakeholder 285 | SAPS                              | Doringbaai SAPS                                                   | 027 215 1021 | <a href="mailto:doringbaaisaps@saps.gov.za">doringbaaisaps@saps.gov.za</a>     |
| By default        | Stakeholder 286      |                 | Community                         |                                                                   |              |                                                                                |
| Registered        | Stakeholder 287      |                 | Community                         | Concerned Party 14A & 11C                                         |              |                                                                                |
| By default        | Stakeholder 288      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 289      |                 | Community                         | Farmer close to 11C - Garies                                      |              |                                                                                |
|                   |                      |                 |                                   | Farmer close to 11C - Bitterfontein - Ward 8 Matzikama            |              |                                                                                |
| By default        | Stakeholder 290      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 291      |                 | Community                         |                                                                   |              |                                                                                |
| By default        | Stakeholder 292      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 293      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 294      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 295      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 296      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 297      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 298      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 299      |                 | Community                         | Farmer close to 11C                                               |              |                                                                                |
| By default        | Stakeholder 300      |                 | Community                         |                                                                   |              |                                                                                |
| By default        | Stakeholder 301      |                 | Community                         | Farmer close to 11C - Lives and Farms in Matzikama Ward 8         |              |                                                                                |
| By default        | Stakeholder 302      |                 | Community                         | Farmer close to 11C - Lives and Farms in Matzikama Ward 8         |              |                                                                                |
| By default        | Stakeholder 303      |                 | Community                         |                                                                   |              |                                                                                |
| By default        | Stakeholder 304      |                 | Community                         |                                                                   |              |                                                                                |
| By default        | Stakeholder 305      |                 | Community                         |                                                                   |              |                                                                                |

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## **APPENDIX E:**

### **2021/ 2022 Comments and Responses**

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## APPENDIX 18 COMMENTS AND RESPONSES TABLE

### Comments and response Table for Prospecting in Concession area 11C

| Name                                                                     | Date     | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Response                                                                                                                                                |
|--------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Written comments received throughout the Basic Assessment Process</b> |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                         |
| <b>Stakeholder 129</b><br>→Eskom                                         | 1/7/2021 | <p>Please find attached Eskom general requirements for works at or near Eskom infrastructure and servitudes, should there be any such on the affected property.</p> <p><b>Eskom requirements for work in or near Eskom servitudes.</b></p> <ol style="list-style-type: none"> <li>1. Eskom's rights and services must be acknowledged and respected at all times.</li> <li>2. Eskom shall at all times retain unobstructed access to and egress from its servitudes.</li> <li>3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals.</li> <li>4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer.</li> <li>5. If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand.</li> <li>6. The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of</li> </ol> | Duly noted. We will ensure that all of the requirements and relevant legislation are met when requesting comment from Eskom and all other stakeholders. |



the blasting process. It is advisable to make application separately in this regard.

7. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction.

8. Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.

9. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager

Note: Where and electrical outage is required, at least fourteen work days are required to arrange it.

10. Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.

11. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the

|                         |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                              |
|-------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                         |          | <p>area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom.</p> <p>12. The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).</p> <p>13. Equipment shall be regarded electrically live and therefore dangerous at all times.</p> <p>14. In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.</p> <p>15. Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.</p> <p>16. It is required of the developer to familiarise himself with all safety hazards related to Electrical plant.</p> <p>17. Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.</p> |                                                                                                                                                                                                              |
| Stakeholder 115<br>→DPW | 6/7/2021 | The email of below has bearing. Could you please provide me with information on how will DPWI be                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Duly noted. The application is for prospecting rights in a <b>sea-based</b> concession area, as such DPW should not be impacted by this application. We will, however, register DPW as an I&AP as requested. |

|                                                                                                                      |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                      |          | impacted by this application. Please also register DPWI as an I&AP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Stakeholder 48</b><br>→Directorate: Development Facilitation<br><br>→Environmental Affairs & Development Planning | 6/7/2021 | <p>Thank you for your e-mail of 06 July 2021. Please register the Department of Environmental Affairs and Development Planning as a commenting authority for the BA application. You may add me as the Department's contact person for the application. We prefer to receive communication regarding this application via e-mail correspondence please.</p> <p>Please could you notify me when the Draft BAR is released for comment? If possible, the Draft BAR and appendices can be provided via e-mail. Alternatively, a link to download the report (via your website, Google Drive, WeTransfer or Dropbox) would suffice.</p> <p>Note that the correct reference is the Environmental Impact Assessment Regulations, 2014 (as amended).</p> | Thank you for your response.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Stakeholder 152</b><br>→Cape Nature                                                                               | 7/7/2021 | <p>For future reference, please see attached CapeNature contact details regarding Land-Use applications for review as well as CapeNature's application document requirements.</p> <p><b>Annexure A: CapeNature's Requirements Regarding Development Applications</b></p> <p>The aim of this annexure is to provide stakeholders with guidelines to consider the biodiversity and ecological infrastructure of the Western Cape when drafting development applications. To assist stakeholders and planners to incorporate the Western Cape Biodiversity Spatial Planning handbook1 with strategic and practical guidelines for their planning and decision making.</p>                                                                            | <p>Duly noted. We will ensure that all of the requirements and relevant legislation are met when requesting comment from Cape Nature and all other stakeholders. Please note that this is an offshore application and that no land-based activities will be undertaken.</p> <p>Once the seismic survey has been conducted and reef habitats identified, these will be buffered and avoided during invasive sampling activities. All sensitive ecosystems will also be buffered and avoided during invasive sampling activities.</p> <p>A marine, a fisheries and a heritage specialist has been appointed to undertake the relevant specialist studies. These are available as Appendices in the Final Basic Assessment Report.</p> |

**Guidelines and biodiversity plans**

1. The Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) has produced a series of guideline documents (March 2013) that provide clear guidance on the EIA process<sup>2</sup>. Specifically, they aim to improve the capacity of environmental assessment practitioners (EAPs) and specialists to draft appropriate terms of reference that meet the information requirements for informed environmental decision-making. The guideline must be read in conjunction with the National Environmental Management Act (NEMA), the NEMA EIA regulations, relevant specific environmental management Act (SEMA(s)) and their regulations. In addition, the Fynbos Forum Ecosystems Guidelines for Environmental Assessment in the Western Cape, Edition 2 (2016). Provides appropriate terms of reference for Botanical Assessments. All stakeholders should also make use of the CapeNature Western Cape Biodiversity Spatial Plan (WCBSP, 2017) Land Use Advice (LUA) Handbook. The implementation of relevant recommendations and/or actions as stipulated in the documents below should be critically considered, regardless of whether a Scoping, Basic Assessment, and EIA or any other authorisation process is to be undertaken. By consulting these documents and meeting the requirements for submission of accurate and relevant information, EAP's, specialists and stakeholders can support efficient and accountable decision-making.

**We kindly request that your environmental assessment is informed by the following documents:**

We have sent copies of the Background Information Document, Draft Basic Assessment Report (BAR), notifications and all other relevant documents to all relevant and registered Interested and Affected Parties (I&APs), including Cape Nature. We will also inform Cape Nature and all other registered I&APs of the availability of the Final BAR.

- a) ☐ Brownlie S (2005) Guideline for involving biodiversity specialists in EIA processes: Edition 1. CSIR Report No ENV-S-C 2005 053 C. Republic of South Africa, Provincial Government Western Cape, Department of Environmental Affairs and Development Planning, Cape Town<sup>4</sup>.
- b) ☐ De Villiers C.C., Driver A., Clark B., Euston-Brown D.I.W., Day E.G., Job N., Helme N.A., Holmes P.M., Brownlie S. and A.B. Rebelo (2016). Ecosystem Guidelines for Environmental Assessment in the Western Cape, Edition 2. Fynbos Forum, Cape Town.
- c) ☐ Pool-Stanvliet, R., Duffell-Canham, A., Pence, G. & Smart, R. (2017). The Western Cape Biodiversity Spatial Plan Handbook. Stellenbosch: CapeNature.
- d) ☐ The third National Biodiversity Assessment (2018)<sup>5</sup> provides information about the state of South Africa's threatened ecosystem status.
- e) ☐ The latest provincial biodiversity framework (conservation plan), which reflects identified Critical Biodiversity Areas; currently is the WCBSP 2017, available on SANBI's Biodiversity GIS website<sup>6</sup>. The most recent conservation plans, and their associated reports and guidelines are available at the SANBI Biodiversity GIS Unit website<sup>7</sup>. The mapping tools are useful, but please note that while these tools can help to identify potential issues, the use thereof does not constitute a biodiversity assessment.
- f) ☐ The Western Cape Provincial Spatial Development Framework (2014) (Department of Environmental Affairs & Development Planning)<sup>8</sup>.
- g) ☐ The Department of Water and Sanitation's Draft Guideline (2014): Assessment of activities/developments affecting wetlands<sup>9</sup>.
- h) ☐ The Mining and Biodiversity Guideline (2013) outlines six principles that should be applied

during any stage of the mining for decision-making. The document uses biodiversity information for decision-making throughout the mining cycle<sup>10</sup>.

i) ☐ The Western Cape Land Use Planning Guidelines: Rural Areas (2019) aims at Safeguarding priority biodiversity areas and their functionality and ecological infrastructure and ensuring sustainable development in rural locations throughout the Western Cape<sup>11</sup>.

j) ☐ DEA&DP 2015. Western Cape Guideline on Biodiversity Offsets. Prepared by Susie Brownlie and Mark Botha for DEA&DP, Cape Town<sup>12</sup>.

k) ☐ South African National Biodiversity Institute and Department of Water and Sanitation 2016. Wetland Offsets: A Best Practice Guideline for South Africa. Prepared by D Macfarlane, SD Holness, A von Hase, S Brownlie, JA Dini, V Kilian. WRC Report No. TT 660/1613. Biodiversity 'red flags' in the Western Cape

2. ☐ The following factors must be considered during project planning and assessment:

a) ☐ CapeNature does not support activities that may negatively impact on the following habitats and their ecological functioning:

i. ☐ Rivers, wetlands, flood plains, estuaries, tidal flats or salt marshes and groundwater-dependent communities or ecosystems.

ii. ☐ ii. Representative habitat in Critically Endangered and Endangered ecosystems.

iii. ☐ Any area that has been identified as a Critical Biodiversity Area or Ecological Support Areas as identified by the most recent systematic conservation plan (WCBSP, 2017).

iv. ☐ Any other special habitats that may contain a unique assemblage of species. This could include inter alia, dolomite outcrops, quartz or ferricrete patches.

- v. ☐ Any habitat that may contain rare, threatened or range-restricted floral or faunal species (Species of Conservation Concern).
- vi. ☐ Natural or mostly natural habitat in an ecological corridor or along a vegetation boundary (including frontal dune systems).
- vii. ☐ Remaining natural forest habitat without approval from the DFFE as a custodian of forestry resources in South Africa.

Appropriate buffers must be determined by a suitably qualified specialist to avoid impacting on these habitats and particular attention should be paid to avoiding the loss of intact habitat, maximizing connectivity at a landscape scale, maximizing habitat heterogeneity, and reducing fragmentation at a local and regional scale. The buffers should guide the development plans in order to reduce any present or future impact on the habitat. Once suitable buffers have been mapped it should be illustrated on a map and included in the application. Invasive alien species threaten indigenous species and have numerous negative impacts on ecosystem functioning. Please also note that an infestation by alien plants does not necessarily mean that an area is not important for biodiversity conservation, nor is the subsequent removal of alien vegetation from a property regarded as a mitigation measure as this is a legal requirement<sup>14</sup>.

- b) ☐ The Cape Floristic Region is largely a fire-dependent system and natural fire regimes must be maintained and managed in the landscape. The exclusion of fire from certain habitats will be considered unacceptable as this may ultimately cause the loss of species. In terms of section 12 (1) and 2 (a) of National Veld and Forest Act<sup>15</sup>

Where appropriate, adequate fire-breaks must be prepared and maintained around the property to reasonably prevent the spread of unwanted fires in the area. The firebreaks may be considered part of the development footprint. Fire-breaks must be brush-cut and vegetation must not be completely removed. Brush-cutting under power lines must occur as infrequently as possible as brush-cutting will lead to loss of species diversity over time. A fire-risk assessment can help inform an appropriate layout for developments adjacent to fire-prone vegetation. Landowners are encouraged to apply for membership with their local Fire Protection Association (FPA) and EAPs are encouraged to obtain comment from them on development applications.

- c) ☐ CapeNature has concerns regarding land uses or activities within declared Mountain Catchment Areas (MCA), especially activities which may affect the quality or volume of water downstream of any of these regions. These activities could inter alia include buildings, hard infrastructure, canalization, cut-off drains and cultivation within these regions. WCBSP categories are not mapped within formally protected areas such as MCAs, as it is assumed that the objectives of the MCA Act apply. The MCA objectives are that these areas will be managed in a manner consistent with the prevention of soil erosion, the protection of natural vegetation, and the management of invasive alien plants (a.k.a., 'intruding vegetation'). In addition to which, the purposes of NEM: PAA (to be read, interpreted and applied in conjunction with the NEM: BA), need to be upheld. These NEM: PAA purposes are: "To provide for the protection and conservation of ecologically viable areas representative of South



Africa's biological diversity and its natural landscapes and seascapes; ...[and] for the management of those areas...". In relation to a protected area, management includes control, protection, conservation, maintenance and rehabilitation of the protected area, with due regard to the use and extraction of biological resources, community-based practices and benefit-sharing activities in the area in a manner consistent with the NEM: BA.

- d) ☐ Water is a limited resource in the Western Cape. Water requirements for proposed activities and the potential impact on broader surface and ground water resources must be rigorously assessed and considered by an aquatic/freshwater specialist and/or ground water specialist, including the cumulative impact if other developments are also taking place in an area. Cumulative impacts on infrastructure such as Waste Water Treatment Works must also be considered. It is also recommended that where possible all developments should consider recycling grey water for suitable usage. Groundwater use for bulk supply purposes and irrigation must be assessed rigorously with specific reference to the possible groundwater-surface water interfaces. Groundwater use assessments must include the identification of possible groundwater dependent ecosystems and/or possible interfaces with surface resources and not only potential anthropogenic uses. Aquifers need to be described in terms of: aquifer type, aquifer characteristics, aquifer condition, as well as aquifer recharge and yield<sup>16</sup>.
- e) ☐ Rehabilitation of any disturbed ecosystems is only considered successful when the ecosystem has returned to an ecologically functional state and has a similar species assemblage as its

natural state. Such applications must have a complete rehabilitation plan appended to submitted documentation. It should also be noted that CapeNature will not support new mining applications on property where previously mined areas have not been suitably rehabilitated to an ecologically functional state and have been officially closed by the DMR. Mining is not permitted within a NEM: PAA registered protected area and CapeNature will not support any development proposal or amendment which contravenes this.

- f) ☐ Activities which may cause fragmentation of CBAs leading to loss of ecological connectivity are not supported by CapeNature.
- 3. ☐ Specialist assessment(s) should be undertaken if any of the above-mentioned circumstances prevail or if there is any doubt about the biodiversity value of the potentially impacted areas. The opportunities and constraints of the receiving environment should be used to inform the desirability and layout of any development proposal to ensure that developments do not compromise the biodiversity value of the area. When assessing the impact of the development on CBA, the EAP must investigate the reasons (features) behind the determination of the CBA and critically assess whether these will be negatively impacted by the proposed construction or operational phase activities.
- 4. ☐ The Mitigation Hierarchy in terms of the Department of Environmental Affairs and Development Planning guideline documentation must be adhered to.

**Commissioning of biodiversity specialists**

- 5. ☐ A specialist should be involved if the proposed activity will have a significant impact on the

environment and its processes or where there is insufficient information to determine whether unavoidable impacts would be significant. A suitably qualified and experienced specialist is critical to ensuring that the necessary information is provided for informed decision-making. Please take note of the following recommendations<sup>17</sup>:

**Biodiversity specialists should:**

- a) ☐ Be competent at interpreting and evaluating information and able to explain the direct and indirect consequences of an activity to biodiversity;
- b) ☐ Have appropriate formal training in his/her field of expertise;
- c) ☐ Have sufficient practical experience working in the specific ecosystems of the affected region and thereby adding value to the planning and design of the proposed project/activity;
- d) ☐ Be able to trace impact pathways and identify indirect or cumulative impacts and consider ecosystem goods and services;
- e) ☐ Have good knowledge relating to assessment techniques and to relevant legislation, policies and guidelines;
- f) ☐ Be independent; and
- g) ☐ Be registered with the South African Council for Natural Scientific Professions (SACNASP).

CapeNature also requests that specialists be asked to review the information in the report to be submitted for decision-making to confirm that their opinion has been adequately reflected.

**Permit requirements**

6. ☐ Please note that according to Section 63(1) of the Western Cape Nature Conservation Laws Amendment Act No. 3 of 200018:

**No person shall—**

- a) ☐ uproot the plant in the process of picking the flower of any flora;
- b) ☐ without a permit—
  - i. ☐ pick any endangered or protected flora, or
  - ii. ☐ pick any flora on a public road or on the land on either side of such road within ninety meters from the center of such road, or
- c) ☐ pick any protected or indigenous unprotected flora on land of which he or she is not the owner, without the permission of the owner of such land or of any person authorised by such owner to grant such permission.

If these activities will be involved in the application (for example search and rescue) make sure to apply for a CapeNature permit to carry out these activities. CapeNature is the regulatory authority in the Western Cape for the issuing of permits for fauna, flora, hunting and CITES. To obtain such permits please contact the relevant Conservation Services Officials at the nearest CapeNature Regional Office or contact the Permit Office on 087 087 4088. The following website address <http://www.capenature.co.za/permitsinformation/> provides information for the self-service permit portal.

**Mining and Prospecting Applications**

7. ☐ Please note that the DMRE no longer sends copies of applications to commenting authorities. It is now the responsibility of the consultant working for the applicant to ensure

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|                                        |          | that all commenting authorities receive the relevant documents. Therefore, point 5 above applies to mining and prospecting applications as well. The consultant must also provide electronic copies of the EA once received.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Stakeholder 152</b><br>→Cape Nature | 7/7/2021 | <p><b>CAPENATURE’S REQUIREMENTS FOR PROVIDING COMMENTS ON DEVELOPMENT APPLICATIONS.</b></p> <p>CapeNature is the statutory custodian of biodiversity in the Western Cape and commenting authority concerning potential impacts on biodiversity and ecological processes. Our comments only pertain to the biodiversity related impacts of the development application. The effective management of biodiversity is a requirement in terms of Section 41 (a) of the National Environmental Management: Biodiversity Act (Act No. 10 of 2004). Thus, this letter and Annexure A outline requirements for land use applications and this should be considered when submitting applications to CapeNature for commenting.</p> <p>Protecting biodiversity beyond the boundaries of Protected Areas is essential to maintain the integrity of ecosystems across broader landscapes. The Western Cape Biodiversity Spatial Plan (WCBSP 2017) provides guidelines on land use activities that are compatible with maintaining the ecological integrity of terrestrial and aquatic Critical Biodiversity Areas (CBA) and Ecological Support Areas (ESA) on land outside of Protected Areas.</p> <p><b>Preventing biodiversity loss in the Western Cape</b></p> <p>CapeNature’s role is to provide advice on biodiversity related impacts on applications that may either change land uses or trigger a NEMA listed activity. Some of the type of applications we provide</p> | <p>Duly noted. We will ensure that all of the requirements and relevant legislation are met when requesting comment from Cape Nature and all other stakeholders.</p> <p>Please note that this is an offshore application and that no land-based activities will be undertaken.</p> <p>All sensitive ecosystems will also be buffered and avoided during invasive sampling activities. This will also be outlined in the EMPr</p> <p>We take note of Cape Nature’s “Format of reports” and will follow these.</p> |

comments on include *inter alia* agricultural, renewable energy, mining, water-use related, recreational and other applications submitted in terms of NEMA. We may also provide comments on planning applications in terms of SPLUMA as well as provincial and national policies, guidelines, and legislation. During the commenting process, CapeNature will highlight any threats that may result from the development and any impacts on CBAs (terrestrial and aquatic) and ecological infrastructure. CapeNature does not support developments that result in irreversible loss of habitat and ecological functioning in threatened ecosystems (as identified in NEM:BA and the updated National Biodiversity Assessment, 2018) or sensitive areas such as aquatic and terrestrial CBAs and ESAs (as identified by the WCBSP, 2017) and Freshwater Ecosystem Priority Areas (as identified by the National Freshwater Ecosystem Priority Areas). If a land use activity results in negative impacts on the environment and their ecological processes, then mitigation should be proposed in line with the Mitigation Hierarchy (DEA&DP 2011). All alternatives considered should be reasonable and feasible.

Applications that require review by CapeNature should demonstrate how the proponent intends on complying with the principles contained in Section 2 of the National Environmental Management Act (Act No. 107 of 1998), as amended (NEMA), which, amongst other things, indicates that environmental management should:

- ☐ In order of priority aim to avoid, minimise, or remedy disturbance of ecosystems and loss of biodiversity;
- ☐ Avoid degradation of the environment;
- ☐ Avoid jeopardizing ecosystem integrity;

- ☐ Pursue the best practicable environmental option by means of integrated environmental management;
- ☐ Protect the environment as the people's common heritage;
- ☐ Control and minimise environmental damage; and
- ☐ Pay specific attention to management and planning procedures pertaining to sensitive, vulnerable, highly dynamic, or stressed ecosystems.

These principles must underpin decision-making concerning matters that may affect the environment. As such, it is incumbent upon the proponent to show how proposed activities would comply with the above-mentioned principles and thereby contribute towards the achievement of sustainable development as defined by the NEMA.

#### **Status of CapeNature's comment**

CapeNature may be consulted to discuss any aspect of the development application, during the public participation process. However, verbal discussions are not considered adequate and only written comment from CapeNature following a review of a development application is considered formal communication. We do reserve the right to revise our initial comments on any new information that may be received, or we may request additional information.

#### **Format of reports**

Please help us provide you with a timely response by supplying all information in a readily accessible format:

- a. ☐ We require all notifications of Basic Assessment and Environmental Impact Assessment Processes be sent via email. The email must contain a link to a site containing all the respective reports including the main report, locality maps, all alternative layout plans and all biodiversity related specialist reports. Please do not attach the main documents and appendices to the email. The only attachments to the e-mail must be a cover letter, executive summary, and the locality map (including relevant biodiversity overlay maps). Please make sure the Farm/Erf number(s) is clear (preferably in the title) and the municipality. Copies couriered to office addresses may be acceptable as well, but please check with the relevant CapeNature contact.
- b. ☐ Please save all reports and appendices as separate files and not one combined file.
- c. ☐ To facilitate assessment of potential impacts, we request that maps of proposed development layouts be overlaid with identified environmental features of a site. If provided separately, maps should be produced at the same scale.
- d. ☐ Please provide GIS shapefiles of the proposed development footprint, particularly for linear features or for combined applications with numerous sites,

We receive a large number of reports and need to treat applicants and consultants fairly, therefore applications will be processed from date of receipt within the required number of days as stipulated by the DEA&DP, DFFE, the DMRE or other competent authority. Land Use Planning, Development applications, Environmental Management Frameworks, policies, and legislation can be directed



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|                                                              |           | to the following CapeNature officials (also refer to Figure 1):                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Stakeholder 282</b><br>→Fisherman                         | 13/7/2021 | <p>I am a Fisher, If it will be ok I will register our Company ( New ) also as interested Fishing Company if it is fine with you.</p> <p>Dear Official,<br/>We a Group of Fisherman and Women Registered a Company to apply for Long Term Fishing Rights. But as we all know that not everyone could be successful due to limited Marine Living Resources. So we register as a company so that we could accommodate more Fisherfolks and so doing give everyone a fare change to participate in registration.</p> | Noted and registered as an I&AP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Stakeholder 170</b><br>→Interested party                  | 30/9/2021 | The impact that the prospect will have on the marine environment was listed as low, very low or insignificant. Will any additional information be provided to verify that this is true?                                                                                                                                                                                                                                                                                                                           | The information provided in the marine specialist report describes both the methodology and the basis (rationale and supporting data) for the assessment of impacts presented. Please see Appendix 3 in the Final Basic Assessment Report for more information.                                                                                                                                                                                                                                                                       |
| <b>Stakeholder 25</b><br>→Western Cape District Municipality | 4/10/2021 | The impacts of the building of any infrastructure should be fully assessed and the proper procedure should be followed regarding this should be followed                                                                                                                                                                                                                                                                                                                                                          | The proposed method of prospecting in the concession will be boat based. The applicant will be conducting acoustic surveys and sediment collection which will be done via three sampling methods. These include Van Veen grab sampling (for biological samples), ans of a sonic core, vibracore or gravity core, and sediment. No land based infrastructure will be built. Should this be necessary, the applicant understands that environmental authorisation will need to be applied for and the appropriate channels be followed. |
| <b>Stakeholder 25</b><br>→Western Cape District Municipality | 4/10/2021 | The potential impacts of the proposed prospecting activity on the Olifants River Estuary should also be taken into account                                                                                                                                                                                                                                                                                                                                                                                        | The Olifants River Estuary mouth is situated approximately 35 km from the southern boundary of the concession area. The marine specialist study did not identify any potential impacts of the proposed prospecting activities on the Olifants Estuary.                                                                                                                                                                                                                                                                                |
| <b>Stakeholder 25</b><br>→Western Cape District Municipality | 4/10/2021 | The high prevalence of subsistence and commercial fishing taking place along the west coast and within the concession area should be taken into                                                                                                                                                                                                                                                                                                                                                                   | A large proportion of the communities existing along the west coast rely on fishing as a source of income and depend on it for their livelihood. Areas within and nearby the concession area such as Doringbaai, Strandfontein and Lamberts Bay are also centred around this with Lamberts Bay having a main port for commercial fisheries. Small scale fishing communities may be involved in harvesting, processing and distribution of fish for commercial purposes. A marine specialist and socio-economic                        |

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|                                                                                                                      |           | consideration as well as their potential impacts on livelihood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | study assessed the impacts on fisheries at a national scale and on local fishing communities to be “low” largely due to the temporary nature, limited spatial extent and medium intensity of anticipated impacts. The offshore location of Concession 11C and distance from small vessel launch sites (> 40km) does mean that small scale fishing activities are not likely to occur within the concession area. Recommended mitigation included undertaking surveys outside of fishing seasons and the appointment of a Fisheries Liaison Officer to report daily on fishing and survey activities and areas to allow for effective avoidance or minimization of potential impacts on potentially affected fishing sectors (small pelagic purse seine, tuna pole and line and traditional linefish)..                                                      |
| <b>Stakeholder 388</b><br>→Concerned party                                                                           | 4/10/2021 | Impacts to fish stocks in the surf zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A marine specialist study was undertaken to assess the status of the existing environment and the potential impacts of the proposed prospecting activity on fish stocks, marine mammals and the organisms living on the seafloor. The outcomes of this assessment are included in the BAR, EMPr and will also be made available to stakeholders.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Stakeholder 306</b><br>→Private resident<br>→Community member                                                     | 4/10/2021 | Few weeks ago a company called Moonstone Diamonds had a meeting expressing interest in prospecting for minerals(diamonds) and therefore applied for prospecting rights in area 13. Today another company Trans Atlantic Diamonds Pty(Ltd) likewise applying for prospecting rights in area 14. Is these two companies the same in terms of ownership, can I please get clarity. In terms of community participation i would request that communication be properly advertised and the date be communicated way in advance.                                                       | No, Moonstone Diamonds and Trans Atlantic Diamonds are two separate companies and the EAP has no knowledge of any relationship between them<br><br>We will be sure to advertise the public participation process and upcoming meetings in the local newspapers and also send out notifications via email and in the form of posters. For now, we are just informing stakeholders that the prospecting rights application has been accepted (not the prospecting rights, but only the application) by the Department of Mineral Resources and Energy (DMRE) and we calling for any initial comment only on the fact that the application has been accepted. Comments on the prospecting rights project and activities and the basic assessment process can still be submitted until the end of the Public Participation Period (date still to be confirmed). |
| <b>Stakeholder 48</b><br>→Directorate: Development Facilitation<br><br>→Environmental Affairs & Development Planning | 5/10/2021 | I note from the BID that a BA process is proposed for the prospecting right application, which will include geophysical surveys, drilling and grab sampling. Please note that our Department has been commenting on a few off-shore PR applications which have been subjected to a S&EIR application as it included activity 19 of LN 2 (related to bulk sampling). I’m not sure whether PASA/DMRE has agreed that a BA application must be followed? I would be happy to provide you with examples of the off-shore PR applications that were subjected to a S&EIR application. | According to the EIA regulations, 2014 (as amended), should an activity trigger listing notice 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), a basic assessment process will be required. Should an activity trigger listing notice 2 of NEMA, a scoping and Environmental Impact Assessment will be required. The client will only be conducting seismic surveys, drilling by means of sonic coring, vibracoring or gravity coring and also collecting sediment samples by means of a Van Veen Grab. This will only trigger listing Notice 1 of NEMA as no bulk sampling will be conducted. Therefore, only a BA process will be conducted. This has been confirmed with the DMRE.                                                                                                                                    |

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| <b>Stakeholder 266</b><br>→South African Pelagic Fishing Industry Association                             | 6/10/2021                | [I belong to the] small pelagics sector [and use the area for] purse seine [fishing]. We normally fish in the inshore areas. Depending on the depth, can be on rocky bottoms. Sometimes fish to 200 m isobath. Normally fish at night from February through October. Seismic activity and sediment discharge is a possible deterrent to pelagic fish and may impact recruitment. [I propose that] the prospecting activity be conducted outside of the fishing season (December to End January) [with] no commercial mining. [I am not aware of any sensitive areas that should be avoided or any other impacts that the project might have on the community or environment.] | Sediment plumes from the proposed prospecting activity may differ in timing and intensity depending on the existing marine conditions. Within the Benguela region, organisms are regularly exposed to naturally elevated suspended sediment levels and therefore the turbidity created by the mining vessel is not expected to have significant effects on the marine biota. Modelling studies and aerial observations of plumes generated from mining vessels have also shown that concentrations of suspended sediments reduce rapidly with distance from the vessel, allowing a fairly fast settlement and dilution of fine sediment fractions. The effects of seismic activity is shown to be potentially harmful to pelagic fish but is also known to vary between fish species. The majority of fish species are mobile and can therefore move away and avoid seismic noise levels that could potentially cause harm. It is also very likely that majority of the fish in the area will be some distance from the source of the noise where the sound level has attenuated. The suggested adjustment to the timeframe of proposed prospecting activities is duly noted. The marine specialist study did note the importance of the area to the small pelagic fisheries (particularly anchovy targeting), but also recorded that a very small percentage of the average national small pelagic catch was made within reporting blocks that overlap with concession area 11C. It was concluded that the fishery is unlikely to be significantly negatively affected by small temporary closures/exclusion zones around survey vessels and geotechnical survey sites, whilst acoustic impacts and sediment plumes were assessed as having “very low” impacts on pelagic fish. |
| <b>Stakeholder 308</b><br>→Community Representative of the West Coast fishing communities<br><br>→Abalobi | July, August and October | I will supply you with a list of community members and stakeholders. These members are very sensitive and do not want to talk to people and not over the phone. You would have to come down to the town and talk to them                                                                                                                                                                                                                                                                                                                                                                                                                                                      | These stakeholders were all invited to the public meeting held in Doringbaai on the 11 November 2021.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Stakeholder 310</b><br>→Community Representative of Doringbaai                                         | July and October 2021    | <p>The community is very sensitive with regards to their area, culture and the fish.</p> <p>Most of them are subsistence fisherman who live from the hand to the mouth. The sea is thus very important to their livelihoods. They mostly fish galjoen and snoek during the appropriate fishing seasons throughout the year. They do not expect these fish and fishing activities to be impacted upon by the prospecting. Doringbaai Abalone is a very important aquaculture facility in the area, injecting</p>                                                                                                                                                               | <p>Thank you very much for your helpful comments and input. These will be taken into consideration and communicated to the client.</p> <p>Thank you for highlighting the importance of potential employment opportunities. The socio-economic assessment, however, found that, unfortunately there will probably not be any socio-economic benefits to the local community during the prospecting phase. This is because the proposed survey vessel originates from the Port of Cape Town and is too large to even enter Doringbaai harbour. Furthermore, the acoustic (seismic) survey duration in Block 11C is only expected to take two days and the sampling (grab sampling and coring) a month at most. The survey vessel comes with their own trained personnel and work opportunities for local residents is therefore very limited during the proposed prospecting. This is a realistic assessment that does not</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|                                                    |           | <p>money into the economy and providing local jobs. They use the bamboo and also draw fresh, clean water from the sea for their facility. Clean unpolluted water is therefore important to them.</p> <p>The community does not expect Rock lobster and rock lobster fisheries to be impacted by the prospecting. They are also cognisant of the fact that the other mining companies in the area have thus far only had a very small impact on the fish and community living in the area.</p> <p>There is approximately 1400 youth in Doringbaai, many of which are unemployed. They are thus looking for employment opportunities. The community representative believes that the community and mining company can work together to benefit both parties. It was pointed out that the prospecting activities can be used as an opportunity to create local employment opportunities and also support local businesses such as accommodation, waste management services and trucking companies.</p> <p>The mining company can also provide opportunities to the local community to train as land/ sea surveyors, mammal observers, crew members, etc.</p> <p>We were also directed to speak to Doringbaai Abalone and see if they can collaborate with Trans Atlantic Diamonds in certain aspects of the prospecting activities to benefit the local community, while reducing negative environmental aspects.</p> | <p>create false expectations. Should the project proceed to mining there may well be more local employment opportunities and other socio-economic benefits, but these would be assessed during the mining right application (should the applicant decide to proceed).</p>                                                                                                                                 |
| <b>Stakeholder 225</b><br>→Stakeholder 1<br>in the | 6/10/2021 | <p>Your registration form should not be sent in a PDF but Word document for the layperson to fill in. They can then export it as a PDF back to you. Anchor Environment was notified by DMRE on 7th of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Thank you for your email and comments. We will definitely be sending out the registration form as a Word document when calling for comments during the Public Participation Period. We will also try and distribute these as hardcopies at some of the local libraries/ community centres, etc. and during the meetings for stakeholders to fill out (and then collect these during the meeting or</p> |

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| <p>Stakeholder meeting</p> <p>→Member of Strandfontein Ratepayers Association</p> <p>→Member of Olifants Estuary Advisory Committee</p> |           | <p>September 2021 yet notified Stakeholder and I&amp;AP on the 4th October 2021 to provide input. As an EAP to circulate a BID on the 4th of October 2021 and expect input by the 6th of October from I&amp;AP is unrealistic. Simone, In future please do not telephone me regarding any Prospecting or Mining applications. You had my email information to request by mail for a telephonic conversation. We await any information on where the Public Meeting shall be held. Doringbaai Municipal Hall is a venue to consider due to lack of transport for most fishermen and the community. I shall give comments in the time frame provided with the Public Participation Process. I expect all my correspondence to be public knowledge in your reports thank you. Including this email.</p> | <p>afterwards) as we realise that not everybody would have the means to fill these out electronically. For now, we do not want to bombard the stakeholders with another email with a Word attachment. With regards to your comment on the late notification to stakeholders. We apologise if this notification and BID reached you and some other stakeholders so late. We have been calling for stakeholders to register and sending out emails since July. During this time, stakeholders have an opportunity to refer us to other I&amp;APs to whom we must also circulate the information. We sometimes receive additional contact details very late and try our best to then send out all the relevant information to that person as well, even if it reaches them very late during the process. Although we try our best to have an updated stakeholder list before sending out information, this is nearly impossible as there is always somebody that gets overseen. Please note that this is just initial comment for us to use as part of our process, and by no means the only opportunity you will have to comment. We also do not require any extensive comments at this stage, but wanted to have informal conversations with the community representatives to understand the situation in the towns better. Technically, we only need to send out a BID during the Public Participation Period, but thought we would do it now early on. I also apologise with regards to Simone phoning you. This is my mistake as I asked her to phone you. Many I&amp;APs feel more comfortable having a phone conversation with the EAP than being contacted via email, especially the local community members. Some stakeholders get upset when they are not phoned. It is therefore very difficult to know everybody's communication preference and to keep all stakeholders happy. Thank you for the information regarding the Doringbaai Municipal Hall, this is really helpful and we will try and organise a meeting there. We will definitely keep you informed regarding the process and any future meetings. If you know of any stakeholders which need to be added, please let us know.</p> |
| <p><b>Stakeholder 217</b></p> <p>→Matzikama Municipality</p>                                                                            | 6/10/2021 | <p>This request is really not acceptable. I have been out of office and can not be expected to respond within 2 days. These time frames are not legal and I request the correct timelines be followed. Please acknowledge receipt of this mail.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>Please note that this first notification is only to inform stakeholders that the application for prospecting rights has been accepted in addition to the application for Environmental Authorisation being acknowledged by the Department of Mineral Resources and Energy. Prospecting rights and environmental authorisation have NOT yet been granted. We are calling for any initial comment regarding the acceptance and acknowledgement of these applications. Any further comments / concerns regarding the prospecting rights project and activities and the basic assessment process can still be submitted until the end of the Public Participation Period (date still to be confirmed). Key stakeholders and Interested and Affected Parties (I&amp;APs) will be notified of the proposed prospecting activities and prospecting right application through registered letters, e-mails, newspaper advertisements, site notices, general notices and stakeholder meetings. The notifications will include a detailed description of the proposed prospecting activities and area of interest, likely impacts of the project, proposed mitigation/enhancement measures to be used, and will also include requests to stakeholders for input and comment on the proposed activity. Where possible, site notices will be placed at the nearest town to the application area and a total of four newspaper advertisements will be placed in a local newspaper (one English and one Afrikaans ad) and regional newspapers (one English and one Afrikaans ad) that are widely distributed in the area.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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|                                                                                                                                                                                    |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>The stakeholder participation process will be conducted in accordance with the NEMA and EIA regulations (as amended) where the I&amp;APs will be provided with an initial notice of the proposed activity and a call to register for a period of 21 days. Thereafter, the draft Basic Assessment Report (BAR) and Environmental Management Programme will be made available for public comment for a period of 30 days. A public stakeholder meeting will be held during this time where the findings of the Basic Assessment Report and specialist studies will be presented. All comments received during the stakeholder meeting and all correspondence received from the I&amp;APs will be responded to and included as a "comment and response" table in the Stakeholder Consultation Report in the final BAR. Proof of placement of notices and the stakeholder meeting, including a stakeholder register will be included in the BAR.</p> |
| <p><b>Stakeholder 225</b><br/>→Stakeholder 1 in the Stakeholder meeting<br/>→Member of Strandfontein Ratepayers Association<br/>→Member of Olifants Estuary Advisory Committee</p> | 7/10/2021 | <p>Thank you for your prompt response. I was told when your colleague called on 5 October 2021 No-one had responded yet. Please could you inform me your client's, whom is the owners/Directors of Trans Atlantic Diamonds? Cheruscha as I mentioned to Simone there is a list of I&amp;AP and Stakeholders, as an EAP it's part of your work portfolio. Have a good weekend. We await you forms on word document.</p>                                      | <p>The details of the applicant are included in the Draft and Final BAR.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Stakeholder 39</b><br/>→DFFE: Directorate Sustainable Aquaculture Management</p>                                                                                             | 7/10/2021 | <p>Please register us in DFFE: Directorate Sustainable Aquaculture Management as I&amp;APs. The proposed mine overlaps with the proposed Doringbaai Abalone Ranching site which is in phase 2 of application, mlra_seabasedabaloneranching_g44636gon466.pdf (environment.gov.za). We are concerned with the access to the coast for seeding, monitoring and harvesting by Doringbaai Abalone. Potential on the habited and seeded animal when approved.</p> | <p>Thank you for your response. It is duly noted and we will register you as a stakeholder.</p> <p>The marine specialist report does consider potential impacts on the Doringbaai abalone farm and proposed ranching programme. Due to all drill sampling proposed for water deeper than 70m depth and some more than 60 km north of Doringbaai, significant negative impacts on this sector are therefore not anticipated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| <b>Stakeholder 199</b><br>→Mining company                                              | 24/10/2021 | Dear Cheruscha. I confirm receipt of your request on the Tronox “contact us” form. Kindly forward all correspondence to me directly and I will ensure it is attended to. Please provide the property details of the areas on which you are assisting with the application for prospecting rights. If it is anywhere near the Tronox operations, same will be objected to. Thank you                                                                                                                                  | Noted and all notices were sent on.                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Stakeholder 24</b><br>→West Coast District Municipality: Town and Regional Planning | 26/10/2021 | Madam. The fishing communities of Doringbaai, Lutzville and Koekenaap will be affected by this development. Kindly contact the Matzikama Municipality for contact details of community associations that may be affected by the proposal. Matzikama Municipality officials concerned with Local Economic Development and/or Strategic Services will be able to assist you. Matzikama Municipality Tel: 027 201 3300. Regards                                                                                         | Thank you for this response. However, Concession area 11C lies approximately 60km north of these town and I am looking for any information on farmers living in that area. Surely the Municipality should have a register of farmers or community representatives in that area? We have tried contacting the relevant department in the Municipality via email and telephone several times over the last months, although they could not assist us in this regard. |
| <b>Stakeholder 168</b><br>→Environmental Education                                     | 26/10/2021 | Please will you also ensure that the fishing communities living in the towns of Doringbaai, Ebenhaeser and Papendorp, and Lamberts Bay as well as other fishers who may have Interim permits and fish in this area, have knowledge of this application and are involved in the Public Participation process.                                                                                                                                                                                                         | All requirements as stipulated in the EIA regs (2014 as amended) with respect to notification of I&APs were adhered to. See response to stakeholder 217 above.<br><br>We circulated notices to stakeholders in that area to inform them about the Prospecting Rights Application, Public Participation Process and Public Meeting. The Public Meeting was held in Doringbaai on 11 November 2021 and over 100 people attended.                                     |
| <b>Stakeholder 261</b><br>→Masifundise Development Trust                               | 26/10/2021 | I would like to request to be registered as an I&AP in the Trans Atlantic Diamonds (Pty) Ltd (TAD) prospecting application for Sea Concession Area 14 (A) and 11 (C). This is also a request to ensure that all the small-scale fishing communities living adjacent to these waters and that fish in these areas are notified of the prospecting application, that they are able to access the information in the language that is suitable to them, and that they are involved in the public participation process. | Noted and added as requested. BID and comments forms were produced in Afrikaans and the Public participation meeting held in Doringbaai on the 11 November 2021 was conducted predominantly in Afrikaans.                                                                                                                                                                                                                                                          |

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| <b>Stakeholder 252</b><br>→Concerned Party | 28/10/2021 | Bewaring van die kus en habitat is uiters belangrik. Wil nie die kuslyn en natuurlike omgewing besoedel nie. (Coastal and habitat conservation is extremely important. Do not want to pollute the coastline and natural environment.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Potential pollution due to waste disposal by the prospecting vessel was assessed in the marine specialist report (Appendix 3). This was considered to be “very low” overall significance that can be reduced to insignificant with the implementation of mitigation measures.                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Stakeholder 373</b><br>→Concerned Party | 29/10/2021 | <p>I do not live in the area concerned. I work in the Department of Tourism, and as part of this work I have an interest. Having travelled to Port Nolloth by road from Cape Town, I have had occasion to observe part of the coastline.</p> <ul style="list-style-type: none"> <li>The drive seemed to be at some distance from the sea/beach line - seemingly because much of the land had been under mining for ages. From what I was able to observe, and from a drive to Alexander Bay (ie up to the water) mining has devastated the landscape to the extent that I have serious doubts that much restoration can be done, even if moneys might be available (eg as required by mining rights). Definitely, there seems no hope of restoring land that has been mined to a state where communities might be able to develop any tourism offerings.</li> <li>I also participated in a public hearing on marine spatial planning, convened by the Environment Portfolio Committee in Parliament. many of the participants were clearly poor residents from the surrounding communities. The recounted a litany of promises made and never kept - including recent practices where they are denied access to the sea to fish and collect kelp - even though they had been given permits etc. Much of this because of "security" concerns because of mining. Clearly, mining thru the ages has NOT benefitted the communities and continues to preclude them from even subsistence activities. In addition, they indicated that the port facility at Port Nolloth was privately owned/operated and did not afford them access to the sea. What fishing does take place is</li> </ul> | Thank you for your comments and concerns relating to the potential impacts of coastal mining on local communities and the lack of development, rehabilitation and sustainability with potential long-lasting socio-economic costs. These are valid concerns with numerous easily observed examples. Please do, however, note that this is an application for a <b>prospecting right</b> in a <b>sea-based</b> concession area. Whilst there are potential negative environmental and socio-economic impacts these are all expected in the marine environment and have been assessed in the BAR and specialist reports. Most of your concerns relate to terrestrial mining activities. |



done by large companies that might get access, and or are able to utilise facilities some distance away.

- From other work, I have had occasion to search for reports etc about minerals sands activities, and have com across the devastation that mining (I think by the Australian company trying to secure a right in the Xolobeni area). On the Atlantic coastline, these activities appear to have left the environment devastated, and communities with little recourse and no prospect of economic opportunity. i have seen no evidence that the mining economy has developed the region at all. To contrast - Norway was developed from a rural backwater into a modern state and thriving economy, partly because of the manner in which the exploitation of its oil and gas resources have been managed and developed. Norway is a relatively young oil and gas region (globally speaking) and yet has developed to what we know it to be today.

- I have also come across reports of devastation that Chinese mineral sands mining has left in its wake in the northern regions of Mozambique. Communities seem to have been left with nothing - in fact from an environmental economics perspective, I would say they have been left with a deficit in terms of the economic potential from tourism.

I am writing this email because the "dry" response to your questionnaire will most probably discard any input I make, since I do not live in the area. If this is a bona fide exercise, I believe the approach should go beyond this approach. Speak to the people of Xolobeni - hear what they want, what they have experienced, how many have been assassinated for their leadership in resisting the mining efforts. Ask them to show you the mansion of the "CEO" of company that does not even have a right as yet. Ask them the history of what has happened to the tourism efforts they have painstakingly built, in the

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|                                                                                                                             |            | <p>face of the push to mine their land. Ask them of their economic activities. I believe they could shed some light of what will lie ahead if mining is allowed.</p> <p>I hope this is not too rambling, and that yours is a bone fide exercise that take the interest of people to heart and puts people front and centre.</p> <p>I write in my personal capacity, not representing views of the Department of Tourism.</p>                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Stakeholder 137</b><br>→Western Cape Government: Transport and Public Works                                              | 29/10/2021 | Received your application, our reference Job 29066. The matter is receiving attention & a further communication will be addressed to you as soon as circumstances permit                                                                                                                                                                                                                                                                                                          | Thank you for your response.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Stakeholder 79</b><br>→Department of Forestry, Fisheries, and the Environment (DFFE): Branch Biodiversity & Conservation | 2/11/2021  | DFFE Directorate: Biodiversity conservation would like to register as the I&AP for the mentioned project. Kindly notify us as soon as the report becomes available. Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries should be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for the attention of Mr. Seoka Lekota.                               | Duly noted. We have made sure to circulate all documents and notices to the relevant contact person.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Stakeholder 289</b><br>→Fisheries                                                                                        | 2/11/2021  | Affiliation: Commercial fishing and small pelagics sector. We fish from the Orange river to Port Elizabeth in sandy areas. We fish the whole year day and night. This is the nursery area of small fish that need to grow to adult size might be impacted. Fishing and nursery grounds must be avoided. Catch effort might be affected if there is exclusion from fishing Zones. Biomass may be affected leading to smaller catches and associated socio-economic impact of jobs. | Thank you for your comment. Due largely to the very short duration and small spatial scale of drill sampling activities (limited to deeper than 70m water depth) the marine specialist study assessed the potential impacts of important fishery species as “very low” and “insignificant” with mitigation. Any exclusion zone in terms of the International Regulations for Preventing Collisions at Sea (Colregs 1972), would be form of a moving footprint extending round the survey vessel, the size of the footprint can be expected to be around 500 m in extent. To avoid or minimise potential negative impacts on fisheries due to this exclusion zone, recommended mitigation includes undertaking surveys when fishing effort is lower (preferably out of fishing seasons and appointing a Fisheries Liaison Officer to facilitate communication with fishing industry and community. |
| <b>Stakeholder 85</b><br>→Department of Forestry, Fisheries, and the Environment                                            | 3/11/2021  | The Oceans & Coasts (O&C) Branch of the Department of Forestry, Fisheries, and the Environment (DFFE) appreciates the opportunity granted to comment on the Background Information Document For The Application For A Prospecting                                                                                                                                                                                                                                                 | <p>Thank you for your comment the Branch is registered as an I&amp;AP. The marine specialist report considered marine ecological sensitivity and potential impacts including:</p> <ul style="list-style-type: none"> <li>• <input type="checkbox"/> Seismic disturbance to marine fauna</li> <li>• <input type="checkbox"/> Marine megafauna collisions with survey vessels.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

(DFFE): Branch  
Oceans & Coasts

Right And Environmental Authorisation Along The West Coast In Concession Area 14A & 11C. This Branch has provided recommendations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), (“NEMA”) and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (“ICM Act”).

The Branch O&C has the mandate to ensure the holistic management of the coast and estuarine areas as an integrated system and promote coordinated coastal management. It ensures that the ecological integrity, natural character, and the economic, social, and aesthetic value of the coastal zone are maintained and that people, properties, and economic activities are guarded against dynamic coastal processes. Guided by the principles of integrated coastal management, this Branch continues to strive for social equity and promote sustainable use of coastal resources.

This Branch underscores the need for sustainable development, ensuring that developments within coastal and estuarine environments are socially responsible, economically justifiable, and ecologically sustainable. These comments are important for the Environmental Assessment Practitioners (EAPs) to note and consider:

1. ☐ The report specifies that the concession area extends from the surf zone to 1 km offshore. Impacts on marine ecology are anticipated.
2. ☐ This Branch further requests to be registered as an I&AP.
3. ☐ Please be advised that the Sub Directorate: Coastal Development and Protection within the Branch: O&C is responsible for coordinating and facilitating EIA comments and advice for coastal

- ☐ Direct impact of seabed excavation and tailings disposal during drill sampling on benthic habitats e.g. soft sediments and/or reefs and associated infaunal and epifaunal communities;
- ☐ Impact on surrounding benthos and water column via fine sediment plume;
- ☐ Waste discharges during vessel operations
- ☐ Impacts on fisheries (and livelihoods of those who depend on these fisheries) due to exclusion zones around survey vessels and direct potential impacts on target species and supporting ecosystems.

These were all assessed to be at least “Low” overall negative significance after mitigation.

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|                                                                                    |            | <p>developments. Kindly forward any requests related to EIA comments via email to: OCeia@environment.gov.za.</p> <p>NB: Further comments will be provided as part of the next PPP phase when more information is available. Kindly note that the Department reserves the right to revise its comments and request further information based on any additional information that might be received. All future correspondence and documentation (hard copy and an electronic copy) must be submitted to our office via OCeia@environment.gov.za / or Physical Address: Department of Environment Affairs (DEA), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Stakeholder 27</b><br>→West Coast District Municipality: Air Quality Management | 3/11/2021  | <p>As the air quality official for the West Coast District Municipality, it is our mandate to work with other spheres of government in relation to air quality management. This office therefore needs to know what developments is taking place in the area. Areas that should be avoided: At least 1km from the shore. It is known that young fish and other animals remain close to shore until a certain age, by taking away their habitat could result in the eradication of juvenile sea animals.</p> <p>Please provide this office with the air quality impact assessment study with the air dispersion modelling for this office to provide informed comments.</p>                                                         | <p>Thank you for you comments. The proposed ship based marine prospecting activities are not anticipated to have significant air quality impacts. A specialist air-quality impact study was therefore not required in terms of the NEMA screening tool. The ecological sensitivity of the nearshore marine environment is noted based on the latest available SANBI Ecosystem threat status (<a href="https://bgis.sanbi.org/">https://bgis.sanbi.org/</a>). Identified vulnerable areas are close to shore in water to shallow to be accessed by the nominated prospecting vessel.</p> |
| <b>Stakeholder 27</b><br>→West Coast District Municipality: Air                    | 16/11/2021 | <p>The Basic Assessment Report (BAR) and appendices for the application for prospecting rights and environmental authorisation to prospect in the inshore sea concession area 14A and 11C, between Groothoekbaai and Doringbaai on the West Coast, on behalf of Trans Atlantic Diamonds (Pty) Ltd, is</p>                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Noted and registered as an I&amp;AP.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| Quality Management                         |            | hereby acknowledged and this office has no comment at this stage. It is requested that this office be kept informed of developments and be provided a copy of the issued environmental authorisation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Stakeholder 374</b><br>→Concerned party | 16/11/2021 | <p>Objection. My wife and I were shareholders for 25 years in the Bojaansklip Private Nature Reserve, which borders the shore-line of the Concession under study, 14A. We are fully aware of the delicate balance of the environment, the natural fauna and flora of that area and the threats that exist to the natural well being of certain species in that area.</p> <p>We note with increasing apprehension the mining activities along the West Coast of South Africa and the total disregard for the natural environment being shown by some of these mining companies, e.g. the shore line coffer dams and destruction of the delicate coastal environment. The effect of the proposed seismic activity in the prospecting stage is not clearly identified and presents a danger to certain species.</p> <p>We congratulate Anchor Environmental for a very well prepared and informative impact assessment document but even with all the measures you propose these bear little resemblance to the reality of actual mining operations and the absence of any meaning-full controls which will be exercised by the mining company, environmental agencies or the local or national governments.</p> <p>The world does not need diamonds. The world does need it's nature, environment, and the flora and fauna to be protected. We strongly object to this proposed prospecting activity and we also object to any planned mining activity in this region.</p> | Noted and thank you for your comments. The potential impacts of the proposed prospecting on the marine ecosystem are identified and assessed in the marine specialist report and the BAR. Please note that the proposed prospecting is for a marine sea concession area and should favourable results lead to an application for a mining right, this would not be for shore or surf zone based mining activities such as coffer dam construction. |

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| <b>Stakeholder 79</b><br>→Department of Forestry, Fisheries, and the Environment (DFFE): Branch Biodiversity & Conservation | 2021/11/17 | DFFE Directorate: Biodiversity Conservation hereby acknowledge the receipt of the invitation to review and comment on the mentioned project. Kindly note that this project has been allocated to the officers, Ms. Mmatlala Rabothata and Ms. Tsholofelo Sekonko (both copied on this email). Please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Duly noted. We have made sure to circulate all documents and notices to the relevant contact person.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Stakeholder 376</b><br>→Concerned Farmer                                                                                 | 2021/11/20 | <p>Ons verstaan daar is op 11 November 2021 'n openbare vergadering te Doringbaai gehou i.v.m. prospektering op konsessie 11C. Ons as inwoners van die omgewing dra geen kennis van so vergadering nie. Ons het geen kennis van so vergadering gekry nie en is totaal oningelig, kan daar asb dringend 'n vergadering gereel word vir die inwoners en boere van die omgewing (Kotzesrus, Lepelsfontein en Bitterfontein) Die vergadering sal asb in Afrikaans moet wees aangesien 95% van die inwoners Afrikaans sprekend is.</p> <ul style="list-style-type: none"> <li>• <input type="checkbox"/> Hoe gaan sulke prospektering die omgewing beïnvloed?</li> <li>• <input type="checkbox"/> Hoe gaan dit ons as boere in die omgewing se waterbronne beïnvloed?</li> <li>• <input type="checkbox"/> Hoe gaan dit toerisme beïnvloed?</li> <li>• <input type="checkbox"/> Hoe gaan dit die veiligheid van die inwoners in die omgewing beïnvloed?</li> <li>• <input type="checkbox"/> Ons grond is 5km Noord van Konsessie 11, hoe gaan dit ons boerdery beïnvloed?</li> <li>• <input type="checkbox"/> Van watter toegangsroetes gaan gebruik gemaak word?</li> <li>• <input type="checkbox"/> Is daar impakstudies gemaak en waar kan ons daardie impakstudies besigtig?</li> </ul> | <p>U kan die volgende direkte skakel gebruik om toegang tot die Basiese Assesseringsverslag (te groot om hier aan te heg) en aanhangsels, vir konsessie gebied 11C op ons webtuiste te verkry: <a href="https://anchorenvironmental.co.za/node/483">https://anchorenvironmental.co.za/node/483</a>. Sal dit moontlik wees om 'n aanlyn vergadering of WhatsApp call vergadering met julle en die omringende boere te hê aangesien dit, in terme van tyd, nie op die oomblik moontlik sal wees om 'n fisiese vergadering in die area te reël nie. Ek is nie seker of julle seën sterk genoeg is nie? Anders kan ek 'n opname van die "Presentation" maak en dit vir julle WhatsApp of epos? Al die inligting is wel in die dokummente.</p> <p>Ek vra om verskoning dat julle geen kennis van die vergadering ontvang het nie. Ons het al sedert Julie 2021 kennisgewings aan verskeie Regeringsdepartemente gestuur om kontakbesonderhede van gemeenskapslede in die omgewing te verkry sodat ons 'n vergadering kan reël. Die enigste gemeenskappe wat hulle voorgetel het ons moet kontak is die van Lutzville en die omringende dorpe, alhoewel hierdie baie ver suid van konsessie 11C lê. Ons het ook self navorsing gedoen om vas te stel wie in die omgewing woonagtig is.</p> <p>Weens die nuwe POPI-wet is mense ook huiwerig om kontakinligting uit te gee. Om hierdie rede is kontakinligting ongelukkig baie moeilik en soms onmoontlik om te bekom met die gevolg dat baie inwoners eers later via ander mense van die aktiwiteite hoor. Hierdie area is baie yl bevolk met baie privaat paaie wat nie vir publieke gebruik is nie, wat dit logisties onhaalbaar sou gemaak het om na die area toe te ry om plaashuise op te spoor om kontakbesonderhede te verkry. Ons het wel die kennisgewings op 28 Oktober 2021 in die Burger geadverteer, maar ek is nie seker of Die Burger julle bereik nie?</p> |

- ☐ Ons wil asb dringend registreer as belanghebbende en geaffekteerde party.

English:

(We understand that a public meeting was held in Doringbaai on 11 November 2021 regarding prospecting in concession 11C. We as residents of the area have no knowledge of such a meeting. We did not receive any notification of such a meeting and are totally uninformed, can a meeting be arranged urgently for the residents and farmers of the area (Kotzesrus, Lepelsfontein and Bitterfontein). The meeting must please be in Afrikaans as 95% of the residents speak Afrikaans.

- ☐ How will such prospecting affect the environment?
- ☐ How will this affect us as farmers in the area's water resources?
- ☐ How will this affect tourism?
- ☐ How will this affect the safety of the residents in the area?
- ☐ Our land is 5km North of Concession 11, how will this affect our farming?
- ☐ Which access routes will be used?
- ☐ Have impact studies been done and where can we view those impact studies?
- ☐ We would like to urgently register as an interested and affected party)

Ek gaan die voorlegging van die aktiwiteite opneem en sal dit per WhatsApp aan julle stuur. As u dalk kontakbesonderhede vir enige ander boere/ gemeenskappe in die onmiddellike omgewing het wil ek vra of u dit asseblief vir my kan aanstuur?

Inligting rakende die impak op die seeomgewing word in die Basiese Asseseringsverslag (of Basic Assessment Report of BAR soos dit in Engels bekend is) bespreek. Dit begin op bladsy 52 met 'n opsomming daarvan op bladsy 77. Versagtingsmaatreëls of "mitigation measures" kan op bladsy 73 gevind word. Die volledige impakstudies kan as aanhangsels gevind word (Sien Appendix 3, 4 and 5). Neem asseblief kennis dat hierdie 'n see konsessiegebied is en dat hierdie 'n aansoek om prospekterregte en nie mynregte is nie. Meeste van die impakte is geassesseer as laag, baie laag of onbeduidend (sien bl. 68 vir die metode wat gebruik is om die impakte te assessee) en kan verlaag word tot baie laag of onbeduidend as versagtingsmaatreëls gevolg word). Die impak van die seismiese aktiwiteite op mariene soogdiere is geassesseer as "medium". Let asseblief daarop dat hierdie tot laag verlaag kan word met die instelling van versagtingsmaatreëls.

Daar sal dus geen aktiwiteite op die land geskied nie en ook geen voertuie wees nie. Daar word geen impakte op die land, waterbronne, boerdery of toerisme verwag nie aangesien die aktiwiteite in die see sal geskied. Alhoewel prospekterregte vir vyf jaar toegeken word, sal seismiese aktiwiteite slegs twee dae en die versameling van grondmonsters slegs 'n paar weke neem. Die tydperk van impakte is dus baie kort. Die vaartuig sal vanaf Kaapstad hawe kom en gedurende die prospektering op die see bly en nie aan land kom nie. Daar sal dus geen mense of voertuie naby die land of julle gronde kom nie. In terme van veiligheid van vissersbote op die see, soos met enige vaartuig, moet daar aan die South African Maritime Safety Authority ("SAMSA") regulasies" voldoen word.

Ek hoop dat hierdie julle vrae beantwoord. Laat weet asseblief as daar enige onduidelikheid is. Let asseblief daarop dat die afsny datum vir kommentaar lewer op die aktiwiteite 10 Desember 2021 om 17:00 is.

English

(You can use the following direct link to access the Basic Assessment Report (too large to attach here) and attachments, for concession area 11C on our website: <https://anchorenviroental.co.za/node/483>. Would it be possible for me to arrange an online meeting or WhatsApp call meeting with you and the surrounding farmers as, in terms of time, it will not be possible to arrange and host a physical meeting in the area. I'm not sure if you have sufficient signal in that area? Otherwise I can make a recording of the "Presentation" and send it to you via WhatsApp or email? All the information pertaining to the proposed activities are, however, contained in the documents that you can access via the link.

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|                                                                                                                        |            |                                                                                                                                         | <p>I apologise that you did not receive any notice of the meeting. Although we contacted the municipality via phone and email numerous times since July 2021, we were not able to obtain contact details for farmers in the area. The only communities they suggested we contact are those of Lutzville and the surrounding towns, although these lie very far south of Concession 11C. Due to the new POPI Act, people are also reluctant to give out contact information. For this reason, contact information is unfortunately very difficult and sometimes impossible to obtain with the result that many residents only hear about the activities later via other people. This area is very sparsely populated with many private roads not for public use which would have made it logistically unfeasible to drive to the area to locate farmhouses to source contact details. We did advertise the notices in the Burger on 28 October 2021, but I'm not sure if Die Burger will reach you?</p> <p>I am going to record the presentation and will send it to you via WhatsApp. If you have any contact details for any other farmers / communities in the immediate area, I would like to ask if you could please forward them to me?</p> <p>Information regarding the impact on the marine environment is discussed in the Basic Assessment Report (BAR). It starts on page 52 with a summary of it on page 77. Mitigation measures can be found on page 73. The complete impact studies can be found as appendices (See Appendix 3, 4 and 5). Please note that this is a sea concession area and that this is an application for prospecting rights and not mining rights. Most of the impacts were assessed as low, very low or insignificant (see p. 68 for the method used to assess the impacts) and can be reduced to very low or insignificant if mitigation measures are followed). The impact of the seismic activities on marine mammals was assessed as "medium". Please note that this can be reduced to low with the implementation of mitigation measures.</p> <p>There will therefore be no activities on the land and also no vehicles. No impacts on land, water resources, farming or tourism are expected as the activities will take place in the sea. Although prospecting rights are granted for five years, seismic activity will only take two days and the collection of sediment samples will take a few weeks. The period of impacts is therefore very short. The vessel will come from Cape Town harbour and remain at sea during the prospecting and will not dock. There will be no people or vehicles near the land or your farms. In terms of safety of fishing boats at sea, as with any vessel, the South African Maritime Safety Authority ("SAMSA") regulations must be complied with.</p> <p>I hope this answers your questions. Please let us know if there is any ambiguity. Please note that the cut-off date for commenting on the activities is 10 December 2021 at 17:00.)</p> |
| <b>Stakeholder 137</b><br>→Production<br>Engineer: Road<br>Use<br>Management<br>Chief<br>Directorate:<br>Road Planning | 25/11/2021 | Good Day. Your email to Ms G Swanpoel of this Branch refers. This Branch offers no objection to the granting of the prospecting rights. | Noted thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



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| Transport and Public Works                                                      |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Stakeholder 24<br>→West Coast District Municipality: Town and Regional Planning | 25/11/2021 | <p>I refer to your email dated 28 October 2021 and the Draft BAR for the proposed Prospecting in Sea Concessions 11C by Trans Atlantic Diamonds. The West Coast District Municipality has the following comments:</p> <ol style="list-style-type: none"> <li>1. The National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) ("NEM: ICMA") provides the framework for integrated management of the coast with the aim of preserving, protecting, extending and enhancing the status of coastal public property and securing equitable access to the benefits and opportunities of the coast. As such, it provides for various zones and offers a framework for the management of these zones. The applicability of the NEM: ICMA to the proposal must thus be included during the assessment process.</li> <li>2. In terms of biodiversity of marine species, sound levels from the acoustic equipment will impact marine and migratory species such as whales, dolphins, west coast rock lobster, invertebrates, fish and birds.</li> <li>3. The required discharge and dumping permits need to be obtained in terms of NEM: ICMA with reference to the discharge of sediment into the marine environment.</li> <li>4. A public open day workshop must be arranged with local fishing communities/members of local community organizations in order to provide them with an opportunity to participate and provide meaningful comments on these applications which will impact their fishing operations and livelihoods, as most of these organizations and fishermen do not</li> </ol> | <p>Thank you for your comments.</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> The applicability of the NEM: ICMA act is taken into account in that the Basic assessment process was followed as prescribed by NEMA (2014 EIA regulations as amended).</li> <li>2. <input type="checkbox"/> a) Potential environmental and socioeconomic impacts of the proposed prospecting activities are assessed in the BAR and specialist studies with prescribed mitigation measures incorporated into the EMPr.<br/>b) The impacts of underwater noise arising from the proposed seismic survey are addressed individually for each of the biotic groups listed in the marine specialist report. Appropriate best practise mitigation is provided and incorporated into the EMPr.<br/>c) The 11C concession is entirely below the high-water mark, as such access to coastal public property from the land will not be impacted or restricted. Any exclusion zone in terms of the International Regulations for Preventing Collisions at Sea (Colregs 1972), would be form of a moving footprint extending round the survey vessel, the size of the footprint can be expected to be around 500 m in extent. This would be a temporary measure during survey vessel activities for the purpose of safety at sea.<br/>d) Visual and sense of place impacts of prospecting are applicable for this application. These are expected to be limited to the presence of the survey vessel and small temporary sediment plumes that will probably only be visible from very low altitude aircraft. Visual impacts were considered as "less significant" potential impacts in the BA process</li> <li>3. <input type="checkbox"/> Our understanding of the legislation is that the disposal of fines from sampling does not require a discharge or dumping permit as the material originates from the sea floor and does not constitute a discharge of a land-based effluent or a "waste material. This is clarified in paragraph iii below. According to ICMA "dumping at sea" means— <ul style="list-style-type: none"> <li>(a) any deliberate disposal into the sea of any waste or material other than operational waste from a vessel, aircraft, platform or other man-made structure at sea;</li> <li>(b) any deliberate disposal into the sea of a vessel, aircraft, platform or other man-made structure at sea;</li> <li>(c) any storage of any waste or other material on or in the seabed, its subsoil or substrata; or</li> <li>(d) any abandonment or toppling at site of a platform or other structure at sea, for the sole purpose of deliberate disposal, but</li> </ul> <p>"dumping at sea" does not include—</p> <ul style="list-style-type: none"> <li>(i) the lawful disposal at sea through sea out-fall pipelines of any waste or other material generated on land;</li> <li>(ii) the lawful depositing of any substance or placing or abandoning of anything in the sea for a purpose other than mere disposal of it; or</li> </ul> </li> </ol> |

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|                                                                                        |                   | <p>have access to internet and email facilities. The application will impact their commercial and recreational fisheries in terms of disruption to fishing operations and potential loss of catch.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>(iii) <i>disposing of or storing in the sea any tailings or other material from the bed or subsoil of coastal waters generated by the lawful exploration, exploitation and associated off-shore processing of mineral resources from the bed, subsoil or substrata of the sea;</i></p> <p>4. <input type="checkbox"/> Local fishers were present at the open day meeting in Doringbaai, many are included in the stakeholder list and the potential negative impacts of the proposed prospecting activities and suitable mitigation measures have been included in the marine specialist and BA reports. The offshore and remote location (&gt;60km north of Doringbaai) means that local small-scale fishers are unlikely to be negatively impacted by the proposed prospecting activities in Concession 11C.</p> |
| <p><b>Stakeholder 376</b><br/>→Concerned Farmer</p>                                    | <p>26/11/2021</p> | <p>Baie dankie, nee die Burger haal nie hierdie geweste nie Ek dink die beste is om deur die landbouverenigings van Bitterfontein en Garies te werk Bitterfontein se voorsitter van die landbouvereniging is XXX, hy dien ook op die munisipale raad, sy sel no is XXX, e pos: XXX, op Garies is dit XXXX ek het ongelukkig nie sy e pos adres nie. XXX van Garies se e pos adres is XXXX, jammer, nie netnou gehad nie.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Noted and the relevant people were contacted, and contact details obtained.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>Stakeholder 112</b><br/>→South African Heritage Resource Association (SAHRA)</p> | <p>29/11/2021</p> | <p><b>Interim Comment:</b> In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) Attention: Anchor Environmental Consultants (Pty) Ltd Trans Atlantic Diamonds (The Applicant) has applied for the right to prospect diamonds; gemstones; heavy and industrial minerals; and ferrous, base and precious metals in sea Concession Area 11C. This is an offshore concession area that extends from just south of Hoekbaai to just north of Baai Vals along the West Coast of South Africa.</p> <p>The South African Heritage Resources Agency (SAHRA) would like to thank you for submitting the Draft Basic Assessment Report (DBAR) for the proposed prospecting in sea concession 11C By Trans Atlantic Diamonds (Pty) Ltd. 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</p> | <p>Noted thank you.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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 prospecting activities described in the report are a geophysical survey, core sampling, grab sampling and gravel dredging using a specialised drilling tool. The geophysical survey is non-invasive and it is proposed that both a multibeam echosounder and sub-bottom profiler will be used. The core sampling is invasive and will disturb a total surface area of approx. 1.57m. The grab sampling will take between 20-50 samples and will disturb a total surface area of approx. 5m<sup>2</sup>. The most invasive sampling technique will be undertaken by a specially designed drill tool that will dredge gravel from the seabed. This will be used to target certain identified areas and it is proposed that a total area of 1500m<sup>2</sup> will be sampled using this method. A maritime heritage study has already been undertaken as part of the application process and is included in the DBAR. The specialist study was informed by desktop research and has identified that the potential for disturbing maritime cultural heritage is low. Records indicate that two wrecks are known to have occurred adjacent to Concession Area 11C namely the Zulu Coast I and Meteren. Both the Zulu Coast I and Meteren shipwrecks are more than 60 years old having wrecked in 1953 and 1719, respectively. They are both considered heritage resources and are protected by the National Heritage Resources Act (NHRA). However, both shipwrecks do not occur within the proposed prospecting area, sea concession 11C.

The heritage study has made recommendations and mitigation measures that should be adhered to during the project, these are:

- ☐ Areas where shipwreck sites are identified during the geophysical surveys must be excluded prior to undertaking sampling activities.
- ☐ The contractor must be notified that archaeological sites could be exposed during sampling activities, as well as the procedure to follow should archaeological material be encountered during sampling.
- ☐ Any core sample sections which contain alluvial material, particularly where organic remains are present, are retained and are subject to paleo-environmental assessment.
- ☐ Any fossils found during the processing of cores must have the details of context recorded, must be kept for identification by an appropriate specialist and, if significant, be deposited in an appropriate institution.
- ☐ If shipwreck material is encountered during the course of sampling in any of the concession areas, the following mitigation measure should be applied:
  - ☐ Cease work in the directly affected area to avoid damage to the wreck until the South African Heritage Resources Agency (SAHRA) has been notified and the contractor has complied with any additional mitigation as specified by SAHRA; and
  - ☐ Where possible, take photographs of them, noting the date, time, location and types of artefacts found. Under no circumstances

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|                                                                |            | <p>may any artefacts be removed, destroyed or interfered on the site, unless under permit from SAHRA.</p> <p>The study has also recommended that the onboard Trans Atlantic representative must undergo a short induction on archaeological site and artefact recognition, as well as the procedure to follow should archaeological material be encountered during sampling. SAHRA supports the recommendations and proposed mitigation measures outlined in the heritage study. While there are no known shipwreck sites within the proposed prospecting areas there is always the potential for unknown wrecks or shipwreck material to be uncovered during the works. Should anything of archaeological or paleontological significance be exposed during the proposed project, work must cease immediately and SAHRA must be informed of its discovery without delay. In this event, work may not commence until feedback has been received from SAHRA.</p> <p>Please 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.</p> |                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Stakeholder 2</b><br>→Tourism and Environmental Coordinator | 30/11/2021 | THE BASIC ASSESSMENT REPORT FOR THE PROPOSED PROSPECTING IN SEA CONCESSION AREA 11C DMRE REF:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comments. The 11C concession is a marine based concession and all proposed prospecting activities will be undertaken by a survey vessel and hence there will be no land-based activities. Your comments pertaining to terrestrial land use, planning, zonation and coastal access are therefore not applicable. The comment on the Marine Spatial Planning Bill and ongoing |

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| Matzikama Municipality | <p>WC30/5/1/1/2/10384PR refers:</p> <p>Thank you for the opportunity to comment on this application. From a town planning point of view, all relevant and applicable legislation must be always complied with.</p> <p>Should any of the mentioned activities be moved to or be done from any registered property within the Matzikama Municipal boundary, your attention is drawn to the provisions of the Matzikama Municipality: Land Use Planning Bylaw, 18 September 2015 (the Bylaw) read together with Spatial Planning and Land Use Management Act, 2013 and Western Cape Land Use Planning Act, 2014 in terms whereof an approval for temporary departure / rezoning for the duration of the prospecting permit are required from our Municipality prior to any activities being undertaken as cognisance must be taken of the judgement handed down in the Constitutional Court of South Africa on 12 April 2012 on the issue of the Minister of Mineral Resources vs. Swartland Municipality and Others and Maccsand (Pty) Ltd vs. City of Cape Town (Chamber of Mines of South Africa and Agri South Africa as Amici Curiae - Case nos.: CCT 102/11 [2012] ZACC 8 &amp; CCT 103/11 [2012] ZACC 7) where relevant companies are restrained from conducting mining and/or prospecting activities until the properties are zoned in accordance with the Bylaw.</p> <p>Cognisance must be taken by the general Duty of Care, as stated in Section 28 of the National Environmental Management Act, 1998:</p> <p>“Every person who causes, has caused, or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from</p> | <p>activities around implementation of this Bill are noted. The DMRE and DFFE (as the lead agent on the MSP bill) will undoubtedly take cognisance of the existing mining concession areas during the MSP bill implementation. Should there be any changes to these concession areas it is expected that these would be communicated to concession holders. The BA process conducted for this prospecting application did incorporate marine spatial planning principals and data; for example: SANBI BGIS layers of protected areas and habitat threat status and spatially explicit mapping of commercial fishing catch.</p> |
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occurring, continuing, or recurring, or, in so far as such harm cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment”

Your attention is drawn to the Marine Spatial Planning Act (No.16 of 2018)

During a virtual Marine Spatial Planning Session held on 9 September 2021 by the Department of Forestry, Fisheries and the Environment stakeholders was sensitised on the Importance of the Marine Spatial Planning Act (No. 16 of 2018) which inter alia provides a framework for Marine Spatial Protected areas in South Africa, provides for the development of marine area plans and provides for the Institutional arrangements for the Marine Spatial Planning to govern the use of the ocean by and across multiple sectors. This act must be read in conjunction with the National MSP Framework (including the spatial management approach) and the National MSP Data and Information Report (NDIR) Therefore, the Department of Forestry, Fisheries, and the Environment (DFFE) has been designated by Cabinet as the lead authority to facilitate the MSP process. DFFE is thus currently busy collaborating with all authorities that have statutory responsibilities / mandates in the South African marine environment.

As part of the Institutional Arrangements a MSP National Working Group has been established which is a technical group responsible for practical MSP implementation, particularly for the development of the marine area plans. This group is currently engaging stakeholders to ensure that the MSP process is transparent, coordinated and that stakeholders understand how they can be involved, contribute, and influence the plan’s development.

Stakeholder expertise and knowledge is used to bring together the best available knowledge base for the MSP process which is prescribed in the MSP Act (Act No. 16 of 2018). The group consists of officials from National Departments, Agencies, or other statutory bodies with marine mandates in the following sectors:

- ☐ Transport
- ☐ Tourism
- ☐ Environment
- ☐ Mineral and Petroleum Resources
- ☐ Energy
- ☐ Rural Development and Land Reform
- ☐ Wild fisheries and Aquaculture
- ☐ Research
- ☐ Telecommunications
- ☐ Marine Heritage
- ☐ Naval Defence

The MSP National Working Group engaged with provinces and municipalities during February and September 2021 regarding the development of the MSP. According to the Department (DFFE) the draft sector plans will be made available on the MSP website for stakeholders to comment in October 2021. Stakeholders will be given 21 working days to comment on the draft marine sector plans. Following the incorporation of comments, there will be sector specific engagements to present the final draft to stakeholders. Spatial information contained within the draft sector plans (e.g., proposed sector priority zones) will be accessible via the OCIMS MSP Support Viewer.

The Directors-General Committee on MSP will be responsible for:



- ☐ Approving and referring marine area plans and accompanying reports to the Ministerial Committee on MSP
- ☐ Providing recommendations to resolve user conflicts, including relocations, and trade-offs or other resolutions between sectors
- ☐ Providing recommendations on facilitating cooperation between sector departments  
The Ministerial Committee on MSP will be responsible for:
- ☐ Approving marine area plans submitted by the Directors-General Committee
- ☐ Approving / providing recommendations to resolve user conflicts, including relocations, and trade-offs or other resolutions between sectors
- ☐ Approving / providing recommendations on facilitating cooperation between sector departments

It should be noted that there is some interconnectedness between the sector plans and some management actions, as they all ultimately contribute to the conservation of ecosystem function and patterns of biodiversity, which in turn leads to the conservation of a sustained supply of ecosystem goods and services delivered by the Coastline and especially the Olifants River Estuary.

Planning for the protection and management of the Matzikama West Coast and the Olifants River Estuary needs to be undertaken in the broader context of the area, giving due consideration to the links between the coast and inland, estuary and marine environment, as activities taking place in the adjacent marine ecosystem can have a direct impact on the health of the estuarine ecosystem.

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|                        |           | <p>Please take note that the part of the coast indicated on application by Anchor Environmental is located on a very popular Tourist Route of the West Coast for off Road Vehicle Tourists during flower season from July – September as well as During December-January Holiday Periods stretching from Doringbaai to Brand-se Baai and beyond into the</p> <p>Northern Cape. It is therefore suggested that coastal access still be allowed in these areas despite prospecting / mining activities. In the light of the above it is therefore requested that prospecting and or mining activities during these periods are minimized in order not to disturb the sense of place for these visitors contributing hugely to our Tourism economy.</p> <p>It should be noted that there is some interconnectedness between the sector plans and some management actions highlighted in the Marine Spatial Planning act, as they all ultimately contribute to the economy of the Matzikama area, conservation of ecosystem function and patterns of biodiversity, as well as the process followed by the Department of Forestry , Fisheries and the Environment regarding a sustainable Marine Spatial Environment above and therefore it is my sincere request that this application is implemented through the regulatory system of binding Marine Area Plans with detailed guidelines and spatial regulations that would steer development.</p> <p>The Municipality reserves the right to request further information and revise initial comments based on any additional information that might be received.</p> |                                 |
| <b>Stakeholder 379</b> | 1/12/2021 | Graag wil ek in eerste plek kopsie maak teen enige regte.dan wil ek vra dat as daar enige vergaderings                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | We take note of your objection. |

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| →Concerned farmer                            |           | <p>gehou word dat ons boere en publiek wat naby aan kus waar bedrywighede kan kom ook asb moet kennis kry of ook in kennis gestel te word om vergaderings te kan bywoon en ingelig te kan wees.</p> <p>English</p> <p>I would like to object to any rights in the first place. Then I would like to ask that if any meetings are held that our farmers and public who are close to the coast where activities will take place, please also be notified or also informed so that they will be able to attend meetings and be informed</p>                                                                                                                                                                                                                      | <p>We apologise that the community in your area was not made aware of the process. Although we contacted the municipality via phone and email numerous times, we were not able to obtain contact details for farmers in the area. Due to the new POPI Act, people are also reluctant to give out contact information. This area is very sparsely populated with many private roads not for public use which would have made it logistically unfeasible to drive to the area to locate farmhouses to source contact details</p> <p>All people for whom contact details were provided were added to the stakeholder list. Note that a request was lodged with the DMRE and an extension for the submission of the BAR granted until 15 February 2022. An additional meeting was held in Kotzesrus on 17 January 2022 and the period for commenting extended until 24 January 2022.</p>                                                                                     |
| <b>Stakeholder 380</b><br>→ Concerned farmer | 2/12/2021 | <p>Hiermee wil ek, beswaar aanteken teen:</p> <ol style="list-style-type: none"> <li>1. prospekter-aansoek in die Matzikama-streek.</li> <li>2. Geen inligtingsvergadering met belanghebbendes in ons area nie.</li> </ol> <p>Ek wil asb registreer as belanghebbende vir alle huidige en toekomstige prospekterings en mynaansoeke in die Matzikama en Kamiesberg area.</p> <p>English:</p> <p>I would like to object to:</p> <ol style="list-style-type: none"> <li>1. prospecting application in the Matzikama region.</li> </ol> <p>No information meeting with stakeholders in our area.</p> <p>I would like to register as an interested party for all current and future prospecting and mining applications in the Matzikama and Kamiesberg area.</p> | <p>We take note of your objection and you have been registered on our database.</p> <p>We apologise that the community in your area was not made aware of the process. Although we contacted the municipality via phone and email numerous times, we were not able to obtain contact details for farmers in the area. Due to the new POPI Act, people are also reluctant to give out contact information. This area is very sparsely populated with many private roads not for public use which would have made it logistically unfeasible to drive to the area to locate farmhouses to source contact details</p> <p>All people for whom contact details were provided were added to the stakeholder list. Note that a request was lodged with the DMRE and an extension for the submission of the BAR granted until 15 February 2022. An additional meeting was held in Kotzesrus on 17 January 2022 and the period for commenting extended until 24 January 2022.</p> |
| <b>Stakeholder 378</b><br>→ Concerned farmer | 3/12/2021 | <p>Dit het onder ons aandag gekom dat daar aansoek gedoen word vir die reg op prospektering by 11 C in wyk 8 van die Matzikama Munisipaliteit. Niemand het enige persoon in die gemeenskap genader oor die proses nie. Die publieke vergadering aangaande hierdie geleentheid is gehou in Doringbaai, wat amper 100km van ons af is en hier was ook geen</p>                                                                                                                                                                                                                                                                                                                                                                                                  | <p>We apologise that the community in your area was not made aware of the process. Although we contacted the municipality via phone and email numerous times, we were not able to obtain contact details for farmers in the area. Due to the new POPI Act, people are also reluctant to give out contact information. This area is very sparsely populated with many private roads not for public use which would have made it logistically unfeasible to drive to the area to locate farmhouses to source contact details</p>                                                                                                                                                                                                                                                                                                                                                                                                                                           |

kennisgewings van so 'n publieke vergadering deurgegee in die area nie.

Daarom wil ons as belanghebbendes beswaar maak teen die aansoek. Ons vra dus of die datum vir die indiening van die finale verslag verleng kan word van Desember tot einde Januarie en dat daar in die tydperk 'n publieke vergadering in die gebied gehou word, sodat die inwoners in die omgewing behoorlik ingelig kan word.

Die onderstaande persone toestemming verleen om hulle besonderhede op 'n groep epos deur te stuur na julle. Alle persone op die lys moet asb as individue geregistreer word as geaffekteerdes en belanghebbendes. Hulle sal dan ook individueel reageer op enige kommunikasie wat hul rondom die saak ontvang. Ek tree net op as fasiliteerder om die proses te verhaas deur die besonderhede so deur te gee.

English:

It has come to our attention that an application is being made for the right to prospect at 11 C in Ward 8 of the Matzikama Municipality. No one approached any person in the community about the process. The public meeting regarding this event was held in Doring Bay, which is almost 100km from us and no notices of such a public meeting were passed in the area.

Therefore, we as stakeholders want to object to the application. We therefore ask whether the date for the submission of the final report can be extended from December to the end of January and that a public meeting be held in the area during this period,

All people for whom contact details were provided were added to the stakeholder list. Note that a request was lodged with the DMRE and an extension for the submission of the BAR granted until 15 February 2022. An additional meeting was held in Kotzesrus on 17 January 2022 and the period for commenting extended until 24 January 2022.

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|                                        |           | <p>so that the residents in the area can be properly informed.</p> <p>The persons below give permission to forward their details to you in a group email. All persons on the list must please be registered as individuals as affected and stakeholders. They will then also respond individually to any communication they receive around the case. I'm just acting as a facilitator to speed up the process by passing on the details like that.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Stakeholder 152</b><br>→Cape Nature | 3/12/2021 | <p>DMRE Ref: WC30/5/1/1/2/10384PR</p> <p>CapeNature would like to thank you for the opportunity to comment on this application. Herewith our comments on this application.</p> <p>1. CapeNature objects to this application for the following reasons:</p> <p>1.1 Prospecting will have a direct impact on an EBSA areas as indicated by the marine specialist. Furthermore, the marine specialist also indicates that the concession area is highly relevant as an EBSA, meeting the criteria of productivity, importance for threatened, endangered or declining species and/or habitats, and naturalness.</p> <p>1.2 The available scientific literature on the effects of seismic surveys on marine mammals particularly cetaceans is not sufficient to make an adequate determination of mitigation measures. The marine assessment has indicated extensive scientific literature indicating the adverse effects of intense sound to marine mammals, while only one paper specific to seismic surveys indicates otherwise. A</p> | <p>Thank you for your comments</p> <p>1.1. The 11C concession area does not fall within any Marine Protected Area and the habitat is categorised as “Least Concern” on the SANBI Ecosystem Threat Status BGIS layer. The Namaqua Coastal EBSA is currently proposed (not proclaimed/accepted) and about 40% of the 11C lies within and includes about 20% of the proposed EBSA. It is important to note that EBSA’s are not Marine Protected Areas and the aim of EBSAs is to achieve better, holistic management of Ecological and Biologically Significant Areas, not to exclude all anthropogenic activities. The marine specialist study did not identify any high significance negative or irreversible impacts on the marine ecology of the concession area due to the proposed prospecting activities. Should any ecologically sensitive features such as reefs be identified within the concession area during the initial acoustic survey, these will be avoided and suitably buffered during the Phase 2 invasive sampling, both within and outside of the proposed EBSA (see 1.4).</p> <p>1.2-1.3. The geophysical survey equipment to be used during this seismic survey includes a multibeam echosounder and Chirp sub-bottom profiler (not an airgun array). A noise modelling study (using marine mammal noise exposure criteria from Southall et al. (2019)) that was undertaken in Greenland in 50-250 m water depth for a similar MBES and Chirp sub-bottom profiler geophysical survey system predicted worst case scenario impact ranges for HF and LF cetacean hearing groups of less than 100 m for both PTS and TTS (Barham and Mason 2021). This means that cetaceans could be at risk of injury if they are within 100 m of the seismic source. This is extremely close and it is highly likely that an MMSO on duty (in combination with passive acoustic monitoring) would be able to detect cetaceans at a much greater distance allowing sufficient time to implement the recommended mitigations measures i.e. terminate the survey if any marine mammals show affected behaviour within 500 m of the survey vessel or equipment until the mammal has vacated</p> |

risk-averse approach would be to not conduct seismic surveys.

1.3 Considering the scant scientific literature on the effects of intense sound on invertebrates and fish, there is low confidence in the impact significance presented in the marine assessment.

1.3.1 The impacts on invertebrates cannot be insignificant based on a postulation that invertebrates can only “hear” seismic sounds at a very close range.

1.3.2 The marine specialist indicates that there is little information available regarding noise that would potentially result in physiological injury to cetaceans and the information that is available suggests that larger cetaceans and odontocetes have less of a marked response to seismic sounds. It is assumed that 500m was chosen as a threshold to terminate the survey in the mitigation measures proposed, as the literature cited indicates that cetaceans would need to be near the seismic equipment.

If larger cetaceans do not really respond to the noise of seismic equipment according to the literature cited, they may remain non-responsive until it causes physiological damage and/or mortality. There is therefore a risk that mitigations such as soft starts would not be as effective as predicted in impact significance determination.

The mitigation requiring onboard observation by a marine mammal observer will only be feasible if the onboard observer detects these marine mammal fauna surfacing, any effects underwater will go

the area. The MMSO will be positioned in the bridge of the intended survey vessel that has an elevated 360 degree view which would enable detection of cetaceans well beyond 500m away. The survey speed of the intended survey vessel is approximately 4km/h which should leave sufficient time for any marine mammals within the vicinity to be observed on the surface whilst breathing well before they are within 100 m of the survey vessel (the distance at which potential acoustic injury may occur). The total duration of the seismic survey is expected to be 30 hours. In light of this and with implementation of the stipulated mitigation measures which reflect International Best Practise, the impact is reduced from medium to low significance.

1.4 Noted. Negative impacts arising from prospecting activities include those associated with sampling and tailings disposal and the suspension of sediment in the water column during sample collection. The significance of these potential negative impacts was assessed as low or very low due to the small spatial scale, limited duration and reversibility. It has also been recommended that any subtidal reef habitat with the concession area that is identified by the geotechnical acoustic survey is avoided during core and grab sampling. Furthermore, it is recommended that any reef be visually assessed (by means of drop camera deployments) during the baseline environmental survey with regular repeat surveys in the event of future mining operations in the area – offshore reefs may not be directly impacted (mined) but are at risk of being indirectly impacted by smothering from tailings disposal. Application for a mining right would warrant a new, revised marine specialist study where the increased spatial impacts of disturbance to the benthos would be assessed.

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|                                                             |           | <p>undetected which means adverse effects may not be detected.</p> <p>The only strong mitigation measures are the "avoidance" mitigation measures - using the PAM and avoiding cetacean migratory seasons. These "avoidance" mitigations alone should change the impact significance to medium residual impact, as avoidance in this manner will not be done for as long as there are cetaceans present as it is not practical. It is doubtful whether adding an MMSO and soft starts (given the literature evidence cited) would lead to a low significance after mitigation as indicated in the marine assessment.</p> <p>1.4 The prospecting methodology requires drilling of the benthic environment which will cause sedimentation and smothering of benthic flora and fauna. The marine assessment has indicated that areas affected by invasive prospecting will only recover over 6-15 years. This is a wide range and considering that prospecting is likely to be successful as adjacent areas prospected have found sufficient deposits for mining, it is highly likely that should this prospecting application be successful it will lead to mining of the benthic environment which will not allow for recovery.</p> <p>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p> |                                                                                                                                                                                                                                                                                                                                                   |
| <b>Stakeholder 376</b><br>→ Concerned farmer                | 3/12/2021 | We cannot open the documents that you have sent. Can you please send it in another format?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Noted and sent as a link                                                                                                                                                                                                                                                                                                                          |
| <b>Stakeholder 225</b><br>→ Stakeholder 1 in the Doringbaai | 5/12/2021 | <p>5.12.2021</p> <p>COMMENTS ON BAR 14A by Anchor Environment for "TAD" (Trans Atlantic Diamonds)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Thank you for your comments.</p> <p>We fully agree with the necessity of assessment of cumulative impacts from all the prospecting and mining applications in the region. We have included a brief description of the extent of marine and coastal mining along the west coast and have included an assessment of the potential cumulative</p> |

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| <p>Stakeholder meeting (Meeting 1)</p> <p>→Member of Strandfontein Ratepayers Association</p> <p>→Member of Olifants Estuary Advisory Committee</p> | <p>To whom it may Concern</p> <p>In light of a myriad of applications along the West coast as Anchor Consultants and TAD are well aware of, I object to prospecting on 14A within the area of the Doringbaai fishing community.</p> <p>I am referred to in the Minutes of the Public Participation Meeting as Stakeholder 1=Suzanne du Plessis - My comments and questions are captured there. An urgent SEA (Strategic Environmental Assessment) needs to be done on our coastlines and intertidal zones. With all the offshore prospecting and onshore/land mining applications 'no' Department, be it DEADP, DFFE or DMRE is abreast of the spatial planning of Mining in our west coast region.</p> <p>Please note this is of grave concern for all the citizens living within the Matzikama and Cederberg Municipalities To do a Public Participation Process for 11c in Doringbaai (Ward 2) is no relation to our area. 11C is north of the Olifants River (Ward 8) Bitterfontein to the coast.</p> <p>The consultants are paid to source stakeholders i.e. farmers and residents to the area of prospecting. This would make the Public Participation meeting flawed. I am pleased to see the Consultants erred on the side of caution to request an extension for comment on 11C so a meeting can be held. 14A begins in Doringbaai along the coast where fishermen use 13A (Olifants River mouth South to Doringbaai) and 14A extensively for their livelihoods which is primarily Line and Lobster Fishing.</p> <p>For all the years there has been a cordial relationship between the small diamond operating vessels and the fishermen. This approach to Prospecting/Mining is a detrimental approach to our environment. Seismic Surveys is damaging to our marine ecosystems. You might assure the public of its low</p> | <p>impact. Detailed information prospecting, mining and applications currently underway is, however, not readily available nor within the scope of a Basic Assessment Process for a single application. We therefore support calls for the DMRE to commission a strategic EIA to address this gap. This is now stated in the Marine specialist report and BAR as the recommended mitigation to address cumulative impacts.</p> <p>We apologise that not everyone in the community along the coast adjacent to the 11C concession was not made aware of the process. Although we contacted the municipality via phone and email numerous times, we were not able to obtain contact details for farmers in the area. Due to the new POPI Act, people are also reluctant to give out contact information. This area is very sparsely populated with many private roads not for public use which would have made it logistically unfeasible to drive to the area to locate farmhouses to source contact details</p> <p>All people for whom contact details were provided were added to the stakeholder list. Note that a request was lodged with the DMRE and an extension for the submission of the BAR granted until 15 February 2022. An additional meeting was held in Kotzesrus on 17 January 2022 and the period for commenting extended until 24 January 2022.</p> |
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impact. No matter how low the sound to whales one should look at the marine ecosystem including plankton to molluscs in its entirety.

Under Ecology the negative impacts outweigh the positive impacts of your prospecting activities. Therefore there is not enough mitigation measures listed for your EMP (Environmental Management Plan) to avoid the negative impacts.

There is mentioned on prospecting days when there will be testing TAD will make arrangements with the fishermen not to be within the area. Flat sea days are the only days when the fishermen go to sea to put food on the table and make money. I do not see any negotiation taking place.

There was more an emphasis during the PP meeting around the resources of diamonds.

Precious Stones more importantly minerals (sand) and metals is as important to your prospecting survey. Diamonds have been scarce to non existent on 14A I speak from having resided in the area since 1982. There should be records to follow up with Transhex and DeBeers.

North of the Olifants River is becoming scarred by mining up to Alexander Bay. South of the Olifants River approximately 70 000 people plus have 35 km of coastline to enjoy for subsistence fishing, recreational tourism excluding tourists that frequent our coastal villages.

There needs to be a balance where everyone's needs and voices are heard. I agree with the general consensus and sentiments of the residents, Police, teachers, fishermen in the PP meeting held in Doringbaai.

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|                                                         |           | <p>We say NO to prospecting/mining and yes to Fishing, Abalone ranching and recreational opportunities for Tourism.</p> <p>Please show me how many Prospecting applications along our West Coast have not led to Mining?</p> <p>Below is some of my correspondence with Cheruscha Swart from Anchor Environment via email.</p> <p>Thank you for the opportunity to comment.</p> <p>Kind Regards<br/>Suzanne du Plessis<br/>Member of Strandfontein Ratepayers Association<br/>Member of Olifants Estuary Advisory Committee</p>                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Stakeholder 372</b><br>→Resident and concerned party | 7/12/2021 | <p><b>OBJECTIONS</b><br/> <b>PROSPECTING ALONG THE WEST COAST BY TRANS ATLANTIC DIAMONDS CONCESSION AREAS 14A AND 11C. WE ARE SHAREHOLDERS A NEIGHBOURING NATURE RESERVE.</b></p> <p>We strongly object to the Prospecting and Mining Activities Proposed for this Area. May it be Diamonds, Metals or any other Mineral. The West Coast areas are very sensitive, be it Ocean or Land.</p> <p>This Area is frequented by the Southern Wright Whale and other Marine Mammals feeding up and down the coast, and returning at night time to a little bay on the Southern Border of the Bojaansklip, we have personally counted a pod of 18 whales in the bay. The Seismic disturbance of being Very Low to Medium (as per your Studies) These Marine Mammals are very sensitive to the Seismic impact. Schools of Dolphins and sea lions play up and down the Coast. Many a fish species, Rock lobster etc. are found in this area.</p> | <p>Thank you, your concerns are noted. Potential negative impacts on the marine ecology including potential impacts on cetaceans, fish and invertebrates and have been assessed in the marine specialist report and mitigation measures identified.</p> <p>We agree with the necessity of assessment of cumulative impacts from all the prospecting and mining applications in the region. We have included a brief description of the extent of marine and coastal mining along the west coast and have included an assessment of the potential cumulative impact. Detailed information prospecting, mining and applications currently underway is, however, not readily available nor within the scope of a Basic Assessment Process for a single application. We therefore support calls for the DMRE to commission a strategic EIA to address this gap. This is now stated in the Marine specialist report and BAR as the recommended mitigation to address cumulative impacts.</p> |

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|                                                                                                                                  |           | <p>We doubt that any heritage resources will be of any significance to the prospector's or miners as we do understand it to be Trans Atlantic Diamond Company from Dubai, who will be stripping our Ocean of resources.</p> <p>There are numerous applications for prospecting and mining in this area especially below the Olifants River. There will be cumulative impacts when considering the impacts from all the activities of different applications.</p> <p>They community of Doringbaai will not benefit from any of these activities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Stakeholder 48</b><br/>→Directorate: Development Facilitation</p> <p>→Environmental Affairs &amp; Development Planning</p> | 9/12/2021 | <p>16/3/3/6/4/1/1/F3/16/1414/21 (Development Management)<br/>066/2021 (Biodiversity and Coastal Management)</p> <p>COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR LISTED ACTIVITIES ASSOCIATED WITH THE PROSPECTING RIGHT IN OFFSHORE SEA CONCESSION AREA 11C, NORTHWEST OF STRANDFONTEIN AND WEST OF BRAND-SE-BAAI, MATZIKAMA MUNICIPALITY (DMRE REF: WC30/5/1/1/2/10384 PR)</p> <p>The email correspondence of 04 October 2021 containing a Background Information Document and requesting preliminary stakeholder input and registration as an interested and affected party ("I&amp;AP"), the Department's acknowledgement of receipt of the email correspondence and registration as a commenting authority sent via email on 05 October 2021, the email notice of 28 October 2021 informing I&amp;APs of the forthcoming Basic Assessment Report ("BAR") and public meeting, the email notice of 15 November 2021 reminding I&amp;APs of the availability of the Draft BAR</p> | <p>Thank you for your comments.</p> <p>2.1 &amp; 3.1: The 11C concession area does not fall within any Marine Protected Area and the habitat is categorised as "Least Concern" on the SANBI Ecosystem Threat Status BGIS layer. The Namaqua Coastal EBSA is currently proposed (not proclaimed/accepted) and about 40% of the 11C lies within and includes about 20% of the proposed EBSA. It is important to note that EBSA's are not Marine Protected Areas and the aim of EBSAs is to achieve better, holistic management of Ecological and Biologically Significant Areas, not to exclude all anthropogenic activities. The proclaimed MPA between the Groen and Spoeg Rivers lies more than 30km to the north of the 11C concession area and no prospecting activities within the MPA are proposed in this application. The marine specialist study did not identify any high significance negative or irreversible impacts on the marine ecology of the concession area due to the proposed prospecting activities. Should any ecologically sensitive features such as reefs be identified within the concession area during the initial acoustic survey, these will be avoided and suitably buffered during the Phase 2 invasive sampling, both within and outside of the proposed EBSA as per the EMPr.</p> <p>2.3 The difference in Confidence rating for seismic impacts on fish in the executive summary of the marine specialist report was an error and should be "Medium". This has been corrected to reflect the text (&amp; is now consistent with the BA report).</p> |

and extension of the commenting period on the Draft BAR to 10 December 2021, and the email of 03 December 2021 containing the presentation and minutes of the public meeting held in Doringbaai on 11 November 2021, refer.

Thank you for the opportunity to provide comments on the Draft BAR. The Department acknowledges the thorough manner how public consultation has been managed to date, including the provision of a public meeting. Please find consolidated comments from various directorates within the Department on the Draft BAR dated November 2021 that was available for download f 1. Directorate: Development Management (Region 1) – Ms Ayesha Hamdulay (Email: Ayesha.Hamdulay@westerncape.gov.za; Tel.: (021) 483 0756):

1.1. Based on the information contained in the Draft BAR, this Directorate notes the following:

1.1.1. The application for a prospecting right in Sea Concession Area 11C (approximately 164 023 ha in extent), located offshore on the West Coast, will include both non-invasive and invasive sampling activities (geophysical surveys, drilling and grab sampling).

1.1.2. The proposed prospecting will not occur within a Marine Protected Area (“MPA”).

1.1.3. Areas of conservation concern and reef areas will be avoided.

1.1.4. The impacts on the marine environment due to the proposed prospecting activities have been rated as being of insignificant, very low and low negative significance after mitigation.

1.2. All the mitigation measures as proposed in the Draft BAR, Environmental Management Programme and specialist studies must be implemented.

2. Directorate: Biodiversity and Coastal Management – Mr Ryan Apolles (Email:

Ryan.Apolles@westerncape.gov.za; Tel.: (021) 483 2817):

2.1. It is noted that 38% of Sea Concession Area 11C overlaps with the proposed Namaqua Coastal Area Ecological and Biologically Significant Area ("EBSA"), which is defined as "geographically or oceanographically discrete areas that provide important services to one or more species/populations of an ecosystem or to the ecosystem as a whole, compared to other surrounding areas or areas of similar ecological characteristics, or otherwise meet the [EBSA] criteria".

2.2. The Draft BAR also notes that every effort will be made to avoid sampling and prospecting in MPAs, important conservation areas, and areas that are important for fisheries, particularly small-scale commercial fisheries. The Namaqua Coastal Area EBSA should therefore be given adequate consideration and be strongly considered as a significant informant to shaping/confining the prospecting area to exclude the Namaqua Coastal Area EBSA. (In this regard, please also refer to paragraph 3.1. below.)

2.3. Table i of the Marine Specialist Impact Assessment compiled by Anchor Environmental (Pty) Ltd dated November 2021 quantifies the impact of seismic disturbance to fish with a high confidence, while the same impact assessment is

quantified in Table 9 of the Draft BAR as having a medium confidence.

Please provide clarification on the discrepancy in confidence levels for this impact.

2.4. It seems that presently, research on the impact of seismic surveying on certain marine species appears inconclusive to accurately predict the impact with certainty, which therefore increases the environmental risk of undertaking the proposed activity. The proposed activity could therefore have a greater impact on marine species and its environment as an unintended consequence of such activity.rom the website of the environmental assessment practitioner.

2.5. The Marine Specialist Impact Assessment also indicates that sensitive rocky offshore reef habitat is expected to be encountered in Sea Concession Area 11C, which could be directly impacted upon through the proposed prospecting activities, as well as indirectly impacted upon by tailings disposal that causes smothering of sensitive reef habitat. Whilst the specialist study only quantifies the significance of the impact of seabed sampling and tailings disposal as having a low negative impact, adequate mitigation should be considered to avoid invasive prospecting on sensitive reefs, as well as adequate identification of areas where tailings can be disposed of. It is noted that at this stage, the sensitive reef areas and areas for tailings disposal have not been identified for further consideration.

2.6. This Directorate therefore encourages a risk averse/ cautious approach which considers the limits of current knowledge about the consequences of decisions and actions.

3. Directorate: Development Facilitation – Mr Ralph van Delin (Email:

Ralph.vandelin@westerncape.gov.za; Tel.: (021) 483 5574):

3.1. The Draft BAR indicates that there is a small part of the Namaqua Coastal Area EBSA (midway along the shore) that was recently declared as a MPA and that came into effect in 2019. No further information regarding the declared MPA was provided. It is thus essential that the part of the EBSA that is declared as a MPA, be excluded from any prospecting activities. The Final BAR should clearly indicate this requirement and the relevant maps must be updated to exclude this area.

3.2. According to the Draft BAR, applications for the prospecting right and environmental authorisation (“EA”) were accepted and acknowledged by the competent authority on 10 September 2021. It is noted that Activity 22 of Listing Notice 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) Environmental Impact Assessment Regulations, 2014 (as amended) is being applied for. Please be advised that said listed activity should be excluded from the application for EA as it has since been repealed by Government Notice (No. 517 of 11 June 2021. As such, an amended application form should be submitted to the competent authority.

3.3. It is essential that the recommendation that a designated onboard Marine Mammal and Seabird Observer be employed to ensure compliance with mitigation measures during geophysical surveying, be included as a condition of approval, should a positive EA be granted.

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|                                             |           | <p>4. The applicant is reminded of its “duty of care” prescribed in section 28 of the NEMA, 1998 which states that “Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment”, read together with section 58 of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) which refers to one’s duty to avoid causing adverse effects on the coastal environment.</p> <p>Please direct any enquiries to the official/s indicated in this correspondence should you require any clarity on any of the comments provided.</p> <p>The Department reserves the right to revise or withdraw comments or request further information based on any information received.</p> |                                                                                  |
| <b>Stakeholder 376</b><br>→Concerned Farmer | 9/12/2021 | <p>Response to below question: I have no idea how many people received this email or how many queries there were from the area, so it's hard to answer the question. If there are few people, Kotzesrus church hall, if there are many, Bitterfontein Agricultural Association hall. I also just want to ask that it be emphasized that wearing masks is compulsory. (I already had covid and definitely do not want it again, the people in the area are very blasé about the measures</p> <p>(Question from Anchor: Herewith I would like to inform you that the Department of Mineral Resources and Energy (DMHE) has granted the request to postpone the public participation process for concession area 11C (Please see attached the letter from the DMHE). I would therefore like</p>                                                                                                                                                                                                                                                                            | Noted, thank you for the information regarding the venue for the second meeting. |



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|                                                                                                                             |            | to ask you to let me know as soon as possible which town or place would be most suitable for holding a meeting? We intend to hold the meeting in the second week of January. The period for commenting on the Basic Assessment Report will then end by approximately 21 January 2022. I will still confirm this date, but it will depend on when the meeting takes place. If there is still anyone you think should be included, I ask that you please send me their contact details).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                   |
| <b>Stakeholder 322</b><br>→Interested Party                                                                                 | 11/12/2021 | Will there be transport available for the people that want to attend the meeting?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Unfortunately, there will not be transportation available as this is a very remote area far from transportation companies.        |
| <b>Stakeholder 79</b><br>→Department of Forestry, Fisheries, and the Environment (DFFE): Branch Biodiversity & Conservation | 13/12/2021 | <p>The Directorate: Biodiversity Conservation reviewed and evaluated the aforementioned draft report.</p> <p>Based on the information, the entire area covered by Concession Area 11 C is classified as "Least Concern" and is not identified as part of a National Marine Protected Area (MPA). However, 38% of the area of concession 11 overlaps with the proposed Namaqua Coastal Area Ecological and Biologically Significant Area. Potential impacts to the marine environment as a result of exploration and prospecting were identified based on available literature, previous EIA and monitoring reports, and the specialist's studies.</p> <p>Kindly note that the Directorate: Biodiversity Conservation is not the competent commenting authority for this project because the proposed activities are taking place in the marine environment and no terrestrial biodiversity specialist studies were conducted. Therefore, your advised to request comments from Marine and Coastal Unit within the Department of Forestry, Fisheries and the Environment, as well as the Heritage Unit. All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA enquiries must be submitted to the Directorate:</p> | Thank you, Noted. Officials from both DFFE and SAHRA are registered stake holders and have submitted comment on this application. |

|                                                                                             |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|                                                                                             |            | Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Stakeholder 39</b><br>→DFFE:<br>Directorate:<br>Sustainable<br>Aquaculture<br>Management | 14/12/2021 | <p>Directorate: Sustainable Aquaculture Management within the Department of Forestry, Fisheries and the Environment (DFFE) has reviewed the draft Basic Assessments (BA) for the proposed prospecting in two sea concession area by Trans Atlantic Diamonds (Pty) Ltd.</p> <p>1. DFFE, Branch: Fisheries Management has a mandate in the development and management of aquaculture in South Africa.</p> <p>2. The proposed Trans Atlantic Diamonds prospecting right concession 14C area overlaps with the Southern part of new Western Cape sea-based aquaculture ranching concession area.</p> <p>3. A call for interest was gazetted (GN 44636) on the 28th May 2021, by the Minister of DFFE for those with an interest to conduct sea-based ranching of abalone along an approximately</p> <p>7 km stretch of coastline between Doring Bay and Standfontein Bay in the Western Cape (WC) (Coordinates, Point A 31o45'26.34"S; 18o13'25.35"E, Point B 31o49'14.43"S; 18o13'54.44"E).</p> <p>4. There is currently an application from Doring Bay Abalone (Pty) Ltd for a "Right to Engage in Abalone Ranching and Stock Enhancement pilot project in terms of Section 18 of the Marine Living Resources Act, 1998 (Act No, 18 of 1998)" and it was assessed in terms of the "Criteria for allocating rights to engage in abalone ranching and stock enhancement pilot projects". Doring Bay Abalone (Pty) Ltd</p> | <p>Thank you for your comments. Most points pertain to Concession 14A (and have been responded to in that application).</p> <p>Point 6 recommends a study of potential downstream impacts from 11C on the Doringbaai abalone farm and the proposed ranching area. Concession are 11C is more than 60 km north of Doring Bay and the spatial scale of any potential water quality impacts is such that no negative impacts on the Doring Bay abalone facility or the proposed ranching zone are anticipated.</p> <p>Point 7: Doringbaai abalone is a registered stakeholder and representatives attended the public meeting held in Doringbaai.</p> |

demonstrated compliance with all exclusionary criteria points as per Phase 1 of the application process (Government Gazette 21 April 2011, No. 352 & 353). The applicant proceeded to Phase 2 (Balancing Criteria) of the application process in September 2021 which included demonstrating equity and job creation; capacity technical; future investment in the sector and environmental considerations.

5. The BA for the proposed prospecting in concession area 14A and 11C should consider the already approved abalone ranching concession area for the Western Cape, which has received Ministerial approval. The application should consider the necessary specialist studies, such as, but not limited to, Dispersion Modelling, Marine Ecological Assessment etc, to assess the impacts of proposed mining application on the approved abalone ranching concession area.

6. It is noted that concession area 11C is north of the ranching area and outside the ranching area but there is a need to conduct a study to see if there will not be downstream impact caused by the prospecting activity.

7. Doring Bay Abalone, which has an existing approved abalone ranching right should be included as an Interested and Affected Party and should be engaged further on the overlaps and impacts.

Please note that the Directorate Sustainable Aquaculture Management reserves the right to review and/or provide additional comments in future.

|                                                               |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <b>Stakeholder 85-89</b><br>→DFFE:<br>Branch: Oceans & Coasts | 22/12/2021 | <p>I trust this email finds you well. My email refers to the below correspondence received notifying I&amp;As of the submission of the Final BAR or Concession Area 14A. Kindly note that the Branch Oceans &amp; Coasts previously provided comments on the Background Information Document for the Application For A Prospecting Right And Environmental Authorisation Along The West Coast In Concession Area 14A &amp; 11C as dated 28 October 2021 (see attached). Condition 2 of this comments document requested that the Branch be included as an I&amp;AP to ensure that we are updated on developments in this application. However, there is no record of further correspondence that was received to provide this Branch with the opportunity to provide comments as part of the Pre-APP or Draft BAR stage.</p> <p>Further clarity is sought on whether;</p> <ol style="list-style-type: none"> <li>1. A Draft BAR document was made available for comment and 2. Whether this was circulated to OC for comments?</li> <li>2. If not, the reasons that this application progressed from BID-Final BAR/ the lack of inclusion in PPP.</li> <li>3. Applications for Concession Area 14A and 11C were previously submitted as part of a single application, it is noted that they have since been handled as part of two separate applications. Further clarity is sought on the motivation for this.</li> </ol> | <p>Thank you very much for getting in touch with us.</p> <p>According to our records, the notice of the public participation process and Draft BAR was circulated to the Department at the email address specified in the comment: OCEIA@environment.gov.za. Please see attachments wherein the Department was BCC'd. If this email address is incorrect as it is here, please let us know so that we may correct this for the Final BAR for concession 11C. Unfortunately, the Final Bar for 14A has already been submitted to the DMRE. The prospecting rights applications are submitted as separate applications to the DMRE i.e., a single application is submitted for a single concession area only and therefore if multiple concession areas are applied for more than one application is required. Because we submitted the applications for concession 14A and 11C around the same time the public participation processes ran concurrently. However, as they are separate applications, they would require their own Basic Assessment Process and associated specialist studies. Please do not hesitate to get in touch with me should you have any further questions and or comments, or need any further clarification.</p> |
| <b>Stakeholder 85-89</b><br>→DFFE:<br>Branch: Oceans & Coasts | 5/1/2022   | <p>SUBJECT: COMMENTS ON THE BASIC ASSESSMENT PROCESS FOR THE PROPOSED PROSPECTING IN SEA CONCESSION AREA 11C BY TRANS ATLANTIC DIAMONDS (PTY) LTD.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Thank you for your comments.</p> <p>1.1□The concern with respect to turtles is noted. No mitigation was proposed for potential seismic impacts on turtles, as due to the survey methodology (ship mounted equipment, not a towed air gun array) and short duration of the survey (&lt;1 week, probably only 2-3 days) the probability of impacts on turtles was considered “improbable”. Nonetheless, the precautionary approach</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

The Oceans & Coasts (O&C) Branch of the Department of Forestry, Fisheries, and the Environment (DFFE) appreciates the opportunity granted to comment on the Basic Assessment Report for the Proposed Prospecting in Sea Concession Area 11C By Trans-Atlantic Diamonds (Pty) Ltd. This Branch has provided recommendations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA") and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICM Act").

The Branch O&C has the mandate to ensure the holistic management of the coast and estuarine areas as an integrated system and promote coordinated coastal management. It ensures that the ecological integrity, natural character, and the economic, social, and aesthetic value of the coastal zone are maintained to ensure that people, properties, and economic activities are protected against the impacts of dynamic coastal processes. Guided by the principles of integrated coastal management, this Branch continues to strive for environmental sustainability and socially justified sharing of benefits derived from a resource-rich coastal area without compromising the ability of future generations to access those benefits. In line with the above-mentioned mandate and functions, this Branch concludes that it is not in a position to support the proposed prospecting by Trans- Atlantic in sea concession area 11C, subject to the following recommendations.

1. Further Clarity is required to support the application from the EAP on the following aspects:

1.1 The review of this report makes it evident that no mitigation measures were provided to mitigate

does warrant extending mitigation measures to turtles and we have done so in the revised marine specialist report, BAR and EMPr.

1.2☐The suggested mitigation measures of a 500m safety buffer and delayed start up for turtles has been added to the marine specialist report, BAR and EMPr.

1.3☐We have adjusted the required MMSO scan time to 30 min as recommended.

1.4☐Delayed start-up has been included as a mitigation measure for turtles.

1.5☐That was a typo, PAM monitoring is recommended for the months of June **to** November, this has been corrected. Another essential mitigation measure was that the survey should not be planned for this period to avoid migrating whales. PAM monitoring is also recommended in situations of reduced visibility (such as night-time or fog).

1.6☐Agreed, the mitigation measure excluding the June to end November period is provided.

1.7☐Agreed, a recommendation for PAM during periods of reduced visibility has been included.

1.8☐The acoustic survey duration is anticipated to be short (< 1 week), however should night-time operations require 24-hour PAM surveillance a second PAM operator will be required.

1.9☐The proposed vibracoring, gravity coring or sonic coring for sample collection is not expected to create significant underwater noise as the sound is largely restricted to the seabed material (sand/rock) and environmentally significant sound propagation in the water column is not anticipated.

1.10The vessel is on site for a short duration (< 1month), will not be creating fish offal or any other attractant for sea birds and the lighting is not expected to be brighter or more intense than that on any other operational vessel. This potential impact was therefore scoped out of our assessment.

1.11The methodology and findings of McCauley et al. (2017) have been challenged in the international literature. Furthermore, a study conducted by the Australian Commonwealth Scientific and Industrial Research Organization (CSIRO) (Richardson, A. J., et al. (2017). Potential impacts on zooplankton of seismic surveys. CSIRO, Australia. 34 pp.), indicated that there were no discernible effects to zooplankton biomass on a regional scale. A further study documented an increase in mortality of an important copepod species only at distances less than five meters from the sound source which in this case was airguns, not the less intense acoustic survey tools proposed in this study (Fields, D. M., et al. (2019). Air gun blasts used in marine seismic surveys have limited effects on mortality, and no sublethal effects on behaviour or gene expression, in the copepod *Calanus finmarchicus*. ICES Journal of Marine Science. doi:10.1093/icesjms/fsz126).

1.12The 11C region has not been subject to much research and the earlier EIA reports by Penny and Pulfrich constitute much of the available information. More recent literature from diamond mining monitoring studies further north is cited (e.g Biccard et al 2020a,b,c); as are recent papers on assessing the impacts of noise on cetaceans e.g. Southall et al 2019.

1.13Noted

1.14Noted

the negative and adverse impacts resulting from the proposed activities on turtles. Page 56 describes the nature of most turtle incidents being entrapment of turtles in towed equipment. However, it should be noted that this is not applicable for this application. The impacts on turtles as specified in this report could be critiqued for being too general and commonly known turtle impacts, instead of being specific to this application.

1.2 On page 56, turtles may be affected by seismic noise at close range. Any impacts of the underwater noise of the survey would be much more difficult to observe. Therefore, the 500 m safety zone that is offered for marine mammals and seabirds, must also apply to turtles (even though it will be extremely difficult to sight them at more than a few tens of meters away).

1.3 Some mitigation measures offered for marine mammals and seabirds do not seem in line with updated JNCC guidelines. E.g., the BAR offers pre-survey scans of at least 15 minutes. The JNCC says 30 min in waters < 300 m, 60 min in water > 300 m deep. Mitigation for marine mammals, turtles, needs to be enhanced. Some information seems outstanding.

1.4 The start-up must be delayed, or (if in operation) surveying must be halted if a turtle is sighted.

1.5 Further information is sought to clarify the reasons that PAM is offered only for June and November. Further to this, the EAP should further elucidate whether this has been proposed in case surveying should take place in these months and where the limits of the whale migrations cannot be

1.15 Noted

1.16 Agreed, this is listed as an essential mitigation measure.

1.17 The EMPr specifies that reef areas and any other identified sensitive habitats are to be avoided during destructive sampling. The 11C concession does not overlap with any marine protected area.

1.18 This concurs with the description of the receiving environment in the marine specialist report.

1.19 The 11C concession does not overlap with any MPA.

1.20 Noted, However, vessel sound in the relatively deep water of concession 11C for the relatively short duration of the proposed prospecting (approximately 1 month) are not anticipated to have significant negative impacts on marine biota i.e. screened out.

1.21 Yes, the seal colony and the potential presence of fur seals in the concession is noted in the marine specialist report. There is however no attract for seal associated with the survey vessel and in general, seals display considerable tolerance to underwater noise (Richardson et al. 1995). This has been confirmed by a study in Arctic Canada in which ringed seals showed only limited avoidance of seismic operations (Lee et al. 2005).

1.22 Agreed, as per recommended mitigation and EMPr.

1.23 Agreed, as per recommended mitigation and EMPr.

1.24 Noted. The project description for the proposed prospecting does not include any infrastructure placement in the sea.

avoided. This aspect should be clearly outlined in the report to ensure informed decision-making.

1.6 It should be noted that it is not easy to detect humpback whales using PAM. Therefore, this may not be a very useful mitigation measure in this regard. These months should simply be avoided for geophysical surveying along with July-October.

1.7 Considering that whales (other species) and dolphins are likely to be present year-round in the survey area, PAM must be operated in all months when surveys occur, at least at night and conditions of poor visibility.

1.8 It must be ensured that there are sufficient MMOs and PAM operators on board the vessel to prevent fatigue and meet health and safety requirements, during the survey periods. One person, as indicated in this Basic Assessment report, will not be sufficient.

1.9 Considering the impact assessment, it is evident that only the noise impacts of the geophysical surveying are assessed. However, the noise of drilling has not been assessed or considered. Further clarity and assessment of these impacts are sought.

1.10 Further to this, this assessment should also detail the operational impacts associated with the proposed activities such as the night lights of the vessel on seabirds, especially considering the foggy conditions that often occur off the West Coast.

1.11 Considering the findings of a recent study (McCauley et al. 2017) that impacts of seismic surveys on plankton may be far greater than previously anticipated (mortality up to 1.2 km from source as opposed to < 10 m as previously thought),

perhaps impacts on plankton should be considered, especially with ichthyoplankton of important commercial fish species in mind.

1.12 There seems to be a (possibly unhealthy) reliance on previous EIA reports for assessment of impacts (e.g., lots of references to Pulfrich reports in the marine specialist study and in the BAR itself). Efforts should be taken to ensure that up-to-date specialist information and studies are provided to ensure that decision-makers take into account relevant and up-to-date information for meaningful decision-making.

1.13 The report outlines the offshore diamond mining lease areas in South African waters. The coastal shelf waters have been divided into 20 contiguous, parallel strips which have been further subdivided into the onshore and offshore concession areas. While the report ascertains that the conducting of prospecting activities in the area shall be done in such a manner that avoids significant environmental impacts, the impacts proceeding exploration and the discovery of viable mineral deposits cannot be avoided.

1.14 Page 23 of the report reads "diamond mining in the Benguela region (off the west coasts of southern Africa) is economically important (DME 2006; Penney et al. 2007) and therefore the proposed prospecting activities are ideally placed in concession area 11C offshore of the Western Cape Coast of South Africa" provides further evidence to support this notion.

1.15 This Branch strongly holds that these factors need to be considered when reviewing exploration applications and making decisions relating to mining within the marine and coastal environment. A



sustainable development approach needs to be adopted to ensure that the environmental rights of South Africans are protected, that people and communities equally benefit from the resources and economic benefits derived from the use or extraction of all resources, and that existing and future planned, economic activities along this coastline are protected from long-term, cumulative, and unintended impacts of seismic surveying, exploration and/or mining on this coastal shelf.

1.16 The proposed prospecting programme will take place during spring and/or summer and when weather conditions are suitable, and the seas are calm. The timing of seismic survey activity in concession 11C should be confined to seasons when cetaceans are scarce to ensure minimal disturbance.

1.17 It further specifies that "it is important to note that the exact location of the core and drill sites will only be confirmed after the completion of the seismic surveys. Buffers will be applied around reef areas and areas of conservation concern. The final site layout plan is thus subject to change". Results from the Screening Report and specialist marine impact assessments should be taken into consideration when deciding on the final layout to avoid prospecting in a protected area or areas of conservation concern.

1.18 Concession Area 11C is positioned in the southern section of the Benguela Current System (BCS), which extends along the west coast of southern Africa between Cape Agulhas and Angola. The area falls within the Namaqua inner shelf ecozone, which is nested within the Southern Benguela Ecoregion as defined by Sink et al.

1.19 Section 48 of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) provides that, despite other legislation, no person may conduct commercial prospecting or mining activities- 4s (a) in in a protected area referred to in section 9(b) or (d). Section 48(3) further empowers the Minister, after consultation with the Cabinet member responsible for mineral and energy affairs, may, in relation to the activities contemplated in subsection (2), as well as in relation to mining activities conducted in areas contemplated in that subsection which were declared as such after the commencement of this section, prescribe conditions under which those activities may continue in order to reduce or eliminate the impact of those activities on the environment or for the environmental protection of the area concerned. The proposed seismic surveying does not seem compatible with the protection goals of MPAs and is contrary to the aims and objectives of NEMPA.

1.20 Sounds generated by vessels in addition to the noise from seismic surveys have been related to negative impacts on marine animals (Koper and Plön 2012). These negative impacts include direct effects, such as physical injury (i.e., auditory, and non-auditory), stress, perceptual interference, behavioural changes, and chronic responses, and indirect effects on predator species as prey. The impacts associated with seismic surveys are not yet fully understood. This further presents a challenge as the magnitude of impact cannot be quantified.

1.21 A breeding colony of Cape fur seals (*Arctocephalus pusillus pusillus*) exists on Elephant Rock, inshore of concession 11C, approximately 10 km north of the Olifants River Mouth. Seals are highly mobile animals with a general foraging area

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|                                              |           | <p>covering the continental shelf up to 120 m (approximately 220 km) offshore. Seals will likely be encountered during seismic exploration and sampling/prospecting activities in Concession 11C.</p> <p>1.22 It is recommended that an MMSO be on duty during the proposed seismic survey activities and as a precaution.</p> <p>1.23 A passive acoustic monitoring (PAM) system should also be used during survey activity to detect cetaceans that could be at risk.</p> <p>1.24 No infrastructure should be placed onshore or in the sea.</p> <p>Kindly note that the Department reserves the right to revise its comments and request further information based on any additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via OCEIA@dfe.gov.za / or Physical Address: Department of Environment Affairs (DEA), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.</p> |                                  |
| <b>Stakeholder 378</b><br>→ Concerned farmer | 10/1/2022 | <p>Thank you so much I sent the message to the community. Please see below and add them as stakeholders.</p> <p>Hello, please register us as I &amp; APs for all current and future prospecting applications in your area (land and sea). Our details are as follows: [redacted]. Interest in the matter: We live and farm in Matzikama Ward 8. Please CC for both of us in all email correspondence that you exchange as a group.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Noted and registered. Thank you. |

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| <b>Stakeholder 388</b><br>→ Concerned Party         | 11/1/2022 | I would like to register as I&AP for the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Noted and registered. Thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Stakeholder 168</b><br>→ Environmental Education | 14/1/2022 | The venue for this meeting seems to be in a very out of the way place - far away from fishing communities and other coastal community members who may wish to attend. Transport is a big issue for many people. I have mentioned the meeting to a few community members who have all raised the issue of transport.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for this comment. I understand that this is a very remote place far from the fishing communities. Unfortunately, the land adjacent to 11C is a remote place with only a few farmers/ farming communities and towns and no coastal/ fishing communities. We specifically held a meeting for the coastal and fishing communities concerned with 11C in Doringbaai on 11 November 2021 as 11C is in such a remote area far from them.<br>The farmers adjacent to 11C requested a meeting in Kotzesrus as Doringbaai was again too far for them. I do, however, understand the concerns of the fishing communities and do appreciate your email and raising this concern. We really do make every effort to try and accommodate everybody, but unfortunately this is not always possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Stakeholder 383</b><br>→ Concerned Farmer        | 8/1/2022  | <p>Ek wil graag punte uitwys waar ek nie saamstem met julle ondersoek nie</p> <p>1. Ek is betrokke by die oes en verwerking van seebamboes in 'n Konsessie wat strek vanaf Suid van Groenriversmond tot die Noordekant van Olifantsrivier. Ons voorsien die afgelope 50 jaar werk aan mense uit die omgewing sowel as transport-maatskappye en het langtermyn kontrakte oorsee waarmee valuta vir die land verdien word. Ek wil dit graag op die rekord stel dat indien enige verlies aangeteken kan word as gevolg van julle bedrywighede sal dit van julle verhaal word.</p> <p>2 Dit is 'n bewaringgebied vir die Swart tobie voels en word gemonitor en ek voorsien negatiewe invloed daarop.</p> <p>3. Volgens julle is daar nie noemenswaardige visvangs in die gebied nie waarmee ek ook nie saamstem nie. Hier is nie enige hawe in die gebied nie so daar is geen manier om dit te monitor nie aangesien daar nie n beampte van seevisserij is om te kontroleer nie. Daar is slegs by Doringbaai, Lamberstbaai, Elandsbaai, Hondeklipbaai en Port Nolloth 'n beampte. Vis wat in die omgewing gevang word, word dus daar ingeweeg so julle ondersoek is</p> | <p>Thank you for your comments and questions. Please note that the Department of Mineral Resources and Energy (DMRE) established designated mineral sea concession areas in 1994, extending from Saldanha Bay to the Orange River mouth on the west coast of South Africa. Prospecting and mining activities are only permitted within specially designated areas. Please refer to Figure 1 in the final BAR for a map of all concession areas.</p> <p>The boundaries of the concession areas are determined by distance from the high-water mark (this is where the shoreline is visible during high-tide) and water depth.</p> <p>The Land and Surf-Zone (the surf zone extends from the High-water mark to 31.5m west of the low-water mark) concessions areas are considered as "onshore mining" operations. Marine Concession Areas, as is the case with concession area 11C, are those allocated offshore. These concession areas are further divided into four sub-areas. The A-concession area starts approximately 31.5m west of the low-water mark. It extends westwards to the 30m isobath (30m depth) which is approximately 1 km from the high-water mark.</p> <p>The inshore boundary (boundary closest to the shore) of the B concession area is located approximately 1 km west of the highwater mark (where the A-concession ends) and the outer boundary extends further west to about 5 km offshore from the high-water mark at the widest part. This 5km point is approximately 70m deep. The C concession therefore starts 5km from the high-water mark and extends westward of this point to the 200 m isobaths (200m water depth). The D concession extends from the 200m isobath (200m water depth) to the 500 m isobath.</p> |

nie volledig nie. Dieselfde geld vir Kreefvangst in die gebied. In die gebied is ook baie sportduik vir kreef en dit gaan verseker ook beïnvloed word.

Dit het ook aan die lig gekom daar daar nie bewus was dat daar enige mense in die gebied is nie so dit is duidelik dat die impakstudie onvoldoende gedoen is. Daar is ook n wanindruk van die voorgestelde konsessie aangesien dit voorgelou is dat dit 5 km vanaf die kus begin en is beslis nie geloofwaardig nie. Mense is oningelig hoe konsessies bepaal word so dit is totaal onaanvaarbaar om dit verkeerdelik oor te bring.

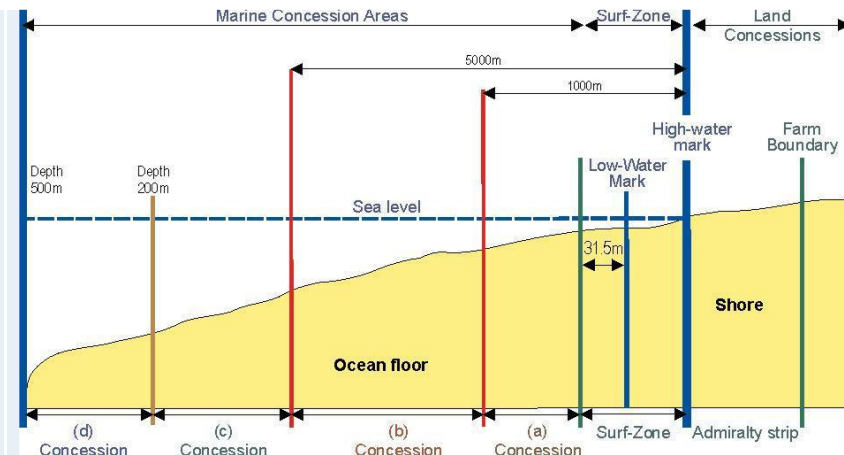
English:

I would like to point out points where I do not agree with your investigation.

1. I am involved in the harvesting and processing of kelp in a Concession that extends from South of Groenriviersmond to the North side of Olifants River. For the past 50 years, we have been providing employment to people from the area as well as transport companies and have long-term contracts overseas that earn currency for the country. I would like to put it on the record that if any loss can be recorded as a result of your operations it will be recovered from you.

2 This is a conservation area for the Black Oyster Catcher birds that is being monitored and I foresee a negative impact on them.

3. According to you, there is no significant fishing in the area with which I also do not agree. There is no harbour here in the area so there is no way to monitor it as there is no sea fishing officer to check. There is only an officer at Doringbaai, Lambertsbaai,



We take note of the kelp harvesting in the area. Kelp grows in shallow water down to about 20 m depth. Concession area 11C starts at 70m depth and is located at least 4km west (out to sea) of the areas where kelp harvesting occurs. Prospecting activities will therefore not interfere with or impact upon kelp harvesting activities.

The black oyster catcher (Swart Tobie) is a coastal shore bird that does not occur in the pelagic offshore marine environment. It is thus highly unlikely that this bird will be present within an area that is 5km offshore. No negative impacts on the Black oyster catcher resulting from prospecting activities in Concession area 11C are therefore anticipated.

The data and information on fisheries and their catches are based upon several data sources, scientific studies and commercial fishing catch return data collated by the Department of Forestry, Fisheries and the Environment (DFFE) (previously the Department of Agriculture, Forestry and Fisheries – DAFF). To harvest fish or engage in a fishing-related activity for commercial purposes, you must first be in possession of a commercial fishing right. For subsistence or recreational fishing, you must have a fishing permit. Commercial Fisheries are required to report their catch to the DFFE, while the DFFE collects data on subsistence/ recreational fishing . Unfortunately, if subsistence or recreational fishers/ fishing communities do not partake in these surveys, this data is not recorded, however small scale and recreational fishers seldom operate > 5 km offshore where the shore side boundary of concession 11C starts.

Furthermore, as you mentioned, there is no harbour in this area. Fishing efforts of boat-based recreational, line fish and subsistence fishing are thus mostly concentrated closer larger towns where slipways and harbours are present. Small pelagic fishing (purse seine vessels mainly targeting anchovies) does occur in Concession area 11C, although this is the northern extent of their

Elandsbaai, Hondeklipbaai and Port Nolloth. Fish caught in the area are therefore weighed in at these places so your investigation is not complete. The same goes for lobster catches in the area. There is also a lot of scuba diving for lobster in the area and it is sure to be affected as well.

It also came to light as there was no awareness that there are any people in the area so it is clear that the impact study was done insufficiently. There is also a misconception of the proposed concession as it has been suggested that it starts 5km from the coast and is certainly not credible. People are uninformed about how concessions are determined so it is totally unacceptable to convey them incorrectly.

operational range (the nearest processing plants are in St Helena Bay) and effort is low when compared to the rest of the coastline. The average total annual catch of small pelagic fish in reporting blocks that overlap with Concession 11Cs area was less than 0.02% of the national total catch. Please note that this data is based on the average annual catch over a five-year period (2006-2011). Interannual variation in the abundance and catch of small pelagic fish is large, but the proportion of the total catch made in the vicinity of concession 11C is not known to have changed dramatically (since 2011). This data is thus a good representation of small pelagic fishing along the coastline.

Should fishing boats from commercial small scale fisherman fish in this area, they will/ should report their catch as the area where the fishing occurred, regardless of the harbour/ port of origin (such as Doringbaai). However, note that the concession area is located 5 km offshore in addition to 40km and 50 km north of Strandfontein and Doringbaai, respectively and it is unlikely that recreational/ subsistence/ line fisherman would travel this far offshore and north to fish.

Fish are also expected to move away from the prospecting vessel should the acoustic noise from the survey equipment (multibeam echo sounder and sub-bottom profiler) constitute a disturbance and as mobile biota that are able to move to surrounding areas.

The bulk of the West Coast Rock Lobster population occurs in coastal waters at depths between 0 and 50 m (Patterson, C (Ed.) 2003.Wildlife Trade Handbook. Traffic East/Southern Africa, Johannesburg, South Africa). In addition, this species inhabits rocky areas which will be avoided during prospecting operations. West Coast Rock Lobster harvesting by recreational fishers and small-scale or subsistence fishers occurs exclusively in the nearshore region up to one nautical mile offshore during the summer months. These fisheries are therefore not expected to be disturbed during prospecting as the prospecting will only occur from 70m water depth and 5km (2.7 nautical miles) offshore. Commercial offshore trap vessels may operate in deeper waters exceeding 100m depth (SANBI 2020. Status of the South African Marine fishery resources 2020), but do not operate north of Dassen Island, i.e. not in Concession 11C.

Regarding your comment about not being aware of people in the area. Please note that the towns closest to the concession area is Lepelsfontein and Kotzesrus, which are at least 20km north east and inland of the concession area. These towns will thus not be affected by the prospecting activities as activities will occur 5km and further offshore. The shore is also not visible from these towns and it is extremely unlikely that the survey vessel will even be visible from the shore.

The community closest to this concession area are the farmers living on the adjacent land. Although we contacted the municipality via phone and email numerous times, we were not able to obtain contact details for farmers in the area. Due to the new POPI Act, people are also reluctant to give

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|                                                    |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>out contact information. This area is very sparsely populated with many private roads not for public use which would have made it logistically unfeasible to drive to the area to locate farmhouses to source contact details</p> <p>Furthermore, when we were contacted by farmers and residents close to this concession area, the Environmental Assessment Practitioner (EAP) did apply for an extension of the Public Participation Process with the Department of Mineral Resources to allow the communities with sufficient time to read through the information and provide comments on the application. The EAP also organised a meeting in Kotzesrus for the I&amp;APs to attend.</p> <p>Lastly, there is no misconception regarding the distance of the concession area from the shoreline and this information was not conveyed to the public incorrectly. Please see the first paragraph of this answer which provides details on the boundaries, location and distance of the concession areas relative to the shoreline.</p>                                                                        |
| <b>Stakeholder 389 - 390</b><br>→ Concerned Farmer | 24/1/2022 | <p>Please find attached our comments in the above regard. We would appreciate it if all links to articles mentioned herein could be printed out and appended to our response. If this is not possible, please contact us, and we will create pdf documents for you to attach to our main response document:</p> <p>Items quoted from the Draft BAR document and specialist studies are shown in <i>black and italic</i>, with portions we have highlighted in red therein being specific points being referred to. Our comments are then inserted in <b>purple</b>, for ease of reference.</p> | <p>Thank you for your comment. I have attached the printed version of the articles to your email and full comment received which is included in Appendix 17.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                    |           | <p><b>COMMENTS REGARDING THE DRAFT BAR DOCUMENT &amp; THE MARINE SPECIALIST STUDY</b><br/> <b>4.4 Assumptions and limitations</b><br/> “...<br/> • Information pertaining to <i>the geology, bathymetry and topography of the area is based on a desktop approach and available bathymetry data. This information might therefore change pending the results of seismic surveys to be undertaken as part of the prospecting activities. After completion of the survey, information should be reviewed to determine if the EMPr is still valid.</i></p>                                        | <p>1) The first and second statement in red relates to the fact that no high-resolution bathymetry data exist within the concession area – hence the need for a seismic survey. However, the marine specialist study and risk assessment, that was conducted for exploration and prospecting activities in concession 11C, was based on available single-beam (2 m resolution) bathymetry data. These data are obviously not ideal but do provide a fairly good indication of where one is likely to encounter soft sediment or more sensitive rocky outcrops and reef habitat. It is understood that on completion of the proposed seismic survey, the whereabouts of rocky outcrops and reef habitat, that may occur in the area of interest, would be established. The results of the seismic survey would also inform whether it is worth proceeding with sampling activities or not and, should sampling go ahead, the exact location of each sample and its proximity to reef habitat. The specialist study mentioned that these reefs are considered sensitive habitat and it is recommended that they be</p> |



• Due to the *paucity of data for this concession area*, the exact location of the grab, core and drill samples are yet to be determined, pending the results of the seismic surveys....”

1) Frankly, these two points basically are saying we don't really have enough information to go on, but let us go ahead with our planned work anyway on a hit-and-miss basis, and if something is damaged, we'll deal with the consequences later. We submit that until such time as accurate information has been obtained about the geology, depth analyses and topography of the concession area - which would then give more accurate information about the various habitats found there, species populations and a consequent better understanding of sensitivity-levels to disturbances of all kinds - no prospecting activities should be permitted. The lack of specifics here is worrisome. Whilst it is understood that prospecting is a fact-finding mission in itself, the first priority MUST be to have accurate and comprehensive baseline information about the receiving environment which is going to be affected by the proposed prospecting activities – particularly in light of the fact that the second point quoted above admits to insufficient information being available, and Tables 3, 4 and 5 on pages 35-38 of the Draft BAR clearly indicate that there are endangered as well as near threatened species of sea birds, pelagic sea birds and marine mammals which occur in the broader West Coast area. The stability of each of these species' supporting environment is therefore of critical importance. At the very least, this application should be considered in two parts – first, obtain the accurate environmental data needed (through non-invasive methods) in order to be able to assess and accurately plot where the prospecting activities are going to be taking place. Then secondly, approve or reject the prospecting application based upon

visually assessed (by means of drop camera deployments or remotely operated underwater vehicle) during the baseline environmental survey with regular repeat surveys in the event of future mining operations in the area – offshore reefs may not be directly impacted (mined) but are at risk of being indirectly impacted by smothering from tailings disposal. These offshore rocky reefs are colonised by a range of epifauna including bryozoans, encrusting and upright sponges, solitary and colonial ascidians, sea anemones and cold-water coral colonies – the latter being slow-growing and taking many years to become established (Biccard *et al.*, 2020b). Studies undertaking assessments of prospecting and mining-related impacts on these habitats in this region are relatively new and the time taken for disturbed epifaunal communities inhabiting offshore rocky reefs to recover has not yet been determined (Biccard *et al.*, 2020b).

It should be noted that the impacts of all invasive sampling on the benthic marine environment in concession 11C were assessed to be of Low and Very Low significance, mainly due to the small footprint (small amount of seafloor that will be disturbed relative to the size of the concession area and ocean floor, i.e. 0.00009%) and the relatively short duration of the proposed activities (a total two days for acoustic surveys and a total of 30 days over 5 years for invasive sampling). Given the relatively small footprint of disturbance, the benthic faunal communities that will be affected are known recover following prospecting activities.

It is true that there are several vulnerable, near threatened and endangered bird and marine mammal species that might occur in this area. However, it is important to note that these animals will move away and avoid the vessel and noise. The proposed prospecting and invasive sampling activities are not anticipated to impact birds or marine mammals. The presence of the vessel itself is also not expected to be a threat to these animals provided that the recommended mitigation measures are implemented. This in combination with the short duration of the proposed exploration and sampling activities further contributed to the low impact ratings.

Please also note the following publications:

- ☐ Sink KJ, van der Bank MG, Majiedt PA, Harris LR, Atkinson LJ, Kirkman SP, Karenyi N (eds). 2019. South African National Biodiversity Assessment 2018: Technical report, volume 4: marine realm. Pretoria, South Africa: South African National Biodiversity Institute
- ☐ Atkinson LJ. 2009. Effects of demersal trawling on marine infaunal, epifaunal and fish assemblages: studies in the southern Benguela and Oslofjord. PhD Thesis. Zoology. Faculty of Science and Ma-Re Institute. University of Cape Town. Cape Town South Africa. pp. 141.
- ☐ Branch GM, Griffiths CL, Branch ML & LE Beckley. 2016. Two Oceans – A guide to the marine life of Southern Africa. 4th edition. Struik Nature: Cape Town.
- ☐ Day JH. 1967a. A monograph on the Polychaeta of Southern Africa. Part 1. Errantia. Publications of the British Museum (Natural History) 656: 1–458.
- ☐ Day JH. 1967b. A monograph on the polychaeta of southern Africa – Part II: Sedentaria. Publications of the British Museum (Natural History) 656: 1–878.
- ☐ Macpherson E. 1991. Biogeography and community structure of the Decapod Crustacean fauna off Namibia (Southeast Atlantic). Journal of Crustacean Biology 11: 401–415.



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|  |  | <p>whether the available data indicates that the likelihood of the prospecting activities will not, or will indeed, result in adverse negative impacts on the environment.</p> <p>As we understand it, an environmental assessment involves the following basic steps – a) thorough knowledge and understanding of the receiving environment, b) thorough knowledge and understanding of the proposed activities, c) detailed consideration of the impacts of the proposed activities and required mitigation measures, and then d) a properly informed decision as to whether the activity can go ahead (and under what constraints), or not. If part a) is inadequate, the rest can most surely not follow until such time as that failing has been remedied.</p> | <ul style="list-style-type: none"> <li>• <input type="checkbox"/> OBIS. 2017. Summary statistics of biodiversity records in the Orange Cone EBSA. (Available at: Ocean Biogeographic Information System. Intergovernmental Oceanographic Commission of UNESCO. <a href="http://www.obis.org">www.obis.org</a> [Accessed: 2017-07-27]).</li> <li>• <input type="checkbox"/> Sanders HL. 1969. Benthic marine diversity and the stability-time hypothesis. Brookhaven Symposium on Biology 22: 71–81</li> <li>• <input type="checkbox"/> Savage C, Field JG &amp; RM Warwick. 2001. Comparative meta-analysis of the impact of offshore mining on macrobenthic communities versus organic pollution studies. Marine Ecology Progress Series 221: 265–275.</li> <li>• <input type="checkbox"/> Steffani N &amp; A Pulfrich. 2004. Environmental baseline survey of the macrofaunal benthic communities in the De Beers ML3/2003 Mining Licence Area. Pisces Report. pp. 34.</li> <li>• <input type="checkbox"/> Steffani N &amp; A Pulfrich. 2007. Biological Survey of the Macrofaunal Communities in the Atlantic 1 Mining Licence Area and the Inshore Area between Kerbe Huk and Lüderitz. 2001 – 2004 Surveys. Report prepared for De Beers Marine Namibia (Pty) Ltd. pp. 274 + Appendices.</li> <li>• <input type="checkbox"/> Steffani N, Sedick S, Rogers J &amp; MJ Gibbons. 2015. Infaunal Benthic Communities from the Inner Shelf off Southwestern Africa Are Characterised by Generalist Species. PLoS ONE 10(11): e0143637. doi:10.1371/journal.pone.0143637.</li> <li>• <input type="checkbox"/> Steffani N. 2007a. Biological monitoring survey of the macrofaunal communities in the Atlantic 1 Mining Licence Area and the inshore area between Kerbe Huk and Bogenfels –2005 Survey. Report prepared for De Beers Marine Namibia (Pty) Ltd. pp. 51 + Appendices.</li> <li>• <input type="checkbox"/> Steffani N. 2007b. Biological baseline survey of the benthic macrofaunal communities in the Atlantic 1 Mining Licence Area and the inshore area off Pomona for the marine dredging project. Report prepared for De Beers Marine Namibia (Pty) Ltd. pp. 42 + Appendices.</li> <li>• <input type="checkbox"/> Steffani N. 2009a. Biological monitoring surveys of the benthic macrofaunal communities in the Atlantic 1 Mining Licence Area and the inshore area – 2006/2007. Prepared for De Beers Marine Namibia (Pty) Ltd. pp. 81 + Appendices.</li> <li>• <input type="checkbox"/> Steffani N. 2009b. Assessment of mining impacts on macrofaunal benthic communities in the Northern Inshore Area of the De Beers ML3 mining licence area – 18 months post-mining. Prepared for De Beers Marine Namibia (Pty) Ltd. pp. 47 + Appendices.</li> <li>• <input type="checkbox"/> Steffani N. 2010a. Biological monitoring surveys of the benthic macrofaunal communities in the Atlantic 1 Mining Licence Area – 2008. Prepared for De Beers Marine Namibia (Pty) Ltd. pp. 40 + Appendices.</li> <li>• <input type="checkbox"/> Steffani N. 2010b. Benthic grab monitoring survey in the Atlantic 1 Mining Licence Area – 2009: sediment composition. Prepared for De Beers Marine Namibia (Pty) Ltd. pp. 19 + Appendix.</li> <li>• <input type="checkbox"/> Steffani N. 2010c. Assessment of mining impacts on macrofaunal benthic communities in the northern inshore area of the De Beers Mining Licence Area 3 – 2010. Prepared for De Beers Marine Namibia (Pty) Ltd. pp. 30 + Appendices.</li> <li>• <input type="checkbox"/> Steffani N. 2012. Assessment of mining impacts on macrofaunal benthic communities in the northern inshore area of the De Beers Mining Licence Area 3 – 2011. Prepared for De Beers Marine Namibia (Pty) Ltd. pp. 54.</li> <li>• <input type="checkbox"/> Zettler ML, Bochart R &amp; F Pollehne. 2009. Macrozoobenthos diversity in an oxygen minimum zone off northern Namibia. Marine Biology 156: 1949–1961.</li> </ul> |
|  |  | <p><b>4.7 Description of the scope of the proposed overall activity.</b></p> <p><i>Provide a plan drawn to a scale acceptable to the competent authority but not less than 1: 10 000 that shows the location, and area (hectares) of all the aforesaid main and listed activities, and infrastructure to be placed on site</i></p> <p><i>Trans Atlantic Diamonds (Pty) Ltd is proposing to prospect within Sea Concession area 11C using both non-invasive</i></p>                                                                                                                                                                                                                                                                                                  | <p>2) The vessel will launch from Cape Town harbour, remain at sea during the prospecting activities, and then again return to Cape Town harbour.</p> <p>Mining vessels are not manufactured in South Africa. However, the equipment onboard the vessel can be manufactured in South Africa and fitted in an existing shipyard. This will not result in additional impacts to the environment and will benefit the economy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

and invasive sampling activities, *none of which require infrastructure*. As the activity is located offshore and comprises prospecting only, *no land-based infrastructure* will be required. Prospecting will be conducted using a dedicated survey vessel such as the IMD SA survey vessel DP Star (Figure 4) or the Explorer (Figure 5).

**Figure 4 The DP STAR, an example of a vessel that could potentially be used for prospecting and exploration.**

**Figure 5 The EXPLORER, an example of a vessel that could potentially be used vessel for prospecting and exploration.**

2) Surely the vessels and personnel on these will be making use of harbour facilities/ infrastructure from which to launch operations, and return to after the time at sea. Whilst a harbour is not in the Concession area 11C itself, such infrastructure would be required in order for the proposed prospecting work to be undertaken at all. Additionally, surely the vessels themselves, and the specialised equipment aboard can be termed complementary infrastructure, in as much as the proposed work could not take place without having such highly capital-intensive items available to do so.

#### 4.8 Listed and specified activities

Extracts from the table shown under this point here below:

1. A Van Veen grab will be employed to collect between **20 and 50 samples** for baseline biological assessment. Each grab has a total volume of 0.03 m<sup>3</sup> and is anticipated to disturb an area covering approximately 0.1 m<sup>2</sup>. The total volume of sediment that will be collected is estimated at 1.5 m<sup>3</sup>, while the total surface area that will be disturbed is estimated to be 5 m<sup>2</sup>. Aerial extent of the Activity Ha or m<sup>2</sup>: Approximately **5 m<sup>2</sup>** over the area of 164 023 ha.

2. One of the prospecting activities will be drilling by means of one of three methods: vibracore, sonic core or gravity core. Between **100 and 200 samples** will be collected across the entire concession area. Each core has

3) Initial plans are to only survey and sample the north-eastern portion of 11C, being approximately 20 000 ha of which 10 000ha falls within the 120-130m zone of interest. Of the 10 000ha only western slopes of narrow N-S trending ridges across the area will be targeted with a total anticipated coverage of around 2500ha. Lower density sampling should be sufficient for these vast relatively flat areas. At an initial sample density of 0.06 samples/ha (against 0.12/ha in rugged inshore areas), 150 samples will be collected. Follow-up sampling will require an additional 150 samples. The total number of samples that will be required for drilling, is therefore 300 samples.

Should these step-outs samples indicate that there could be a potential resource, only then will resource development commence. A potential resource area of not larger than 500m x 300m will then require an additional 60 samples spaced on a 50m grid. Approximately 20 resource development area will be required. This equates to 1200 samples.

The total estimated surface area that will be disturbed by:  
The 50 grab (for biological baseline data) samples are 5m<sup>2</sup>,

a diameter of 10 cm, length of 3 m and, depending on the type of core, can penetrate to depths of 3-5 m. Each core collects approximately 0.024 m<sup>3</sup> of sediment and will disturb a total surface area of 0.00785 m<sup>2</sup>. The total volume of samples that will be collected by 200 cores is estimated at 4.8 m<sup>3</sup>, while the total surface area that will be disturbed is estimated to be 1.57 m<sup>2</sup>. A total surface area of approximately 1.57 m<sup>2</sup> is estimated to be disturbed across the entire concession area of 164 023 ha.

3. Prospective target areas will be surveyed using a uniquely designed drill tool that can dredge gravel from the seabed. Pending the final tool design, the drill bit footprint will be between 3 and 5 m<sup>2</sup>. The expected average hole depth will be 3 m, although the drill is designed to drill up to 12 m into the seabed if required. Sample volumes are anticipated to be in the range of 9 to 15 m<sup>3</sup> per sample. An estimated total of 300 samples spaced at roughly 300 m apart from north to south will be required. It is expected that phase 3 (resource development phase) may require a greater density of samples (arranged in a 25 m to 50 m sampling grid). A total surface area of approximately 1500m<sup>2</sup> (or 0.15 ha) is estimated to be disturbed across the entire concession area of 164 023 ha.

3) The disturbed areas in the right-hand column seem insignificant, when considered in relation to the total area of the 11C concession – 164 023Ha. However, when one considers the numbers of samples for each type of invasive prospecting method being proposed in the left-hand column, the overall picture however must quite logically begin to alter. Where we mentioned in a previous section that the lack of specifics was worrisome, here the focus on itemised specifics in relation to the total concession area most certainly does not present a sufficient picture of the overall effect of the proposed invasive prospecting methods to be employed, and as such is therefore felt to be misleading – not only to lay-persons such as ourselves, but also to the decision-making authorities.

The 200 core samples are 1.57 m<sup>2</sup>;

The 300 drill samples are 1500m<sup>2</sup>.

The 1200 resource development samples are 6000m<sup>2</sup>.

The total surface area that will be disturbed is estimated to be 7 507 m<sup>2</sup> or 0.75 ha. This equates to 0.0005% of the total area of Concession area 11C that will be disturbed. Please keep in mind that when compared to land-based activities (residential development, agriculture, etc.) the footprint is considered small.

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|  |  | <p>4) Consideration must be given to the fact that the vessel/s will be traversing the entire concession area at regular intervals over a period of months, if not years (given the scheduling of the various phases set out in this document). The cumulative effects – of the noise associated with the ships’ movements as the concession area is traversed in presumably a regular pattern; the noise of lowering and lifting of the various types of equipment (Van Veen grab, drilling machine and dredging tool); the sediment plumes associated with the actions of the above-mentioned machinery, which will not be once-offs, but occur at regular intervals and disturb not only the worked area but will also dissipate into the water in various directions, at varying rates and be of varying densities depending on ocean currents, wave action etc. at the time of being undertaken; the same applies to the sediment plumes from disposing of the tailings after sample analysis has taken place on board; the waste disposal associated with humans being aboard ship - are but some of the factors that come to mind.</p> | <p>4) Acoustic surveys are expected to be completed within two to five days and physical sampling is expected to be completed within 30 days. These activities are scheduled to take place over a five-year period and are dependent upon weather conditions and vessel availability. The duration of the use of the proposed sampling tools for prospecting is therefore relatively short and likely to be once-off, with a possible, greatly reduced, repeat-sampling event in areas of interest. The noise levels associated with the use of the sampling equipment are unlikely to exceed the noise levels of the sampling vessel itself.</p> <p>Material will be processed onboard by a processing plant and tailings will be discarded overboard, thereby causing sediment plumes. These relatively small volumes of discard material are reported to have relatively short suspension times. Any sediment plumes arising from sampling activities are expected to settle and dissipate before coming into contact with sensitive ecosystem habitats. Pending the results from the acoustic surveys, suitable sampling areas will be identified. Discarding of tailings will not be permitted close to sensitive reef areas.</p> <p>Only a handful of vessels are available to conduct the proposed exploration and prospecting activities. It is likely that such activities in different concession areas will not necessarily occur concurrently. It is therefore not anticipated that there will be many vessels operating in the various concession areas at the same time, perhaps only one or two over an extended period of time. The contribution of the exploration/sampling vessels to the cumulative impact of anthropogenic noise in the marine environment is relatively small. Several mitigation measures to reduce the impacts of noise on marine fauna have been identified in the Marine Specialist study and these should be implemented (appointment of a Marine Mammal and Seabird Observer and use of Passive Acoustic Monitoring).</p> <p>The measures that will be followed to prevent pollution by the vessel are discussed in the report. Any vessel must comply with specific laws and regulations. Examples include regulations stipulated by the International Convention for the Prevention of Pollution from Ships (MARPOL) and the Marine Pollution (Prevention of Pollution from Ships) Act. Pollution should therefore not be a problem and can effectively be mitigated under normal operating conditions. All waste generated by the ship will be kept on board until they dock, whereafter it will be disposed of according to regulations.</p> |
|  |  | <p>5) The matter of the ‘uniquely designed drill tool that can dredge gravel from the seabed’ and that the final tool design is still pending, indicates that this piece of machinery has not yet been built, nor have the workings or the effects of this tool on the surrounding environment underwater been tested, either in a controlled environment nor in the sea.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>5) These drill tools are used for prospecting/ mining all around the world and have indeed been tested. The final design relates to the shape, cut and material used for the drill bit itself. This will be designed, pending the results of the sediment analysis, which will reveal the type and hardness of the sediment which needs to be penetrated. Different bits are used for different sediment types.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|  |  | <p>This again begs the question – how can the effects of the prospecting be assessed accurately, if the tools themselves are as yet untried and tested? This is of great concern to us, as it simply adds to the unknowns already mentioned.</p>                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|  |  | <p>6) It is also unclear in the section above which deals with the drill tool / dredger whether the phase 3 samples being done at a greater density are included in the estimation of 300 samples being sought, or whether the phase 3 samples will be in addition to the estimated total of 300 samples taken at approximately 300m spacings. If the latter applies, this could significantly alter the number of sites disturbed, and as such result in more adverse cumulative effects which are then not being considered sufficiently here, in terms of the resultant environmental impact.</p>                                | <p>6) At an initial sample density of 0.06 samples/ha, 150 samples will be collected. Follow-up sampling will require an additional 150 samples. The total number of samples that will be required for drilling, is therefore 300 samples.</p> <p>Should these step-outs samples indicate that there could be a potential resource, only then will resource development commence. A potential resource area of not larger than 500m x 300m will then require an additional 60 samples spaced on a 50m grid. Approximately 20 resource development area will be required. This equates to 1200 samples.</p> <p>The total estimated surface area that will be disturbed by:<br/> The 50 grab (for biological baseline data) samples are 5m<sup>2</sup>,<br/> The 200 core samples are 1.57 m<sup>2</sup>;<br/> The 300 drill samples are 1500m<sup>2</sup>.<br/> The 1200 resource development samples are 6000m<sup>2</sup>.</p> <p>The total surface area that will be disturbed is estimated to be 7 507 m<sup>2</sup> or 0.75 ha. This equates to 0.0005% of the total area of Concession area 11C that will be disturbed. Please keep in mind that when compared to land-based activities (residential development, agriculture, etc.) the footprint is considered small.</p> |
|  |  | <p>7) A further query pertains to the “estimated total of 300 samples spaced at roughly 300m apart...”. How many samples over 300 will be permitted? 10 sites? 50? 100? This is extremely relevant – if a prospecting permit is to be granted, there must be limiters specified on any approximate determinations, otherwise the applicant may abuse this to maximise the data gathering activities at the expense of the environment without anyone having recourse to take the applicant to task – by way of example, if the applicant applies a 50% over approximation of sample sites (i.e. 150 additional dredge sites) as</p> | <p>7) At an initial sample density of 0.06 samples/ha, 150 samples will be collected. Follow-up sampling will require an additional 150 samples. The total number of samples that will be required for drilling, is therefore 300 samples.</p> <p>Should these step-outs samples indicate that there could be a potential resource, only then will resource development commence. A potential resource area of not larger than 500m x 300m will then require an additional 60 samples spaced on a 50m grid. Approximately 20 resource development area will be required. This equates to 1200 samples.</p> <p>The total estimated surface area that will be disturbed by:<br/> The 50 grab (for biological baseline data) samples are 5m<sup>2</sup>,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|  |  | <p>being allowed, whilst the governing authorities would in fact only permit a 5% over approximation of sample sites (i.e. 15 sites more than the approximated 300) but the permit does not specify this type of limitation, there would be little to no recourse against the applicant for such abuse of the permit due to the lack of specifics.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>The 200 core samples are 1.57 m<sup>2</sup>;<br/>The 300 drill samples are 1500m<sup>2</sup>.<br/>The 1200 resource development samples are 6000m<sup>2</sup>.</p> <p>The total surface area that will be disturbed is estimated to be 7 507 m<sup>2</sup> or 0.75 ha. This equates to 0.0005% of the total area of Concession area 11C that will be disturbed. Please keep in mind that when compared to land-based activities (residential development, agriculture, etc.) the footprint is considered small.</p>                                                                                                                                                                                                                                                                                                                                     |
|  |  | <p><b>4.9.1 Minerals to be prospected for Table 1 Details relating to the proposed prospecting, including minerals to be prospected and location details.</b></p> <p><b>Minerals:</b></p> <ul style="list-style-type: none"> <li>• Precious metals (gold, silver and platinum)</li> <li>• Gemstones (alluvial diamonds, sapphires and garnets), •</li> </ul> <p><i>Ferrous and base metals:</i></p> <ul style="list-style-type: none"> <li>o rare earths (monasite mineral)</li> <li>o black sand minerals (titanium minerals e.g., ilmenite and rutile)</li> <li>o zirconium ore (zircon)</li> <li>o iron ore (magnetite)</li> </ul> <p><b>Locality:</b></p> <p><i>This is an offshore sea concession area situated 43 km northwest of Strandfontein, Western Cape and about 20 km west and offshore of Brand se Baai. The area extends from just south of Hoekbaai (northern most point) to just north of Baai Vals (southernmost point).</i></p> <p><b>Extent of the area required for prospecting</b></p> <p>164 023 ha</p> <p><b>Geological formation</b></p> <p><i>Mineralised Quaternary sediments overlying Pre-Cambrian and Cretaceous bedrock</i></p> <p>8) Some of the Rare Earth Minerals (Monasite) elements are radioactive. Whilst in the ground, in their natural form, these elements form part of the natural background radiation that we are all exposed to on a daily basis (whether on land or at sea). However, once removed from their natural environment, and exposed to water and air, and processed in some way, the chemistry of such elements changes and unnatural levels of radioactivity (some at a low-level, over a longer</p> | <p>8) Note that the natural maximum values of raw mineral radiation is not expected to exceed the safety guidelines and that all regulations and standards as set out by the South African Maritime Safety Authority (SAMSA), International Maritime Organization (IMO), The International Maritime Dangerous Goods (IMDG) Code and International Atomic Energy Agency Safety Standards (IMDG) will be complied with when prospecting, extracting, working with, storing and transporting any minerals. As an example, natural maximum values of raw Monazite radiation around workers in a factory was measured at 0.62 mSv y, which is lower than the reference level range for abnormally high levels of 1-20 mSv y for natural background radiation (as published in the International Commission of Radiological Protection (Iwaoka et al. 2017).</p> |

term, others of a more intense, short-term nature) can result.

Why has the possible radioactive aspect of these minerals not been raised or discussed in the Draft BAR or the Marine Specialist study at all?

How will the prospectors handle this potentially dangerous aspect of their activities?

Where and how will such samples be stored aboard ship, as well as once on land?

How, and what, protection measures will there be implemented for ship personnel and others on land once off-loaded?

How will unnatural radiation levels be prevented due to repeated drilling into the seabed and the resultant disturbed sediment plume dispersing in the water?

How will unnatural radiation levels be prevented from being put back into the sea when tailings are disposed of? On land, radioactive mine tailings are a danger to the surrounding environment when the wind carries dust into the air, which then settles on plants and watercourses – so why would waterborne sediment be any different?

#### Further to point 4.9.1

*The proposed prospecting programme will take place during spring and/or summer and when weather conditions are suitable and seas are calm. It is anticipated to be completed within five (5) years. Sampling will be conducted in four phases and includes a combination of non-invasive and invasive activities to detect the presence of paleo-beach deposits that are known from other concessions to contain diamondiferous gravels. Prospecting operations are expected to occur sporadically over the entire extent of the concession area. The non-invasive activities will include geophysical exploration (seismic survey), data acquisition and analysis, while the invasive activities will include physical sampling (collection of core, drill and grab samples) (Figure 6).*

9) Thank you for this comment. We agree that the terms non-invasive vs invasive activities are very ambiguous as the noise in itself can be intrusive. However, for the purpose of this study, non-invasive means not physically destructive and invasive means physical sampling that is destructive.



|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|  |  | <p>9) We must object to the seismic survey phase of the proposed prospecting work being listed as non-invasive – particularly in light of the information provided in the Marine Specialist report (section 3.1) where effects of such seismic work is noted as potentially causing physical injuries and possible mortalities of marine fauna, as well as possible behavioural changes. As such, noise pulses which travel through the marine environment cannot be considered as non-invasive as they are a disturbance of the natural order of things, even though they are not obviously visible.</p> <p>Whilst the distinction of physically observed results of invasive activities like grabbing soil or drilling holes into the seabed, as opposed to the ‘unseen’ effects of noise intrusion is clear to us, this does not make the seismic noise any less intrusive or invasive to the fauna in the sea. The following comparison comes to mind – a weekend-long trance dance party booming out music with thumping deep bass notes at top volume on a neighbouring property, where one cannot leave your own familiar ‘territory’ for fear of invasion (home – where the essential activities of eating, sleeping and bathing take place, and which safety you must protect) but must simply try and find a spot which shields one from the worst of the intrusive, peace-eluding, ear-drum bursting cacophony.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|  |  | <p><b>4.11 Need and desirability of the proposed activities.</b></p> <p>10) Here the alluvial diamond industry is predominantly spoken of, which is also obviously the applicant’s area of expertise. Other mineral resources are mentioned in the general context of mining (to cater for the other gems and minerals listed on the prospecting application, one presumes,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>10) Thank you for pointing this out. A section on the need and desirability of these minerals will be included in the Final BAR and is also included in the paragraph below:</p> <p>Precious metal, gemstones and ferrous and base metals are pivotal in today’s modern society and everyday life. Contrary to popular belief, gold, platinum, silver, diamonds and other gemstones, and other precious metals are not only used in the manufacturing of jewellery, but also in a plethora of other areas.</p> <ul style="list-style-type: none"> <li>• <input type="checkbox"/> Platinum, gold and silver are most commonly used as catalytic converters (for silicone production for example), in modern medicine (treatment of cancer, rheumatoid arthritis and</li> </ul> |



as they are not mentioned specifically in terms of their uses).

*Mineral prospecting also aligns itself with two national policies: The National Development Plan 2030 (NDP) and Operation Phakisa. The main objective of the NDP is to alleviate poverty and inequality amongst South Africans through faster and inclusive growth development.*

and

*Operation Phakisa was established to facilitate and boost the growth of the economy to help achieve the objectives of the NDP, and to operate across industries*

other diseases, pacemakers, dental implants, prosthesis), in information technology (cellphones, laptops, computers), to make glass and in fuel, to name but a few of the uses.

- ☐ Diamonds are used in the automotive industry to make vehicles and also form part of high-tech vehicles. Being the hardest known material on earth, diamonds are used in polishing, cutting and drilling tools. These gems are also used in surgical tools and instruments (x-ray machines, dentist drills, 3-D non-invasive bioimaging machines), modern medicine (drug delivery system to disease-infected organs, cancer treatment, tissue engineering) and information technology.
- ☐ Garnets are used in construction as skid-resistant road aggregates, in paints and as fillers in concrete used in harsh environments.
- ☐ Rare Earth Elements (REEs) are used as components in information technology, wind turbines and defence technologies.
- ☐ Ilmenite and rutile are the primary sources of titanium and titanium oxide. The latter minerals are used in the manufacturing of lightweight, high-strength metal alloys, which are again used to manufacture a wide variety of parts and tools including information technology, aircraft parts, sporting equipment and artificial joints.
- ☐ Zircon is used in high accuracy optics, in ceramics and in construction material as it can withstand high temperatures.
- ☐ Iron ore is probably the most used metal in everyday life. It is used in the construction of machinery, tools, ships, vehicles, aircrafts, bridges, buildings, and electric motors.

11) The only indication given as to what extent this prospecting application will contribute towards employment, poverty- and inequality alleviation amongst South Africans, is a listing of legislated % of BBBEE employment requirements, local procurement requirements and South African involvement in beneficiation and labour costs, to be employed at other stages of the enterprise, under section **6.1.4.4 Potential positive impacts**. There is no detail provided as to how many direct jobs, and training opportunities (or in which fields) reasonably could be expected from a fairly small viable deposit of (for example) diamonds being discovered – as a type of benchmark to give the regional locals some idea of the possible direct and indirect benefits that may arise should a successful prospecting application possibly result in a successful mining application at some stage in the future. The previously mentioned concern about merely giving

11) Below is a projection of the potential employment opportunities that could be created as a result of the prospecting operation. Please note that these can change.

Once TAD have reached the start-up phase, and can apply the preferential procurement policy, TAD will be in a better position to more accurately reflect and achieve the specified targets and predict the spend on capital goods, consumables, suppliers and number of employees.

| PERSONNEL REQUIREMENTS |             |                 |                   |          |                                                                                                                                   |
|------------------------|-------------|-----------------|-------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------|
| OFFSHORE               | DEPARTMENT  | Position        | Community sourced | Training | Remarks                                                                                                                           |
| SHIPS CREW             | NAUTICAL    | Deckhands       | 3                 | 3        | These will likely be filled from within the community                                                                             |
|                        | ENGINEERING | Electrician     | 1                 |          | Will likely be able to directly fill these positions from within the community. If not readily found, training could be provided. |
|                        |             | Greaser         | 2                 | 1        |                                                                                                                                   |
|                        | CATERING    | Chief Cook      | 1                 |          |                                                                                                                                   |
|                        |             | Assistant Cook  | 2                 | 2        |                                                                                                                                   |
|                        |             | Steward(ess)    | 4                 | 4        |                                                                                                                                   |
| OPERATIONAL CREW       | PLANT       | Plant operators | 4                 | 2        | Will likely be able to directly fill these positions from within the community. If not readily found, training could be provided. |
|                        |             | Chief Sorter    | 1                 |          |                                                                                                                                   |

‘lip service’ via the written word, so as to tick all the right sounding boxes as part of the application and approvals process, cannot therefore be ignored. It is most certainly understood that as there is no idea yet of IF there are any viable deposits of the minerals being sought, not to mention the extent of such deposits if they are there – however, even just a basic breakdown of what forms of job creation and skills development & training could possibly arise during both the prospecting phase, as well as a possible future mining venture would give more credibility to this application’s need and desirability over and above the pure profit motive of a registered company.

|  |          |              |           |           |                             |
|--|----------|--------------|-----------|-----------|-----------------------------|
|  |          | Sorters      | 3         | 3         |                             |
|  | GENERAL  | Storeman     | 1         | 1         |                             |
|  |          | Boiler Maker | 1         |           |                             |
|  |          | Welder       | 2         |           |                             |
|  |          | Mine Helper  | 2         |           |                             |
|  | SECURITY | Officers     | 3         | 2         | Locally sourced, or trained |
|  |          | <b>Total</b> | <b>30</b> | <b>18</b> |                             |

#### 6.1.1.6 Impacts on fisheries

*Exclusion of fishing vessels from fishing areas, possible altered behaviour of fish due to seismic activities and interference with shipping could have (indirect) socio-economic implications for the affected industries. Fisheries might be affected as a result of target species avoiding seismic survey areas for several days after the survey has terminated or the vessel has moved on (Mason 2017). Fisheries sectors operating within Concession 11C that could be impacted include small pelagic purse seine, tuna pole and line and traditional linefish. The catches from these sectors made within the concession area 11C are all of limited significance as a proportion of the national total catch of each of these fisheries. Furthermore, the remote, the offshore location of the 11C concession area (50 km north of the nearest coastal fishing community at Doring Baai and with a landward boundary 5 km offshore) means that **impacts on local small-scale fisherman due to prospecting in this concession area will not occur**. Overall, the impact is assessed to be INSIGNIFICANT and recommended Best Practice would be to inform key stakeholders from the potentially affected Small pelagic, Tuna Pole and line and Traditional Linefish sectors (Table 17)*

12) Whilst it may be unlikely that small-scale fishermen may be active in the concession area 11C,

12) Please note that there is no harbour in the area adjacent to Concession 11C. As the concession area is located 5 km offshore in addition to 40km and 50 km north of Strandfontein and Doringbaai, respectively, it is unlikely that recreational/ subsistence/ line fisherman would travel this far offshore and north to fish. Fishing efforts of boat-based recreational, line fish and subsistence fishing are thus mostly concentrated closer larger towns where slipways and harbours are present. Small pelagic fishing (purse seine vessels mainly targeting anchovies) does occur in Concession area 11C, although this is the northern extent of their operational range (the nearest processing plants are in St Helena Bay) and effort is low when compared to the rest of the coastline. Fish in this area are also expected to move away from the prospecting vessel should the acoustic noise from the survey equipment (multibeam echo sounder and sub-bottom profiler) constitute a disturbance. The fishing boats will then follow the fish which will have moved away from this area.

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|  |  | <p>to say that <b>no</b> impacts will occur is also surely incorrect, as traditionally small-scale fishermen follow the fish in order to be able to make a day-by-day living – so even if the chances are scant, they are not entirely impossible</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|  |  | <p><b>Extracts from the Marine Specialist Study (Appendix 3)</b><br/> <b>1.3.2 Geophysical/Seismic Exploration</b><br/> <i>Geophysical surveying will be conducted using a dedicated survey vessel with a hull-mounted multibeam echo sounder (MBES) and Topas sub-bottom profiler system designed to collect high resolution acoustic data along lines 50 m to 200 m apart, throughout the concession area.</i><br/> <b>And</b><br/> <i>Low frequency seismic sources travel the greatest distance in the marine environment. Conversely, high frequency sources have greater attenuation over distance. Due to the higher frequency emissions of the MBES equipment, noise levels tend to dissipate over a relatively short distance, whereas the mid-frequency Topas chirp system will generate noise that will travel a greater distance. The acoustic footprint of the intended survey equipment is much lower than that of airgun arrays. It should be noted that a decibel is a logarithmic scale for noise where each unit of increase represents a tenfold increase in the quantity being measured</i></p> <p>13) Whilst the footprint of the acoustic surveying to be used in this application is said to be lower and different to that of the airgun arrays which have come to the attention of the South African public recently, we would still like to reference recent articles in this regard (please see the three links listed here below). This is specifically because the most obvious result of this issue having come to light has been the reported consensus amongst some learned experts and academia, as well as reference to articles and research work, that a) a lot more work needs to be done to assess the effects of seismic activities on our marine environment, and b)</p> | <p>13) The geophysical survey equipment to be used during this seismic survey includes a multibeam echosounder and Chirp sub-bottom profiler (not an airgun array). A noise modelling study (using marine mammal noise exposure criteria from Southall <i>et al.</i> (2019)) that was undertaken in Greenland in 50-250 m water depth for a similar MBES and Chirp sub-bottom profiler geophysical survey system predicted worst case scenario impact ranges for HF and LF cetacean hearing groups of less than 100 m for both PTS and TTS (Barham and Mason 2021). This means that cetaceans could be at risk of injury if they are within 100 m of the seismic source. This is extremely close and it is almost certain that an MMSO on duty (in combination with passive acoustic monitoring) would be able to detect cetaceans at a much greater distance allowing sufficient time to implement the recommended mitigations measures i.e. terminate the survey if any marine mammals show affected behaviour within 500 m of the survey vessel or equipment until the mammal has vacated the area. The MMSO will be positioned in the bridge of the intended survey vessel that has an elevated 360 degree view which would enable detection of cetaceans well beyond 500m away. The survey speed of the intended survey vessel is approximately 4km/h which should leave sufficient time for any marine mammals within the vicinity to be observed on the surface whilst breathing well before they are within 100 m of the survey vessel (the distance at which potential acoustic injury may occur). The total duration of the seismic survey is expected to be no more than 48 hours. In light of this and with implementation of the stipulated mitigation measures, the impact is reduced from medium to low significance.</p> |

|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  | <p>alternative methodologies need to be investigated and employed, and to us, the most important factor that has come to light regarding seismic assessments is c) that there is not enough in-depth information available regarding our South African waters specifically, and that a lot more work needs to be done to study the effects of seismic work on our unique, species-rich shoreline and marine environment.</p> <p>The matter of permits being granted without correct procedural aspects having been addressed and/or thorough investigative studies having been undertaken to assess the full environmental impacts, is also raised in parts of these articles.</p> <p><a href="https://www.dailymaverick.co.za/article/2022-01-10-seismic-survey-south-africas-top-science-academy-calls-for-rethink-on-outdated-sea-blasting-technology/">https://www.dailymaverick.co.za/article/2022-01-10-seismic-survey-south-africas-top-science-academy-calls-for-rethink-on-outdated-sea-blasting-technology/</a></p> <p><a href="https://www.dailymaverick.co.za/article/2022-01-16-seismic-skirmishes-murky-permitting-and-scientific-debate-while-big-oil-eyes-south-african-waters/">https://www.dailymaverick.co.za/article/2022-01-16-seismic-skirmishes-murky-permitting-and-scientific-debate-while-big-oil-eyes-south-african-waters/</a></p> <p><a href="https://www.citizen.co.za/news/south-africa/courts/2984959/fishing-community-in-limbo-west-coast-seismic-survey/">https://www.citizen.co.za/news/south-africa/courts/2984959/fishing-community-in-limbo-west-coast-seismic-survey/</a></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|  |  | <p>Additionally, we would like to draw your attention to the following research article listed on the Proceedings of the National Academy of Sciences of the United States of America (PNAS) website, titled “Increasing instability of a rocky intertidal meta-ecosystem” dated 18 January 2022, the abstract of which can be viewed at <a href="https://www.pnas.org/content/119/3/e2114257119">https://www.pnas.org/content/119/3/e2114257119</a> (as one has to pay in \$ for a copy of the full article, we do not have access to it in its entirety),</p> <p><b>“Significance</b></p> <p><i>As climate change increasingly stresses Earth’s biosphere, assessment of biotic responses is critical to human welfare. Although species-level changes have been researched for decades, studies focused at the multispecies level are infrequent, and those testing dynamical responses (species</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>14) While I understand your argument and agree that this could be a real concern in concession 11C, note that Oregon is located in the North-eastern Pacific ocean, thus supporting species, communities and ecosystem dynamics different to those found along the West Coast of South Africa and the Atlantic Ocean. Note that large-scale natural events or stressors have, in some cases, been found to have widespread negative effects on macrofaunal communities that could perhaps be more severe than those associated with mining (or prospecting).</p> <p>The Pacific Ocean experiences more environmental stressors than the Atlantic Ocean, i.e., earthquakes, El Niño and marine heat waves, perhaps not allowing sufficient time for the recovery of communities. These stressors are concentrated in specific locations such as the eastern pacific and not known from the western coast of South Africa. These findings are thus more relevant to this specific area and can not necessarily be applied to communities and ecosystems along the West Coast of South Africa.</p> <p>Results from several studies have shown that mining indeed has a significant impact on benthic macrofauna. Monitoring surveys conducted by Anchor over the past two decades in sites subjected to mining along the west coast of South Africa continue to support these findings. These monitoring</p> |

*interactions, recovery from disturbance) even rarer. In the well-studied, iconic rocky intertidal ecosystem, annually repeated disturbance experiments in 2012–2019 revealed that the resilience of communities weakened (recovery rates slowed) and variability in recovery rates increased. These changes were associated with increased thermal stresses and shifts in upwelling currents, which can alter growth, decrease colonization rates, and kill organisms.*

**Abstract**

*Climate change threatens to destabilize ecological communities, potentially moving them from persistently occupied “basins of attraction” to different states. Increasing variation in key ecological processes can signal impending state shifts in ecosystems. In a rocky intertidal meta-ecosystem consisting of three distinct regions spread across 260 km of the Oregon coast, we show that annually cleared sites are characterized by communities that exhibit signs of increasing destabilization (loss of resilience) over the past decade despite persistent community states. In all cases, recovery rates slowed and became more variable over time. The conditions underlying these shifts appear to be external to the system, with thermal disruptions (e.g., marine heat waves, El Niño–Southern Oscillation) and shifts in ocean currents (e.g., upwelling) being the likely proximate drivers. Although this iconic ecosystem has long appeared resistant to stress, the evidence suggests that subtle destabilization has occurred over at least the last decade.”*

14) Whilst this research looks at marine environmental and population changes due to regular stressors, and the reducing resilience of organisms to recover from macro level effects, in terms of climate change, such as sea temperature and currents, what is notable is that previous assumptions made about stress resistance and recovery rates are proving to have been incorrect. If this is true due to macro environmental changes, it is reasonable to consider that the same could be true at a smaller, site-specific or micro level. If repeated noises, or site disturbances take place over

surveys did, however, also reveal evidence of recovery of habitats and the benthic biological communities at these sites after mining.

For the purpose of monitoring the recovery of habitats and communities in this area, an area and community is considered recovered when communities at affected sites are at least 80% similar (functionally equivalent) in terms of their species richness, composition, abundance and biomass to those that exist in comparable undisturbed sites.

Although soft bottom habitats are transformed to hard bottom habitats during mining, they are known to recover over time as sediment deposition and infilling occurs in addition to recolonisation by soft-bottom species. This was also evident from the monitoring surveys conducted by Anchor. Some mined sites showed clear impacts from mining, some showed moderate recovery (47–52%) even within the first year after mining, while others have recovered with little evidence of mining related impacts (75–100%), or even reflect recovery to a pre-mining condition, even within four years after mining.

The rate and extent of recovery of the habitat and benthic community is quite variable across a region and influenced by numerous environmental factors such as sedimentation patterns (sediment deposition), proximity from rivers, bathymetry, wind patterns and water currents (Buhl-Mortensen *et al.* 2010). Sediment refill rates and thus recovery is often higher near a river mouth when compared to other sites. Given this fact, it is not possible to compare recovery from the Pacific Ocean to that in the Atlantic Ocean given the highly variable environmental factors. Additionally, concession area 11C is close a river mouth which could speed up recovery.

In conclusion, ecological communities and their biological functioning at sites impacted by mining (or in this case prospecting) can return to their pre-mined state. Although recovery can be a protracted process that extends up to a decade or longer, it may also occur more rapidly. Regardless, evidence suggests that recovery in sites that have been subjected to mining does occur.

Further to this, please note that this data was based on recovery of communities after mining and that the current report is focused on the impacts of prospecting of which disturbances will be much less severe. It is therefore quite safe to conclude that recovery will also occur after prospecting activities.

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
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|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>a limited area these could also be seen as population stressors that may lead to lack of resilience in the longer term. Link this probability with the known effects of climate change stressors, which are just as relevant along our South African coastline, and the need for much more in-depth studies having to be done about not only seismic matters, but also the sensitivity assessments due to mechanical site disturbances of our precious marine ecology becomes (to our minds) even more crucial. Only once such detailed analyses have been done, can the next step be taken to assess the possible effects of prospecting and possible future mining activities within our marine environment with some level of accuracy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
|  | <p><b>3.1 Identification of impacts</b></p> <p>15) The fact that 38.23% of the 11C concession area falls within the Namaqua Coastal Area Ecological and Biologically Significant (EBSA) area, as well as the impacts detailed in section 3.1 of the Marine Specialist Study, being</p> <ul style="list-style-type: none"><li>• <i>Seismic disturbance to marine fauna;</i></li></ul> <p>which section provides some detail with reference to invertebrates, fish, marine mammals, seabirds and turtles</p> <ul style="list-style-type: none"><li>• <i>Marine megafauna collisions with survey vessels;</i></li><li>• <i>Direct impact of seabed excavation and tailings disposal during drill sampling on benthic habitats e.g. soft sediments and/or reefs and associated infaunal and epifaunal communities;</i></li><li>• <i>Impact on surrounding benthos and water column via fine sediment plume;</i></li><li>• <i>Waste discharges during vessel operations; and</i></li><li>• <i>Impacts on fisheries (and livelihoods of those who depend on these fisheries) due to exclusion zones around survey vessels and direct potential impacts on target species and supporting</i></li></ul> | <p>15) This area is currently being proposed as an area that might have features considered Ecologically and Biologically Significant, although it has not yet been declared as such. EBSA's area chosen based on expert opinion collated during regional workshops and have not necessarily been validated by means of sampling/ ground-truthing. EBSA's are flexible due to the dynamic and complex nature of the marine environment. This means that an EBSA can be moved over time and their boundaries can change.</p> <p>The EBSA designation does not bring any management measures or restriction of activities – it is simply recognition of an area's biological or ecological significance. Once this EBSA is declared, the relevant authorities will be consulted to confirm the relevant actions to be taken.</p> <p>The method used to assess the impacts of the proposed prospecting activity is guided by the requirements of the NEMA, 1998 (Act No. 107 of 1998) and EIA Regulations, 2014 (as amended). The information provided in the marine specialist report describes both the methodology and the basis (rationale and supporting data) for the assessment of impacts presented. Please see Appendix 3 in the Final Basic Assessment Report for more information.</p> <p>The significance of each potential impact is determined in order to assist decision-makers. The <b>Significance</b> of an impact is defined as a combination of the <b>Consequence</b> of the impact and the <b>Probability</b> of the impact occurring.</p> |  |



ecosystems.

We must confess to being most alarmed that the effects of such impacts are considered as being, for the most part extremely low, and that much reliance is placed on mitigation measures being employed. Unless there is rigorous monitoring by independent authorities, such mitigation measures, we fear will either not be implemented, or only half heartedly so, in the search for material wealth at the expense of an environment that finds itself under extreme pressures already due to mankind's historical mismanagement and abuses (particularly since the advent of the industrial age). Added to this is the remote, out-of-sight-out-of-mind location of concession 11C. Unfortunately, the realities of past behaviours makes us, the general public, mistrustful that exploitative actions will in fact be approached ethically and with due care – the profit motive usually overrides all such considerations. If the decision-making authorities do indeed approve this application, we cannot emphasise enough that there should not only be independent MMO's (Marine Mammal Observers) aboard the vessels at all times (day and night, not only during daylight hours), but there should be independent marine ecology experts aboard at all times monitoring the prospecting activities, the effects of grabbing, drilling, seismic work, the dispersal of tailings etc. etc. and verifying that all such activities are done within very specific limits as set out by the prospecting licence. Such independent observers (IOs) should also have the authority and mandate to be able order 'cease works' orders if there are non-compliance issues. If this is not undertaken and put into place, then all environmental assessments for work of this nature in effect only become words on paper, and the application process a mere box-

The **Consequence** is determined by considering three factors: A) the extent of the impact (in terms of area), B) the intensity of the impact (i.e., the magnitude, taking into account the degree to which it may cause irreplaceable loss of resources), and C) the duration of the impact.

| Rating                                                                                                                                                                                                      | Definition of Rating                                                                                    | Score |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-------|
| <b>A. Extent – the area over which the impact will be experienced</b>                                                                                                                                       |                                                                                                         |       |
| Local                                                                                                                                                                                                       | Confined to project or study area or part thereof (e.g. limits of the concession area)                  | 1     |
| Regional                                                                                                                                                                                                    | The region (e.g. the whole of Namaqualand coast)                                                        | 2     |
| (Inter) national                                                                                                                                                                                            | Significantly beyond Saldanha Bay and adjacent land areas                                               | 3     |
| <b>B. Intensity – the magnitude of the impact in relation to the sensitivity of the receiving environment, taking into account the degree to which the impact may cause irreplaceable loss of resources</b> |                                                                                                         |       |
| Low                                                                                                                                                                                                         | Site-specific and wider natural and/or social functions and processes are negligibly altered            | 1     |
| Medium                                                                                                                                                                                                      | Site-specific and wider natural and/or social functions and processes continue albeit in a modified way | 2     |
| High                                                                                                                                                                                                        | Site-specific and wider natural and/or social functions or processes are severely altered               | 3     |
| <b>C. Duration – the time frame for which the impact will be experienced and its reversibility</b>                                                                                                          |                                                                                                         |       |
| Short-term                                                                                                                                                                                                  | Up to 2 years                                                                                           | 1     |
| Medium-term                                                                                                                                                                                                 | 2 to 15 years                                                                                           | 2     |
| Long-term                                                                                                                                                                                                   | More than 15 years (state whether impact is irreversible)                                               | 3     |

The combined score of these three criteria corresponds to a **Consequence Rating**, as follows:

| Combined Score (A+B+C) | 3 – 4    | 5   | 6      | 7    | 8 – 9     |
|------------------------|----------|-----|--------|------|-----------|
| Consequence Rating     | Very low | Low | Medium | High | Very high |

As most of the impacts that were assessed as part of the Marine Specialist study are local (occurs in the study area and not across an entire region or country) and of short duration (will only occur for a couple of months), the consequence of these impacts was assessed to be either Very Low (if the intensity of the impact is considered Low or Medium) or Low (if the intensity is considered High). Given these Consequence ratings, the Significance of the impacts were assessed to be Low, Very Low or Insignificant, depending on the probability of the impact occurring.

ticking exercise, at the expense of our natural marine environment in the longer term. Once the damage has been done, rectifying such damage becomes near to impossible, or has a long-term effect – but the spoils have been taken, and the money has been made, and holding persons to account becomes an expensive and lengthy legal wrangle, without anyone truly gaining restitution – least of all the damaged environment.

| Probability– the likelihood of the impact occurring |                                 |
|-----------------------------------------------------|---------------------------------|
| Improbable                                          | < 40% chance of occurring       |
| Possible                                            | 40% - 70% chance of occurring   |
| Probable                                            | > 70% - 90% chance of occurring |
| Definite                                            | > 90% chance of occurring       |

|             |           | Probability          |                      |                  |                  |
|-------------|-----------|----------------------|----------------------|------------------|------------------|
|             |           | Improbable           | Possible             | Probable         | Definite         |
|             | Very Low  | <b>INSIGNIFICANT</b> | <b>INSIGNIFICANT</b> | <b>VERY LOW</b>  | <b>VERY LOW</b>  |
|             | Low       | <b>VERY LOW</b>      | <b>VERY LOW</b>      | <b>LOW</b>       | <b>LOW</b>       |
|             | Medium    | <b>LOW</b>           | <b>LOW</b>           | <b>MEDIUM</b>    | <b>MEDIUM</b>    |
|             | High      | <b>MEDIUM</b>        | <b>MEDIUM</b>        | <b>HIGH</b>      | <b>HIGH</b>      |
| Consequence | Very High | <b>HIGH</b>          | <b>HIGH</b>          | <b>VERY HIGH</b> | <b>VERY HIGH</b> |

Note that mitigation measures as set out in the EMPr, are legally binding and the applicant is therefore required to implement these. The applicant is also required to make financial provision for any potential environmental damage that might occur.

17) Here, a case in point, is the matter of Alexkor – please refer to the article in the link below, dated 19 January 2022, which explains the details of how environmental laws were ignored, and that this matter has been ongoing since 2014, and is only now (some 8 years later) starting to be addressed formally through the justice system.  
<https://www.groundup.org.za/article/alexkor-facing-criminal-charges-over-northern-cape-mining-operations/>  
 Here again our point is reiterated - having some of the best environmental laws in the world are worth very little if the monitoring and enforcement of these laws is lacking

17) Noted and agreed that monitoring and compliance is essential to safeguard the environment.

18) All of the comments made in this document must also be considered in terms of the larger scope of the West Coast coastal and sea mining lease areas as a whole, as illustrated by Figure 1 on page 6 of the

18) We fully agree with the necessity of assessment of cumulative impacts from all the prospecting and mining applications in the region. The accurate assessment of cumulative impacts can only be done by the collaboration of Scientists, EAP's and government departments. Organising and conducting these workshops and collating this information will take time.



Draft BAR document which shows “The offshore diamond mining lease areas in South African waters. The coastal shelf waters have been divided into 20 contiguous, parallel strips which have been further subdivided into the onshore and offshore concession areas (A, B, C, D).” which extends from south of Saldanha Bay (Western Cape) up to Alexander Bay (Northern Cape). Some of these have been awarded, and others are under application, or not yet in the process of application.

The length of the coastline affected, as well as the extend of the sea covered by such areas is extensive indeed. If each concession area is to undergo the same types of prospecting applications and methods, whether simultaneously or at fairly regular intervals, the cumulative effects of all of this activity, over regular and fairly long periods of time, must be taken into account and the larger scale effects thereof considered on the broader marine environment – especially if such prospecting actions progress into approved mining rights. It is wholly understood that this is a prospecting application, and not a mining right application – however, as prospecting is undertaken with some prior information and the likelihood of possible deposits being higher than normal, the intention of ultimately mining goes hand-in-hand with a prospecting application, as that is when the income (and hopefully profits) of the exercise will be generated. Therefore, the possibility of mining must always be considered, even in the prospecting phase, because that is the eventual goal. To our knowledge, no prospecting or mining company has registered as a charity or non-profit organisation, so catering to environmental and socio-economic concerns are only addressed because legislation requires it of such companies, and most certainly not because their hearts pump custard!

We have included a brief description of the extent of marine and coastal mining along the west coast and have included an assessment of the potential cumulative impact. Detailed information prospecting, mining and applications currently underway is, however, not readily available nor within the scope of a Basic Assessment Process for a single application. We therefore support calls for the DMRE to commission a strategic EIA to address this gap. This is now stated in the Marine specialist report and BAR as the recommended mitigation to address cumulative impacts. We further urge the DMRE to extend the time given to conduct a Basic Assessment Process for prospecting rights and also collaborate with the EAPs and scientists in order to accurately assess cumulative impacts.

Please see a brief description of the cumulative impacts:

Due to the extent of marine mining and prospecting along the South African west coast, cumulative impacts (whether positive or negative) are experienced across the regional spatial scale and are of longer duration (medium–long term). This results in an increase, by one level, in the overall significance of most impacts assessed when considered cumulatively (i.e., “medium” becomes “high”). For the purpose of assessing the cumulative impacts of prospecting within Concession area 11C, a precautionary approach was taken and an assessment of a “worst case” scenario was done for both negative and positive impacts. Therefore, we assessed the negative impact that was found to be of highest significance, i.e., the MEDIUM Significance impact of seismic surveys on marine mammals and the positive impact that was found to be of lowest significance, i.e., the INSIGNIFICANT socio-economic benefit of prospecting on the local communities of the area. The assessment of the negative cumulative impacts of marine prospecting along the west coast of that was assessed of “Medium” significance would be assessed as being of “High” negative significance when considering it in conjunction with other projects and their impacts. The assessment of the positive cumulative impacts of marine that was assessed as being “INSIGNIFICANT”, would be assessed as being of “VERY LOW” positive significance when considering it in conjunction with other projects and their impacts. Mitigation measures as recommended for each individual impact should be implemented. An additional recommended mitigation is that a new Strategic Environmental Impact Assessment be commissioned and undertaken to assess cumulative impacts of marine prospecting along the South African west coast with a “medium” to “high” level of confidence, and to identify and implement further mitigation measures.

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|  |  | <p>The decision-making authorities therefore must not only look at the merits of each prospecting application on its own, but simply must also consider the regional ramifications of such an extensive area of coastline and sea being impacted by prospecting and potential mining activities which may take place as a result – not only for the sake of the natural environment, but also with regard to the traditional way of life on sea and shore, the interaction of land and sea ecosystems, conservation strategies, the pressures that climate change is exerting on both (interdependent) land and sea ecologies, tourism aspects, the longer-term sustainability of the sea- and land-based economies without fairly short-term, finite-resources based mining activities, etc. At the very least, a regional, sustainable strategy must be developed, with properly assessed limits being put in place so as to find the happy medium between extracting mineral resources, and maintaining a healthy environment. The one should most certainly not be permitted at the expense of the other.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|  |  | <p><b>SOME ADDITIONAL POINTS</b></p> <p>19) The Draft BAR and the specialist studies are quite technical documents. Lay persons who are unfamiliar with a) application processes such as this one, and b) predominantly Afrikaans speaking, as this region is, will be unsure of how to participate meaningfully in the process, and will also be discouraged from participating due to the information being provided in a language that is not their mother tongue.</p> <p>20) We think this failing has resulted in many not participating, and therefore the responses received during the public participation process will not be fully indicative of the public's general feeling 'on the ground' so to speak.</p>                                                                                                                                                                                                                                                                                                                                                                                         | <p>19 &amp; 20) Thank you for pointing this out to us. Unfortunately, within the limited time-frame we are given to conduct the Basic Assessment Process, the EAP and specialist do not have the time to translate all of the documents into the various languages within the communities (e.g. Afrikaans, Xhosa, etc.). For this reason, we compile a Background Information Document in the main languages of the communities (in this case English and Afrikaans) which presents the main results of the Basic Assessment Report and specialist studies. We also present the public meetings in the language of the community and is why we had both public participation meetings in Afrikaans.</p> |

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|                                                   |           | Our concerns about the marine environment, also include concerns about the heritage impacts of such prospecting (and possible future mining) activities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Prospecting activities are not likely to have a significant impact on any submerged Prehistoric Heritage, Marine Archaeological and Palaeontological Resources present within Concession area 11C. The significance of prospecting-related impacts on Heritage Resources present within Concession area 11C was assessed to be VERY LOW for Prehistoric Heritage and Palaeontological Resources, while impacts on the Marine Archaeological Resources were assessed to be unlikely and thus scoped out of the assessment. This is due to the fact that there is little or no potential for the presence of historical shipwrecks in the concession area. There is potential for the status of the potential impacts to be changed from negative to positive if core samples are retained for assessment of paleoenvironmental and prehistoric lithic material.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                   |           | 21) c) My husband and I were unable to attend the recent public meeting held in Kotzesrust due to farming commitments. We would like to hereby request a copy of that meeting's minutes, as well as audio recording, for reference. We would also like to request that future public meetings be held so as to inform the local I&APs as to the progress of this application going forward.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Noted. We will send on all the relevant documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Stakeholder 261<br>→Masifundise Development Trust | 24/1/2022 | <p>1. Introduction</p> <p>Masifundise is an organisation that works towards the empowerment and capacity building of small-scale fishing communities across South Africa, with a vision of a just society based on the principles of food sovereignty with emphasis on social, economic, climate, and environmental justice for small-scale fishing communities. We believe that the voices of those who use and depend on ocean resources to support their livelihoods should be included and prioritised in decision-making processes that affect them. Please find below Masifundise's comments on the BAR and the Public Participation process for the above prospecting application.</p> <p>2. Comments and Concerns</p> <p>2.1. Inadequate public participation process</p> <p>The public participation process as required by NEMA as well as the EIA regulations state that all</p> | <p>2.1 Public participation. Please see the response to <b>Stakeholder 168</b> above. It is our opinion that reasonable measures were taken to allow I&amp;APs to participate and that I&amp;APs had access to some sort of means of communication.</p> <p>2.2 The importance of small-scale lobster and linefishing fishing to the Doringbaai community is acknowledged and emphasised in the marine specialist report and the BAR. We do, however, stick by our assessment that due to the temporary duration, local spatial scale and medium intensity of impacts that the overall significance of the proposed <b>prospecting</b> on the fisheries will be "very low" negative to insignificant with implementation of the recommended mitigation measures. It is important to note that this is not an application for a mining right and the potential impacts of mining on fisheries have therefore not been assessed here.</p> <p>2.3 We fully agree with the necessity of assessment of cumulative impacts from all the prospecting and mining applications in the region. We have included a brief description of the extent of marine and coastal mining along the west coast and have included an assessment of the potential cumulative impact. Detailed information prospecting, mining and applications currently underway is, however, not readily available nor within the scope of a Basic Assessment Process for a single application. We therefore support calls for the DMRE to commission a strategic EIA to address this gap. This is now stated in the Marine specialist report and the BAR as the recommended mitigation to address cumulative impacts..</p> |

Interested and affected parties must be given an adequate opportunity to participate in these processes. Additionally, I&APs must have the correct understanding, as well as the skills and capacity that are needed in order to participate fairly and effectively. NEMA and the guidelines also require that disadvantaged and poor communities are able to participate in these EIA public participation processes and that information is made available in an accessible format, and in the appropriate language. Furthermore, the NEMA regulation 41(2)(e) requires that "participation by potential or registered interested and affected parties is facilitated in such a manner that all potential or registered interested and affected parties are provided with a reasonable opportunity to comment on the application or proposed application". It is the EAP's responsibility to identify the most appropriate method of public participation for the particular context, including accounting for persons with disabilities and those who are illiterate. In this case, members of the local small-scale fishing communities, especially those who benefit from marine resources and rely on it for food and livelihoods, should have been notified and provided an opportunity to give input to this process. Many of these community members do not have access to the internet, and would not have been able to properly engage with the process. Awareness of public meetings would have been a challenge for many, as well as the cost of transport to meetings that were not in local communities. Thus, the public participation process for this BAR process has been inadequate and not fulfilled the requirements of the EIA Regulations.

## 2.2. Need for a Strategic Environmental Assessment of the Area

2.4 Noted, we acknowledge the value of Marine Spatial Planning in managing multiple, potentially conflicting users of sea space. It does, however, seem unlikely that all new developments in the marine environment will be put on hold pending the implementation of new legislation. The decision whether mineral rights applications and authorizations are put on hold pending the implementation of the Marine Spatial Planning Act is ultimately a decision DMRE needs to make. It is worth noting that the mining concession areas are already defined and that the DFFE as the lead agent implementing the MSP Bill will consult with the DMRE on the existing mining concession areas and rights. Furthermore, the Basic Assessment process conducted here did implement marine spatial planning methods such as mapping marine protected areas, habitat sensitivity and commercial fishing catch and effort overlap with the concession area.

The BAR for this project does not provide an acceptable explanation or understanding of the context of the diamond mining application, especially in light of the recent increases in prospecting and mining applications and operations along the entire West Coast region of South Africa. The BAR also does not consider or assess the potential cumulative impacts of the activities proposed in this application when combined with other prospecting, mining, and other development activities along the coast on the marine environment and ecosystem function. There are also impacts on fisheries resources and the communities that rely and depend on these resources for food and livelihoods that are not considered in light of potential cumulative impacts. Finally, the lack of assessment of cumulative impacts does not account for the potential impact on benthic macrofauna, marine megafauna, seabirds, prehistoric heritage, marine archaeological and palaeontological resources, as well as access to the oceans for local communities as well as tourists.

There is increasing scientific evidence pointing to the fact that the immediate as well as the long-term negative impacts of seismic surveys on marine creatures, ranging from megafauna such as whales and dolphins to smaller marine creatures such as plankton, are not easily mitigated. The impacts the seismic surveying on marine megafauna in this report is noted as “Medium”, however, the cumulative impacts of seismic surveys from prospecting in Concession area 11C combined with the seismic surveying for the prospecting and mining in other areas along the coastline could be considerable. Therefore, the failure to consider and assess the cumulative impacts across all impact areas represents a shortcoming in this BAR. It is requested and recommended that a Strategic

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|                                                                               |           | Environmental Assessment of the entire West Coast is conducted prior to the acceptance of further prospecting and mining applications.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Stakeholder 270</b><br>→South African Pelagic Fishing Industry Association | 24/1/2022 | <p>We include below our comments on the Basic Assessment Process for this prospecting application.</p> <p>1) Impacts on pelagic fish stocks</p> <p>The BAR has a considerable emphasis on catches of small pelagic species landed within Concession Area 11c, and the fact that this a small percentage of the annual landings of small pelagic species. This may be so, but direct impacts on catches are not the major concern of SAPFIA. Rather the inshore portion of 11c is an important recruitment ground for pelagic species and the release of fine sediments into the water column has the potential to negatively impact small pelagic recruitment processes, with knock-on effects on the stocks and then on the fishery.</p> <p>2) Inadequate Assessment of Cumulative impacts:</p> <p>The draft BAR states that it has assessed impacts of the proposed prospecting activities on fisheries including the small pelagic fishery and concludes that the impact is assessed to be insignificant. They recommend that “Prior to commencement, key stakeholders should be consulted and informed of the proposed survey activity and the likely implications thereof”.</p> <p>However, in their assessment of the impacts, they do not clarify how the cumulative impacts on the small pelagic fishery of the proposed activities in combination with other human activities including prospecting, mining as well as oil and gas exploration</p> | <p>1) <input type="checkbox"/> the concern about potential impacts on juvenile small pelagic fish is noted. The limited spatial scale, temporary nature of operations (only approximately 1 month over 5 years) and low volume of any sediment plumes generated during sampling are not anticipated to have noticeable impacts on small pelagic fish recruitment. It is worth noting that much of the west coast constitutes a recruitment area for anchovies and only a tiny proportion may be impacted by the generation of turbidity plumes for a very short duration.</p> <p>2) <input type="checkbox"/> We support the call for a strategic level EIA to address the potential cumulative impacts of mining along the west coast and have stated as much in the BAR. A strategic level assessment is, however, beyond the scope of a basic assessment for a single prospecting application. We have included a section detailing current mining activity on the west coast and described how simultaneous or consecutive activity would elevate the spatial scale of potential impacts from local to regional and the temporal scale from short -term to medium or even long-term. We have indicated how this would elevate the assessed impact at least one significance level when considered as a cumulative impact (i.. e from Low – Medium or Medium to High). Unfortunately, the lack of detailed information on all anthropogenic activity in the region precludes a more detailed assessment and we fully agree that a strategic EIA and MSP for the region (indeed all of the SA EEZ) is required.</p> |

and production activities occurring and planned for the west coast marine area, were assessed.

The consultants provide the objectives of the BAR in the Introduction as follows:

The objective of the basic assessment process is, through a consultative process, to:

(a) determine the policy and legislative context within which the proposed activity is located and how the activity complies with and responds to the policy and legislative context;

(b) identify the alternatives considered, including the activity, location, and technology alternatives;

(c) describe the need and desirability of the proposed alternatives,

(d) through the undertaking of an impact and risk assessment process inclusive of cumulative impacts which focused on determining the geographical, physical, biological, social, economic, heritage, and cultural sensitivity of the sites and locations within sites and the risk of impact of the proposed activity and technology alternatives on these aspects, to determine:

(i) the nature, significance, consequence, extent, duration, and probability of the impacts occurring to; and

(ii) the degree to which these impacts—

(a) can be reversed;

(b) may cause irreplaceable loss of resources; and

(c) can be managed, avoided or mitigated;

(e) through a ranking of the site sensitivities and possible impacts the activity and technology alternatives will impose on the sites and location identified through the life of the activity to—

(i) identify and motivate a preferred site, activity and technology alternative;

(ii) identify suitable measures to manage, avoid or mitigate identified impacts; and (iii) identify residual risks that need to be managed and monitored.

The identification of all impacts and an assessment of their cumulative impacts are a requirement of the EIA Regulations (2014). These Regulations define “cumulative impact” as follows:

“Cumulative impact, in relation to an activity, means the past, current and reasonably foreseeable future impact of an activity, considered together with the impact of activities associated with that activity that in itself may not be significant, but may become significant when added to the existing and reasonably foreseeable impacts eventuating from similar or diverse activities.” (emphasis added).

Nowhere in the BAR is there a list of other “similar or diverse activities” to make it possible to assess their contribution to cumulative impacts, as required by law. This is inconsistent with the statement in Section 6.9.1 of the BAR that:

Excerpt 1: “Potential direct, indirect and cumulative impacts of the proposed prospecting and sampling activities on the environment have been identified, described and assessed in this report.”



Since there is no list or table or data presented about other similar or diverse activities, how was the assessment of cumulative impacts from “similar or diverse activities” carried out? The consultants have authored many such BAR’s and EMPs for other applications in other areas and would have a good understanding of, or the capability to research all such “similar or diverse activities” and consider and assess them as part of the integrated cumulative impact assessment. Various prospecting, mining as well as oil and gas applications and operations have been submitted and others approved in and around concession area 11C. For example, Belton Park Trading Pty Ltd which covers a vast area on the west coast and the recent application by Moonstone, for the Upgrade of approved Environmental Management in respect of diamond mining activities for all mining rights on the beach, surf zones and sea concessions in the magisterial District of Van Rhynsdorp, Western Cape region are not mentioned or included in the assessment of cumulative impacts. The potential cumulative impacts of prospecting activities in Concession Area 11C combined with these various other activities on pelagic fisheries, could be significant.

Contrary to what is stated in the BAR (e.g., Excerpt 1 above), the possibility of cumulative impacts have not been assessed and are ruled out without any notable analysis. See for example this comment on page 58 of the BAR:

“Furthermore, the volumes of sediment that are expected to be collected and processed in this project are relatively small, and hence impacts on the environment are expected to be insignificant and without any measurable cumulative impact

(Table 15). No direct mitigation is feasible as tailings disposal is an integral part of this mining method.”

It is necessary to point out that the contention in the BAR that this particular proposed prospecting activity results in a low impact cannot be used as the basis for a conclusion, as is drawn in the BAR, that the cumulative impact, as defined in the EIA Regulations of 2014, is also low. Based on the level of investigation in the BAR into cumulative impacts our view is that the level of technical rigor and adherence to the EIA guidelines reflected in the BAR is inadequate. SAPFIA engages in scores of scientific meetings each year with international scientists, DEFF scientists, scientists from many of South Africa’s leading universities, and scientific consultants to both SAPFIA and DEFF, in the development of management measures to promote the sustainable use of the small pelagics resources, based on, as required in law, the best scientific evidence. SAPFIA commits millions of rands each year to research into the sustainable use of the small pelagic resources. Calculations are counter checked and management proposals are debated in meetings to ensure that the risks involved are acceptable. It is noteworthy however, that when it comes to prospecting and the not so remote prospect of large-scale mining activity which could soon follow, such casual assessments of cumulative impacts could be presented as an adequate level of investigation into this important matter.

### 3) Strategic Environmental Assessment (SEA) and Marine Spatial Plan (MSP)

It is unfortunate that the government has not carried out an SEA nor have they finalised a Marine Spatial Plan (MSP) although an MSP for this west coast region is in preparation. These mechanisms

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|                                             |           | would give ocean users certainty about what activities should be allowed to take place in different parts of the EEZ. In the current circumstances applications are being assessed as if no other marine activities and uses are taking place. There is therefore an onus on consultants to consider cumulative impacts fully and properly since in the absence of both an SEA and an MSP, this is the only legal mechanism which forces at least some consideration of other ocean uses and their integrated impact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Stakeholder 380</b><br>→Concerned Farmer | 29/1/2022 | <p>I am a private citizen, commercial farmer, and an agricultural association member living in the Vredendal area (Lutzville, Kliprand, and Bitterfontein). In this region my farm has a road that serves as access area for the public and I utilize this area for recreational fishing, diving for crayfish, and mussels. I think that the proposed prospecting area will affect the community I represent through the disturbance of natural habitat where fish, birds, plant growth, and crayfish's resides, as well as littering that damages everything. I utilize the whole coastline, catching fish both in sandy and rocky regions, during full moon and whenever an opportunity presents itself. I suggest that the whole west coast area must be avoided for prospecting activities because people's livelihoods are highly dependent on it. Sensitive areas that must be avoided includes regions where dolphin, whales, and porpoises are found as well as the breeding grounds of the "Swart Tobie". I am concerned that this project may lead to increased criminal activity in the area, rest disturbances, and endanger my personal safety. Everyone should be given notice of the proposed prospecting activities not just the municipalities. It is worrying that no farmer or any</p> | <p>Thank you for your comment and we take not of your activity along the coastline and the community's plea to conserve the coastline.</p> <p>Please note that the concession area is located 5 km offshore which is further than one would travel for recreational purposes. Due to the distances from the shore, the fishing resources you are referring to will not be impacted. The livelihoods of recreational fishers in this area will therefore not be impacted. Sensitive areas and especially reefs will be buffered and avoided.</p> <p>Mitigation measures will be implemented to ensure that the impacts on marine megafauna (whales, dolphins, turtles, etc.) are minimised. These include avoiding the months of June to end of November, mating, breeding and migrating seasons. Dedicated Marine Mammal and Seabird Observers will be on board in addition to special Passive Acoustic Monitoring Equipment to help identify any cetaceans in the area. Please refer to the Final BAR and the EMPr for all the mitigation measures.</p> <p>The black oyster catcher (Swart Tobie) is a coastal shore bird that does not occur in the pelagic offshore marine environment. It is thus highly unlikely that this bird will be present within an area that is 5km offshore. No negative impacts on the Black oyster catcher resulting from prospecting activities in Concession area 11C are therefore anticipated.</p> <p>The vessel will come from Cape Town Harbour and will not dock near the concession area. There will be no activity or movement on land near the concession area whatsoever. The vessel will remain on sea. Due to its distance from the shore, it will not be possible for crew members to come onshore. There will therefore be not safety concerns in this regard.</p> |

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|  |  | <p>residents along the coast received any notice or information about the proposed prospecting activities. Furthermore, the Department of Mineral and Energy put out a tender without considering the community. This says a lot to us about any future concerns or objections, and that the community is not important to the government. We feel betrayed by the government. Foreigners are getting values that belong to the locals.</p> | <p>Note that we contacted the Municipality to source the contact information of farmers and communities in the area. Although we contacted the municipality via phone and email numerous times, we were not able to obtain contact details for farmers in the area. Due to the new POPI Act, people are also reluctant to give out contact information. This area is very sparsely populated with many private roads not for public use which would have made it logistically unfeasible to drive to the area to locate farmhouses to source contact details</p> <p>Note that after receiving requests from farmers in the area, we did send out notices and informed the farmers and other members of the community about the activities. We also lodged a request with the DMRE for an extension on the submission of the Final BAR to give the community an opportunity to participate. We also held an additional meeting for the farmers in the area in Kotzesrus where we shared the information with them and gave them an opportunity to provide comment.</p> <p>Please note that the Directors of Trans Atlantic Diamonds are South African Citizens and not foreign nationals.</p> |
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#### Comments received during the Public Participation meeting in Doringbaai on 11 November 2021

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| Meeting 1<br>Stakeholder 1 | 11/11/2021 | <p>There was a question regarding Trans Atlantic Diamonds (TAD). The question was to confirm whether TAD is mostly involved in buying and selling diamonds and whether this will be their first attempt at prospecting? In other words, they have not done any prospecting or mining work before?</p> | <p><b>Cheruscha Swart</b> confirmed that this will be TAD's first prospecting project.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Meeting 1<br>Stakeholder 2 |            | <p>It was asked why more recent information regarding the catches was not used. The information used is for 2006 - 2011 and therefore more than a decade back. The information shown may therefore be completely outdated and not representative of current fisheries.</p>                            | <p>Ken Hutchings responded that it is not always possible to get hold of the most recent commercial catch data and that this, unfortunately, is the most recent information we had acquired from the DFFE. Where possible priority fishing areas had been identified from analysis of more recent data (Norman et al 2018). He also said that these fisheries have been going on for almost a hundred years and when looking at the data, the spatial distribution of catch and effort have not changed dramatically over the last decade.</p> <p>Ken also added that more recent fisheries data is also incorporated in the reports and that the spatial analyses presented used average values over the period 2006 – 2011. This is representative</p> |

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|                            |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | of the typical catches in the area, although in some years catches of some species may be more than in other years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Meeting 1<br>Stakeholder 2 |  | It was said that prospecting would not create any jobs for the community and that it would have negative impacts on the environment, marine animals, and fisheries. At present, therefore, the disadvantages of prospecting outweigh the advantages.                                                                                                                                                                                                                                              | <p><b>Cheruscha Swart</b> thanked the stakeholder and acknowledged their comment.</p> <p><i>AEC written response (post meeting): This is the nature of prospecting in that socio-economic benefits are limited to those arising from the cost of the prospecting. In this case, the proposed survey vessel and crew are Cape Town based and a low positive regional socio-economic impact is therefore anticipated. Should a viable resource be identified, potential local socio-economic impacts of mining will be assessed during the application process for a mining right.</i></p>                                                                                                                                                                                                                                                                                                                                 |
| Meeting 1<br>Stakeholder 2 |  | It was also asked to explain the impact assessment method and where this method was obtained. What is meant by a “Medium” impact?                                                                                                                                                                                                                                                                                                                                                                 | <p><b>Ken Hutchings</b> explained that the method used is set out and explained in the report and that it is a standard method prescribed by the Department of Environmental Affairs or the DFFE.</p> <p>He further added that the impacts can be classified as Insignificant, Very Low, Low, Medium, High and Very High.</p> <p><b>Ken</b> also said that the important thing to note is that any impact that is still “Medium”, “High” or “Very High” after mitigation measures will influence the department's decision to accept the application or not and to note that all the impacts assessed in this study can be reduced to “Low”, “Very Low” or “Insignificant” by effective implementation of the recommended mitigation measures.</p>                                                                                                                                                                       |
| Meeting 1<br>Stakeholder 1 |  | <p>With regards to the ecology, SANBI recognizes that there are some threats. You also mention the impacts on the whales and impacts on a whole lot of other things.</p> <p>Furthermore, the line fishers that operate in shallow water would be potentially negatively impacted by the coastal and near shore sediment exploration. Because the line fishers live here, they will be negatively impacted and one would have to consult on what days that they should not be there (to fish).</p> | <p><b>Cheruscha Swart</b> thanked the stakeholder for their comment and added that they would take the comment into consideration.</p> <p><i>AEC written response (post meeting): The SANBI ecosystem threat status and protected area network, potential impacts on resident and migratory cetaceans and potential negative impacts on local fisheries has been assessed in the marine specialist report (&amp; BAR). Mitigation measures that reduce all potential impacts to lower than “medium” significance have been identified and incorporated in the Environmental Management Programme.</i></p> <p><i>We fully agree with the necessity of assessment of cumulative impacts from all the prospecting and mining applications in the region. Detailed information prospecting, mining and applications currently underway is, however, not available nor within the scope of a Basic Assessment Process</i></p> |

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|                            |  | <p>You have to consider this is one application and that there are numerous applications for prospecting and mining in this area (seven to eight), especially below the Olifants River. In other words, there will be cumulative impacts when considering the impacts from all of the activities from the different applications. In addition, TAD will prospect from 30m up to 5000m offshore. Then there are other companies applying for rights in the surrounding areas such as in the intertidal area and on land. There will thus be no access to the coastal area and beach. It's not just this one application's impacts that needs to be considered, but all impacts from all applications.</p> <p>In closing, I understand that there will be no job creation. If it does turn into mining it will be on a vessel. You will have to do a mining application and consider the impacts on the community and livelihoods and the intertidal environment.</p> <p>Lastly, you did a good job on assessing the negative impacts.</p> | <p><i>for a single application. We therefore support calls for the DMRE to commission a strategic EIA to address this gap.</i></p>                                                                                                                                                                                                                                                                                                           |
| Meeting 1<br>Stakeholder 3 |  | <p>The method you use to get to the sea floor is very deep you have to go to find diamonds. You do not get him on the surface. There must be drilling into the earth. There is a risk that cracks and fissures will form in the earth's crust.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>Herman Labuschagne</b> introduced himself as the geologist and explained that they were not going to drill into rocks on the sea floor during the prospecting work, but that they were only going to take the soft top layer of sediment and gravel on top of the hard seabed for analysis and that one does not go into the hard rock layer.</p>                                                                                      |
| Meeting 1<br>Stakeholder 4 |  | <p>I just want to confirm. This is the first prophecy of public participation. You are the independent party. If the community decides that they do not want this prospecting in the area, what is going to be the next process. Is this going to be the process of comment delivering. What assurance do we have as a community that our comments will go to the departments along with the application. Because</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b>Cheruscha Swart</b> responded that all the comments and questions, together with our answers, are recorded in a "Comments and responses" table. She added that the document forms part of the report that goes to the department and that stakeholders will also have access to this document.</p> <p><b>Cheruscha</b> further said that if you email or contact Anchor with your comments, it will go to the department together.</p> |

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|                            |  | <p>the overall feeling is that the community does not want the activities to take place here.</p> <p>We cannot keep up with all the application. The minister declined to comment from the community on previous applications.</p> <p>The community does not want this project.</p> <p>The fishing community has already received a raw deal from the department, now they are going to lead even further.</p>                                                                                                                                                                                                                                                                                                                                                           | <p>She also said that the purpose of the public participation process and the questionnaires is for communities to suggest the months and days that fishing takes place and where the fishing happens so that there is no prospecting conducted during that period and in those areas and so that it promotes working together.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Meeting 1<br>Stakeholder 4 |  | <p>Second question: There is going to be an impact on the whales. The whales' distance of hearing is not meters, it is kilometres. So that drilling is going to be heard by the whales and it is going to affect them. They move very close to the coast. What is your timeline for doing this work as there are many different whales in the area throughout the year.</p>                                                                                                                                                                                                                                                                                                                                                                                              | <p><b>Ken Hutchings</b> explained that the instruments to be used create high and medium frequency sounds and most whales hear low frequency sounds, whilst dolphins can hear mid frequency noise. He added that this acoustic surveying is not the same as the airguns used for "Oil and Gas" and to please note that fishing boats also have similar tools for locating fish shoals.</p> <p><b>Ken</b> further said that echo sounders do not make loud noises and that the decibels are relatively low (compared to air guns and other explosive sound sources). He said that mitigation measures will be introduced and that one of the mitigation measures is that prospecting activities should not take place during periods of peak whale activity (June-November).</p> |
| Meeting 1<br>Stakeholder 5 |  | <p>I listened to the questions about the prospecting so I would like to say something. What guarantee can you give us that the "mining" will not affect us, because you are now only talking about prospecting, but what about mining. So you guys are now going through the prospecting process, but what about mining. Because remember there is a climate change going on. Everything does not stay the same. I come from a workshop that predicts that there will be no more water in 2030. I had a conversation with a professor of a University. This prospecting you want to do, you want to pretend that you are doing it to "search" for minerals and to investigate what is happening here as if you do not know if there are diamonds and other resources</p> | <p><b>Cheruscha Swart</b> thanked the stakeholder and acknowledged their comment.</p> <p><i>AEC written response (post meeting): This Basic assessment process is for a prospecting right only. Should the prospecting detect an economically viable resource, further public consultation and assessment of the potential impacts of mining on the environment on local community will take place during the application process for a mining right.</i></p>                                                                                                                                                                                                                                                                                                                   |

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|                            |  | <p>here or not, but you know exactly what you are going to get here. You know what resources are available here. If you are going to plant a tomato seed, you know a tomato plant is going to come up. The impact this is going to have on our community, for example, no one can give us a guarantee that in five or ten years this community will not be affected. The dangers it poses “can be compared to” what one calls fracking. Remember once you have then you want more. The mining is going to continue.</p> <p>When it comes to health, and when one looks at what is happening all over the world, many women have given birth to defective and crippled children due to substances being released into the water. There are sediments that end up in the water and it washes ashore along with the waves. Can it be assured that nothing will happen to my child or that they will inhale anything in ten years. We are concerned about these things that we are seeing happening all over the world and that they might happen here. We express our concerns.</p> <p>In other countries, tsunamis and hurricanes are the cause of people's impact on the environment. The ocean is a living thing, the ocean does not want to be disturbed. But unfortunately, there is wealth and man is looking for wealth. Now you are disturbing the ocean. The ocean is like a human being. The ocean becomes difficult when disturbed and this is why there are so many tsunamis in other countries.</p> |                                                                                                                                                                                                                                                                       |
| Meeting 1<br>Stakeholder 6 |  | <p>I just want to know how you got your research and do research, why did not you consult the community and fishermen of Doringbaai for this information and statistics? The people who know the area and the industry and who know where the fish are? It is very</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>Cheruscha Swart</b> responded that the public participation process is arranged precisely for this purpose. She added that they are here to consult with stakeholders and that this is their chance to pass on the information to Anchor and the applicant.</p> |



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|                            |  | <p>clear that the area where you want to prospect is the area where we fish? Now that you've done your research, now you want to get to know the community and pass on the information.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Meeting 1<br>Stakeholder 7 |  | <p>What is the quality of the resources in sea concession areas 14A and 11C? Surely there must be data available for the area? Such data is available for the surrounding concession areas and can be used to get an idea of the quality of the resources in the area.</p> <p>The resources will have to be high quality to make it worthwhile to mine in an area. If one considers the negative impacts on the community, it will not be worthwhile to mine in an area if the quality of the resources is too low. Then the disadvantages will outweigh the advantages.</p> <p>How many soil samples and how many tons of soil samples are you going to take? In terms of your method, how are you going to go about making sure that the environment is not disturbed?</p> | <p><b>Herman Labuschagne</b> mentioned that there is no data for concession area 14A and therefore there is some uncertainty around resource quality. The purpose of the seismic survey is to determine whether it would be worthwhile to conduct seabed sampling (drilling). The ultimate purpose of prospecting is to determine the quality of the resource in the area and how much of the resource is available. This will then determine if it will be worthwhile to mine in the area in the future.</p> <p>He also mentioned that the prospecting method is discussed in detail in the report.</p> <p><b>Herman</b> added that the measures that will be followed to prevent pollution by the vessel are discussed in the report. Any vessel must comply with certain laws and regulations in terms of the prevention of pollution in the sea. Pollution is therefore not supposed to be a problem.</p> |
| Meeting 1<br>Stakeholder 7 |  | <p>In terms of all the information that came to my ears today I would say that concession area 14A is not a good area to prospect in as it is close to the community. I suggest no prospecting here in concession area 14A but rather focusing on concession area 11C as it is located further from the coast and in the sea.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p><b>Cheruscha Swart</b> thanked the stakeholder for their comment and added that they would take the comment into consideration.</p> <p><i>AEC written response (post meeting): The applicant is applying for prospecting rights in both the 14A and 11C concession areas. Largely due to the short duration, local spatial scale and medium-low intensity of proposed prospecting activities the overall significance of the potential impacts are assessed as Low with mitigation. The outcomes of the prospecting will inform the decision to proceed to an application for mining rights in either or both the sea areas. At this stage the potential positive and negative environmental and socio-economic benefits of mining must be assessed and considered by the DMRE when making a decision.</i></p>                                                                                             |

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| Meeting 1<br>Stakeholder 7 |  | What are you going to do to prevent fuels and other pollution from the ships from ending up in the sea?                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | The measures that will be followed to prevent pollution by the vessel are discussed in the report. Any vessel must comply with certain laws and regulations in terms of the prevention of pollution in the sea. Pollution is therefore a problem that can be effectively mitigated under normal operating conditions and risks of pollution due to catastrophic events can be minimized.                                                                                                                                                                                                                                                                                                                          |
| Meeting 1<br>Stakeholder 8 |  | Prospecting leads to mining and can be seen as mining. The chances are slim that you will prospect but not mine because the chances are slim that you will not find a diamond. It does not benefit the community. The disturbance you are causing, you are no longer just disturbing the land, but now you want to disturb the sea as well. You want to make the sea into pieces. You come with all kinds of applications. The department only accepts the applications, and we just have to be happy with their decision. Leave the mining.                                          | <b>Cheruscha Swart</b> thanked the stakeholder for their comment and added that they would take the comment into consideration.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Meeting 1<br>Stakeholder 9 |  | <p>I want to join participant 5. You are talking about seismic activities. According to the Oxford Dictionary, seismic means "related to earthquakes in the earth crust"</p> <p>There are many applications in this area. Every two weeks there is a new application. You must jointly consider and assess the impacts of all the applications. In other words, the cumulative impacts.</p> <p>Why not make a Strategic Environmental Assessment that takes into account all the impacts of all the applications? There are numerous applications from Doringbaai to Donkins Bay.</p> | <p><b>Cheruscha Swart</b> noted that very good points were brought up but that they had unfortunately, run out of time to answer all the questions, but please asked for them to be forwarded to Anchor for appropriate response.</p> <p><i>AEC written response (post meeting): We fully agree with the necessity of assessment of cumulative impacts from all the prospecting and mining applications in the region. Detailed information on prospecting, mining and applications currently underway is, however, not available, nor within the scope of a Basic Assessment Process for a single application. We therefore support calls for the DMRE to commission a strategic EIA to address this gap</i></p> |
| Meeting 1<br>Stakeholder 9 |  | You say you posted reports in Lutzville, Ebenhaeser and those areas, why do not you hold a Public Participation Meeting in those communities too, because you now make it look like those                                                                                                                                                                                                                                                                                                                                                                                             | As the communities are close enough to Doringbaai to attend the meeting, we decided to hold one meeting in Doringbaai which is the town closest to the coast and the concession areas. Usually a meeting is held in the town closest to the activity. Those communities also highlighted that the concession areas are quite far from them. They were aware of the meeting in Doringbaai.                                                                                                                                                                                                                                                                                                                         |

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|                             |  | communities are not going to be affected. The other communities will also be affected.                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Meeting 1<br>Stakeholder 9  |  | There are people in the meeting who have submitted their comments on previous applications. How can we trust that you will include our comments and questions in the report? | <b>Cheruscha Swart</b> mentioned that by law, all stakeholder comments should be taken into consideration during the public participation process and that stakeholder comments are inserted in the appendices of the final report. All the comments and questions, together with Anchors responses, are recorded in a “Comments and Responses” table. She also added that the stakeholder consultation report forms part of the BA report that goes to the DMRE and that stakeholders will also have full access to this document. |
| Meeting 1<br>Stakeholder 10 |  | You are paid by these people. You can go and tell the minister of the DMRE that he should come with you and give us that money that you received.                            | No response to this comment is warranted. At this stage the meeting was abruptly ended as attendants left the hall in protest.                                                                                                                                                                                                                                                                                                                                                                                                      |

#### Comments received during the Public Participation meeting in Kotzesrus on 17 January 2022

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| Meeting 2<br>Stakeholder |  | From where to where does the concession area extend along the coastline.                                                                                                                            | The 11C concession is sea based and does not abut the shoreline. A map and the coordinates of the concession is provided in the BAR.                                                                                                                                                                                                                                                                                                                                                                                            |
| Meeting 2<br>Stakeholder |  | It looks to me that this report is the final report and that it has already been submitted to the Department for approval. How far has the application been progressed without the community input? | No this was not the final report. The report that you have access to is still the draft report. It contains information regarding the project and activities as well as potential impacts. You will have until 24 January 2022 to review this report and provide your input. We will then incorporate your comments into the Final Basic Assessment Report and use your input to inform the Environmental Management Report. These reports will then be submitted to the Department of Mineral Resources and Energy for review. |
| Meeting 2<br>Stakeholder |  | What is the extent of the concession area and how will it be accessed?                                                                                                                              | The concession area is offshore and will be accessed by a survey vessel probably from the Port of Cape Town. it will not be accessed from the land.                                                                                                                                                                                                                                                                                                                                                                             |
| Meeting 2<br>Stakeholder |  | How have the sea kelp harvesting concession holders been taken into account? Have you consulted with them?                                                                                          | Thank you for this comment. The reason for these types of meetings is so that the community can inform us about projects/ activities in their area that might be affected. We have reviewed the kelp harvesting activities and included the impact assessment in the Final BAR. Below follows a response as extracted from the Final BAR.                                                                                                                                                                                       |
| Meeting 2<br>Stakeholder |  | Where were you guys when the impact studies were conducted. Did you not come here yourself to do the studies? Were the impact studies conducted here on the terrain?                                | The concession area is offshore.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|                       |  |                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Meeting 2 Stakeholder |  | This activity affects our community. You should have made more effort to contact us. It will not be correct to prospect here because you did not inform the community about the prospecting. That is unacceptable                                                                                                                                                                                                              | The prospecting offshore is not anticipated to have community impacts. Potential impacts on commercial fishing sectors have been assessed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Meeting 2 Stakeholder |  | Are the same people who are prospecting doing the impact studies?                                                                                                                                                                                                                                                                                                                                                              | No, independent specialists were appointed to conduct the Specialist impact assessments studies. In addition, the information used to conduct the assessments were obtained using publications from various independent universities, departments, researchers and scientists.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Meeting 2 Stakeholder |  | What studies are there that prove that prospecting will have no impact. Where did you get your information and conclusions from? Are these studies you used available to us? We do not want to search for these studies. You have to send all of these studies to us and present us with the scientific evidence for your findings. The company that is doing the prospecting is not going to give us that type of information | The information used to conduct the assessments were obtained using publications from various independent universities, departments, researchers and scientists. All of the studies have been assessed and taken into consideration by the specialists and have been included as part of their assessment. These assessments have been summarised in the Basic Assessment Report. It is therefore not necessary to read each publication as there are hundreds. The specialist study was prepared to include all the necessary information and impacts pertaining to concession area 11C. Unfortunately, downloading and sending you all of these individual references is logistically not possible. Many of them can only be read online and some are only available as hardcopies. |
| Meeting 2 Stakeholder |  | You only have an idea of what the impacts might be, you are not 100% certain. After doing the baseline surveys and you find that prospecting will have a negative impact on the environment, what are you going to do? Continue with the prospecting? Or say the prospecting is conducted and you find it had a negative impact, how are you going to correct the negative impacts.                                            | Monitoring will be done to determine if there was indeed an impact on the benthic community, however, as this survey is considered short-term and extends over a small portion, results will probably not show any difference in community structure. You will not be able to exactly pinpoint where communities have been removed. Such impacts or changes in community structure are usually only evident after numerous prospecting/ mining events in the same area over many years, and changes will only become evident once more than one monitoring study has been conducted.                                                                                                                                                                                                  |
| Meeting 2 Stakeholder |  | All of us here knows what the impacts of prospecting is on the environment. We know what it looks like afterwards. You say the environment will rehabilitate itself, but we don't know that. Nature does not always work that way. It can take decades. You say that impact studies have been done and that monitoring will be done, but we don't know that. How can we be sure? It is the same company that                   | A Scientific Officer (SO) will be appointed to monitor the activities and enforce the EMPr. Regular auditing will be conducted by the SO to ensure compliance of all activities with the EMPr. An external environmental audit will also be conducted by and independent Environmental Control Officer who will report all findings to the Department of Mineral Resources and Energy. These documents will be made available to the public. Environmental Monitoring will also be conducted after the prospecting activities to determine the state of the environment.                                                                                                                                                                                                              |

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|                       |  | <p>wants to prospect that is doing to be doing the monitoring surveys. ‘</p> <p>We don’t hold you accountable as we know you are the environmental consultants. But we want to know who will be responsible for the consequences? Because if the company is gone they area gone and then we sit with the damage and. And how are we going to know if it the area has been rehabilitated or not.</p> <p>Will Feedback from the prospecting be communicated with the community during and after the process.</p> <p>Will the auditing report be shared with the community?</p> <p>Who are they using for the auditing? Because if it is a person employed by the company, they will not share the negative impacts or auditing report with us.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Meeting 2 Stakeholder |  | <p>This is our environment that is still in pristine condition. It is still like it was when I was a child. We don’t want it to be damaged. I want my grandchildren to also see and experience this environment as it is now.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>We take note of this comment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Meeting 2 Stakeholder |  | <p>Was the Swart Tobie (Black Oyster Catcher) taken into account in the marine specialist study as it is a species of conservation concern</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The black oyster catcher (Swart Tobie) is a coastal shore bird that does not occur in the pelagic offshore marine environment. It is thus highly unlikely that this bird will be present within an area that is 5km offshore. No negative impacts on the Black oyster catcher resulting from prospecting activities in Concession area 11C are therefore anticipated.</p>                                                                                                                                |
| Meeting 2 Stakeholder |  | <p>What happens once the EBSA is declared? Will prospecting stop?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>This area is currently being proposed as an area that might have features considered Ecologically and Biologically Significant, although it has not yet been declared as such. EBSA’s area chosen based on expert opinion collated during regional workshops and have not necessarily been validated by means of sampling/ ground-truthing. EBSA’s are flexible due to the dynamic and complex nature of the marine environment. This means that an EBSA can be moved over time and their boundaries</p> |

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|                       |  |                                                                                                                                                                                                                                                            | can change. The EBSA designation does not bring any management measures or restriction of activities – it is simply recognition of an area’s biological or ecological significance. Once this EBSA is declared, the relevant authorities will be consulted to confirm the relevant actions to be taken.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Meeting 2 Stakeholder |  | <p>What percentage of these prospecting studies that you have done have been approved by the Department?</p> <p>Because you said that you have done these studies worldwide.</p>                                                                           | <p>Anchor is primarily involved with conducting Specialist Studies as part of monitoring surveys and baseline assessments.</p> <p>This is Anchor’s second Basic Assessment Process for a Prospecting right. Both applications are still ongoing and have not yet been sent to the Department for review. No prospecting rights applications conducted by Anchor have, to date, been accepted or rejected as the process is still ongoing.</p>                                                                                                                                                                                                                                                                                                                                                      |
| Meeting 2 Stakeholder |  | <p>Can you please clarify how the impact studies work? Do you come here and do sampling and conduct surveys? Are the impact studies conducted locally?</p>                                                                                                 | <p>The information used to conduct the assessments were obtained using publications from various independent universities, departments, researchers and scientists. All of the studies (references at the end of the specialist studies) have been assessed and taken into consideration by the specialists and have been included as part of their assessment. It is therefore not necessary to read each publication as there are hundreds. The specialist study was prepared to include all the necessary information and impacts pertaining to concession area 11C.</p>                                                                                                                                                                                                                        |
| Meeting 2 Stakeholder |  | <p>How deep will the drill go into the seafloor?</p>                                                                                                                                                                                                       | <p>The drill will only penetrate the soft top layer of sediment and gravel on top of the hard seabed for analysis and will not go into the hard rock layer.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Meeting 2 Stakeholder |  | <p>Was Anchor involved with the seismic surveys in KZN (Shell)? Is this the same seismic equipment that Trans Atlantic will be used?</p>                                                                                                                   | <p>No, Anchor was not involved with the Shell application and seismic survey. No, seismic surveys for oil and gas exploration typically use air gun arrays as the resource is usually deep below the sea floor. This prospecting application is primary for diamonds and other near surface minerals. Lower intensity multi beam echosounder and sub bottom profiler, ship mounted acoustic equipment will be used, as described in the project description of the BAR</p>                                                                                                                                                                                                                                                                                                                         |
| Meeting 2 Stakeholder |  | <p>What happens if the drill into the seafloor and hit an oil pocket? Or can they see where oil and gas will be located from the results of the seismic survey?</p>                                                                                        | <p>Oil and gas deposits are found much deeper than the proposed drill sampling for diamonds and other near surface deposits.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Meeting 2 Stakeholder |  | <p>It feels like we as a community are responsible for sourcing all the information and for reading all the documents to understand the activities. We don’t want to source and read all the information. You have to come to us and explain it to us.</p> | <p>The information used to conduct the assessments were obtained using publications from various independent universities, departments, researchers and scientists. All of the studies have been assessed and taken into consideration by the specialists and have been included as part of their assessment. These assessments have been summarised in the Basic Assessment Report. It is therefore not necessary to do your own research or to read each publication. The purpose of the Background Information, the presentation and the public meeting is to present you with the most important information which is sufficient for you to comment on the application. Should you want more detail regarding the activities, you can refer to the Basis Assessment Report (BAR) which has</p> |

|                        |             |                                                                                                                         | all of the relevant information. The Final Basic Assessment Report has a summary at the beginning which also summarises the most important points in the BAR.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
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| Meeting 2 Stakeholder  |             | Will there be any employment opportunities due to this project as there are many unemployed individuals in this region. | <p>11) Below is a projection of the potential employment opportunities that could be created as a result of the prospecting operation. Please note that these can change and will not necessarily be sourced from the local community. These might be sourced across South Africa. Once TAD have reached the start-up phase, and can apply the preferential procurement policy, TAD will be in a better position to more accurately reflect and achieve the specified targets and predict the spend on capital goods, consumables, suppliers and number of employees.</p> <table><tr><th colspan="6">PERSONNEL REQUIREMENTS</th></tr><tr><th>OFFSHORE</th><th>DEPARTMENT</th><th>Position</th><th>Community sourced</th><th>Training</th><th>Remarks</th></tr><tr><td rowspan="6">SHIPS CREW</td><td>NAUTICAL</td><td>Deckhands</td><td>3</td><td>3</td><td>These will likely be filled from within the community</td></tr><tr><td rowspan="2">ENGINEERING</td><td>Electrician</td><td>1</td><td></td><td rowspan="5">Will likely be able to directly fill these positions from within the community. If not readily found, training could be provided.</td></tr><tr><td>Greaser</td><td>2</td><td>1</td></tr><tr><td rowspan="3">CATERING</td><td>Chief Cook</td><td>1</td><td></td></tr><tr><td>Assistant Cook</td><td>2</td><td>2</td></tr><tr><td>Steward(ess)</td><td>4</td><td>4</td></tr><tr><td rowspan="8">OPERATIONAL CREW</td><td rowspan="3">PLANT</td><td>Plant operators</td><td>4</td><td>2</td><td rowspan="7">Will likely be able to directly fill these positions from within the community. If not readily found, training could be provided.</td></tr><tr><td>Chief Sorter</td><td>1</td><td></td></tr><tr><td>Sorters</td><td>3</td><td>3</td></tr><tr><td rowspan="4">GENERAL</td><td>Storeman</td><td>1</td><td>1</td></tr><tr><td>Boiler Maker</td><td>1</td><td></td></tr><tr><td>Welder</td><td>2</td><td></td></tr><tr><td>Mine Helper</td><td>2</td><td></td></tr><tr><td>SECURITY</td><td>Officers</td><td>3</td><td>2</td><td>Locally sourced, or trained</td></tr><tr><td></td><td></td><td>Total</td><td>30</td><td>18</td><td></td></tr></table> | PERSONNEL REQUIREMENTS |                                                                                                                                   |  |  |  |  | OFFSHORE | DEPARTMENT | Position | Community sourced | Training | Remarks | SHIPS CREW | NAUTICAL | Deckhands | 3 | 3 | These will likely be filled from within the community | ENGINEERING | Electrician | 1 |  | Will likely be able to directly fill these positions from within the community. If not readily found, training could be provided. | Greaser | 2 | 1 | CATERING | Chief Cook | 1 |  | Assistant Cook | 2 | 2 | Steward(ess) | 4 | 4 | OPERATIONAL CREW | PLANT | Plant operators | 4 | 2 | Will likely be able to directly fill these positions from within the community. If not readily found, training could be provided. | Chief Sorter | 1 |  | Sorters | 3 | 3 | GENERAL | Storeman | 1 | 1 | Boiler Maker | 1 |  | Welder | 2 |  | Mine Helper | 2 |  | SECURITY | Officers | 3 | 2 | Locally sourced, or trained |  |  | Total | 30 | 18 |  |
| PERSONNEL REQUIREMENTS |             |                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
| OFFSHORE               | DEPARTMENT  | Position                                                                                                                | Community sourced                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Training               | Remarks                                                                                                                           |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
| SHIPS CREW             | NAUTICAL    | Deckhands                                                                                                               | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3                      | These will likely be filled from within the community                                                                             |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        | ENGINEERING | Electrician                                                                                                             | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        | Will likely be able to directly fill these positions from within the community. If not readily found, training could be provided. |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Greaser                                                                                                                 | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1                      |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        | CATERING    | Chief Cook                                                                                                              | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Assistant Cook                                                                                                          | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2                      |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Steward(ess)                                                                                                            | 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 4                      |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
| OPERATIONAL CREW       | PLANT       | Plant operators                                                                                                         | 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2                      | Will likely be able to directly fill these positions from within the community. If not readily found, training could be provided. |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Chief Sorter                                                                                                            | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Sorters                                                                                                                 | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3                      |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        | GENERAL     | Storeman                                                                                                                | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1                      |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Boiler Maker                                                                                                            | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Welder                                                                                                                  | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Mine Helper                                                                                                             | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        | SECURITY    | Officers                                                                                                                | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2                      | Locally sourced, or trained                                                                                                       |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
|                        |             | Total                                                                                                                   | 30                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 18                     |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
| Meeting 2 Stakeholder  |             | How long is prospecting rights granted for?                                                                             | Five years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |
| Meeting 2 Stakeholder  |             | Why was the community not informed?                                                                                     | Note that we contacted the Matzikama Municipality to source the contact information of farmers and communities in the area. Although we contacted the municipality via phone and email numerous times, we were not able to obtain contact details for farmers in the area. Due to the new POPI Act, people are also reluctant to give out contact information. This area is very sparsely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                        |                                                                                                                                   |  |  |  |  |          |            |          |                   |          |         |            |          |           |   |   |                                                       |             |             |   |  |                                                                                                                                   |         |   |   |          |            |   |  |                |   |   |              |   |   |                  |       |                 |   |   |                                                                                                                                   |              |   |  |         |   |   |         |          |   |   |              |   |  |        |   |  |             |   |  |          |          |   |   |                             |  |  |       |    |    |  |

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|  |  |  | <p>populated with many private roads not for public use which would have made it logistically unfeasible to drive to the area to locate farmhouses to source contact details</p> <p>Note that after receiving requests from farmers in the area, we did send out notices and informed the farmers and other members of the community about the activities. We also lodged a request with the DMRE for an extension on the submission of the Final BAR to give the community an opportunity to participate. We also arranged for this additional meeting in Kotzesrus to share the information with you and to give you an opportunity to provide comment.</p> |
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