



PER E-MAIL / MAIL

REFERENCE: 16/3/3/6/7/1/D5/12/0171/20
ENQUIRIES: Shireen Pullen
DATE OF ISSUE: 24 November 2020

Director: Technical Services
Hessequa Municipality
PO Box 29
RIVERSDALE
6670

Attention: Mr. R. Manho

Tel: (028) 713 7831
E-mail: rhuschan@hessequa.gov.za

Dear Sir

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF THE MELKHOUTFONTEIN CEMETERY ON ERF 566 AND PORTION 141/480, STILL BAY, HESSEQUA LOCAL MUNICIPALITY

1. The abovementioned document received by the Directorate: Development Management (Region 3), hereinafter referred to as "this Directorate" via electronic mail on 4 October 2020 refers.
2. This letter serves as an acknowledgment of receipt of the abovementioned document by this Directorate.
3. It is understood that the proposal entails the expansion of an existing cemetery in Still Bay on Erf 566 and portion 141/480, Melkhoutfontein. The expansion will include the clearance of approximately 8 339m² on both properties, the demolition of a boundary wall between the eastern and southern side of the site and the erection of a new boundary wall around the extended area, the extension of an existing access road, with gravel/asphalt finish, the Implementation of stormwater management design specific to site and the rehabilitation of the site with indigenous vegetation and rescued bulbs/cuttings from degraded fynbos.
4. This Directorate has reviewed the pre-application BAR and comments as follows:
 - 4.1 It is noted that the proposed cemetery is located within close proximity of the Melkhoutfontein aquifer. The aquifer developed for Melkhoutfontein is of strategic importance and requires strict protection. Specific mitigation measures should be written into the Environmental Management Programme (EMPr) to ensure this aquifer is protected from the impacts that may potentially result from the proposed cemetery expansion.


- 4.2 It is also noted that a General Authorisation is applicable to the proposal. This should be confirmed by the Breede Gouritz Catchment Management Agency (BGCMA). Groundwater monitoring and sampling requirements must also be incorporated into the EMPr.
- 4.3 It is understood that no alternatives were considered for the proposal based on the fact that there is an existing cemetery and this is merely an expansion. Please note that the aim of the consideration of alternatives in the EIA Process is to find the best Environmentally Practicable Environmental option. Although it is acknowledged that there might not be an alternative site for the proposed expansion, it must be noted that alternatives are not limited to site alternatives. It may also include, but is not limited to lay-out alternatives, design, operational and technology alternatives, etc. You are therefore strongly advised to consider alternatives to avoid potential impacts. The BAR must comparatively assess all the feasible and reasonable alternatives in order to select the best practicable environmental option.
- 4.4 The pre-application BAR notes that the entire expansion area forms part of a Critical Biodiversity Area (CBA) that runs in a west-east direction from the Duiwenhoksrivier (in the west) to the Gourits River (in the east) across the Goukou, linking several nature reserves along the way. Comment from CapeNature will be crucial in this regard.
- 4.5 The findings of the Terrestrial Biodiversity Study done in June 2020 indicated that another site inspection should be undertaken early November 2020 to eliminate the low possibility that one or more of the other three butterfly species of conservation concern could occur on or near the site. Please clarify whether such site inspection was undertaken and what the findings of the inspection was.
- 4.6 This Directorate notes the involvement of numerous specialists in the process. It is reiterated that **any specialist performing work related to any of the fields of practice listed in Schedule I of the Natural Scientific Professions Act, 2003 (Act 27 of 2003) must be registered with the South African Council for Natural Scientific Professions (“SACNASP”)**^[1] in any of the prescribed categories [Section 18] and further to this, only a person registered with the SACNASP may practise in a consulting capacity [Section 20].
- 4.7 In the case where a specialist assessment was commissioned prior to 9 May 2020, you are required to submit proof to the competent authority that the work was commissioned prior to said date (e.g. approved quotation for specialist assessment and/or proof of work being carried out).
- 4.8 The Pre-application BAR submitted to this Directorate did not have an EMPr attached to it. Please ensure that the final document to be submitted to the competent authority must contain an EMPr that complies with the provisions of Appendix 4 of the NEMA EIA Regulations. The EMPr should include management actions and outcomes and must clearly distinguish between the two.
5. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.

[1] SACNASP – the legislated regulatory body for natural science practitioners in South Africa.

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6. This Directorate reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

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**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

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PER E-MAIL / MAIL

REFERENCE: 16/3/3/6/7/1/D5/12/0171/20
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DATE OF ISSUE: 2020/12/15

Director: Technical Services
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PO Box 29
RIVERSDALE
6670

Attention: Mr. R. Manho

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Dear Sir

SITE VERIFICATION REPORT AND ENVIRONMENTAL MANAGMENT PROGRAMME (EMPr) FOR THE PROPOSED EXPANSION OF THE MELKHOUTFONTEIN CEMETERY ON ERF 566 AND PORTION 141/480, STILL BAY, HESSEQUA LOCAL MUNICIPALITY

1. The abovementioned documents received by the Directorate: Development Management (Region 3), hereinafter referred to as "this Directorate" via electronic mail on 23 November 2020 and 24 November 2020, respectively refers.
2. This letter serves as an acknowledgment of receipt of the abovementioned documents by this Directorate.
3. **EMPr**
 - 3.1 It is noted that the EMPr contains measures related to the adherence health and safety legislation and general construction matters. Please note that this will have an influence on the auditing of compliance with the EMPr since all measures included in the EMPr needs to be audited. As such it is advised that any additional information or guidance to what is specified in Appendix 4 and Section 24N of NEMA, should be clearly separated from the body of the report (i.e. appendices).
 - 3.2 It is also requested that the terminology in the EMPr related to the execution of tasks be checked for consistency. Terms such as "should" and "may", which do not provide clear instruction or cannot be enforced, must be avoided in the document.
 - 3.3. The frequency for the submissions of ECO reports and Auditing reports is not clear. Please provide clarity in this regard within the EMPr.
 - 3.4 This Directorate is also of the opinion that the EMPr should contain specific mitigation measures to ensure this aquifer is protected from the impacts that may potentially result from the proposed cemetery expansion.

4. **Site verification Report**

4.1 *Agricultural Theme*

It is noted that agricultural input is disregarded based on the findings of Mr. Mark Berry and the EAP. According to protocol, an agricultural theme that results in medium sensitivity requires a minimum of a compliance statement to be done by an agricultural soil scientist that is registered with the South African Council for Natural Scientific Professions ("SACNASP")^[1]. Alternatively, the Department of Agriculture must be consulted to determine whether an agricultural specialist assessment needs to be conducted and submitted along with the Basic Assessment Report.

4.2 *Plant and Animal Species Theme*

According to the screening tool report both the Plant Species and Animal Species themes at the proposed site have been sensitivity ratings of "medium". In light thereof, it is noted that a site inspection was done by Mark Berry which indicated that the site is severely degraded. Please note that the minimum requirements for animal and plant species where the sensitivity came up "medium" is a compliance statement by a SACNSP registered specialist that should be submitted along with the Basic Assessment Report. In the case where a specialist assessment was commissioned prior to 9 May 2020, you are required to submit proof to the competent authority that the work was commissioned prior to said date (e.g. approved quotation for specialist assessment and/or proof of work being carried out).

4.3 *Terrestrial Biodiversity Theme*

According to the Screening Tool Report a "Very High Sensitivity" has been assigned to the Terrestrial Biodiversity Theme and that this will be covered by the Butterfly Study as well as a Botanical Study that will be submitted along with the Basic Assessment Report.

5. Please note that this comment must be read in conjunction with the comment on the pre-application Basic Assessment Report issued on 24 November 2020.
6. Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.
7. This Directorate reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

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