

## Appendix E – Comments from Organs of State

Appendix E1 – Comments from DEA&DP



Directorate: Development Management  
(Region 1)

**REFERENCE:** 16/3/3/1/B4/45/1030/19  
**ENQUIRIES:** D'mitri Matthews  
**DATE OF ISSUE:** 2019-05-02

The Municipal Manager  
Stellenbosch Municipality  
P. O. Box 17  
**STELLENBOSCH**  
7599

**Attention: Mr P. Smit**

Tel.: (021) 808 8750

Fax: (021) 887 6167

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FORM FOR BASIC ASSESSMENT IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE 2014 ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS (AS AMENDED) FOR THE PROPOSED CALCUTTA PUBLIC CEMETERY AND MEMORIAL PARK ON FARM NO. 29, STELLENBOSCH**

1. The Application Form and letter dated 16 April 2019, as received by this Department on 18 April 2019, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned document by the Department.
3. The proposal entails the establishment of the Calcutta Public cemetery and memorial park with associated infrastructure.
4. Please note the following advice pertaining to the application:
  - 4.1. On 7 April 2017 the Minister of Environmental Affairs promulgated amendments to the regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), viz. the Environmental Impact Assessment ("EIA") Regulations 2014 (as amended) Listing Notices ("LN") 1, 2 and 3 in Government Gazette No. 40772 of 7 April 2017). These regulations came into effect on 7 April 2017.

**4.2. The Department notes that Department of Water and Sanitation will be consulted with respect to the requirement for a Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). In terms of the Agreement for the One**

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**Environmental System (section 50A of the NEMA and sections 41(5) and 163A of the NWA) the processes for a WULA and for an EIA must be aligned and integrated with respect to the fixed and synchronised timeframes, as prescribed in the EIA Regulations, 2014 (as amended), as well as the 2017 WULA Regulations.**

- 4.3. If solid waste removal, water supply, effluent discharge and sewage disposal will be provided by the Municipality, you are requested to provide this office with written proof that the Municipality has sufficient capacity to provide the necessary services to the proposed development. If electricity services will be provided by Eskom or the Municipality, written confirmation of the availability of services must be provided by the relevant service provider. These must be provided together with the BAR.
- 4.4. Applicable listed activities  
Having considered the information contained in the Application Form, you are hereby advised that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the EIA process.
- 4.5. Specialist input/ assessment required  
Please ensure that all specialist reports contain all the information specified in Appendix 6 of the EIA Regulations, 2014 (as amended). Please note that the specialist report(s) and input must be appended to the BAR.
5. The following requirements must be complied with in respect to all applications for Environmental Authorisation in terms of the NEMA EIA Regulations, 2014 (as amended):
- 5.1. Alternatives  
In terms of the NEMA and EIA Regulations (as amended), the investigation of alternatives is mandatory. This includes the option of not proceeding with the proposed activity (the "no-go" option). All alternatives identified must be determined to be feasible and reasonable. In this regard it must be noted that the Department may grant authorisation for an alternative as if it had been applied for or may grant authorisation in respect of the whole or part of the proposed project in the application. Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives.
- If, after identified alternatives have been investigated, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof of the investigations undertaken, and motivation for there being no reasonable or feasible alternatives other than the preferred option and the no-go option. Refer to the Department's Guideline on Alternatives available on the Department's website <http://eadp-westerncape.kznshf.gov.za/your-resource-library>).
- 5.2. Public participation  
The BAR must be subject to a Public Participation Process that must comply with Chapter 6 of the EIA Regulations, 2014 (as amended).
- In addition to the above, the Environmental Assessment Practitioner ("EAP") must submit a minimum of two printed copies of the draft BAR to the Department for a 30-day comment

period. The draft BAR must also be made available to all relevant State Departments/Organs of State that administer laws relating to a matter affecting the environment, for a 30-day comment period. The EAP must notify the Department in writing of the date the draft BAR was submitted to the relevant State Departments/Organs of State and clearly indicate whether or not such State Departments/Organs of State were notified of the 30-day comment period in terms of Section 24O of NEMA. It is imperative that State Departments/Organs of State are in possession of the draft Reports when the EAP issues them with the notice in terms of Section 24O of NEMA. Please note that the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments/Organs of State in terms of Section 24O(2) and (3) of NEMA in the BAR, where appropriate.

In terms of good practice you are encouraged to engage with State Departments and other Organs of State early in the EIA process to solicit their inputs on any of their requirements to be addressed in the EIA process. Please note that this does not replace the requirement of making the draft BAR available to State Departments/Organs of State as stipulated above.

A register of interested and affected parties ("I&APs") must be opened and maintained. The register must also be submitted to the Department.

The EAP must record and respond to all comments received. The comments and responses must be captured in a Comments and Responses Report and must also include a description of the public participation process followed. This report must also be included in the public participation information attached to the BAR to be submitted for decision.

#### 5.3. Environmental Management Programme ("EMPr")

In accordance with Section 24N of NEMA and Regulation 19 of the EIA Regulations 2014 (as amended), the Department hereby requires the submission of an EMPr. The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of the EIA Regulations 2014 (as amended). The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). It must be submitted together with the BAR. When compiling the EMPr, the Department's Guideline for Environmental Management Plans (June 2005), available on the Department's website <http://eadp-westerncape.kznsshf.gov.za/your-resource-library> must be taken into account.

#### 5.4. Guidelines

When undertaking the EIA process, you must take into account applicable guidelines, including the guidelines developed by this Department. These can be downloaded from the Department's website (<http://eadp-westerncape.kznsshf.gov.za/your-resource-library/policies-guidelines>). In particular, the guidelines that may be applicable to the proposed development include, *inter alia*, the following:

- Circular EADP 0028/2014: One Environmental Management System.
- Guideline for the Review of Specialist Input in the EIA process (June 2005).
- Guideline for Involving Biodiversity Specialists in the EIA process (June 2005).
- Guideline for Environmental Management Plans (June 2005).
- Guideline on Alternatives (March 2013).
- Guideline on Need and Desirability (March 2013).

➤ Other

5.5. Need & desirability

In terms of the NEMA EIA Regulations (as amended), when considering an application, the Department must take into account a number of specific considerations including *inter alia*, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability. Refer to the Department's Guideline on Need and Desirability (March 2013).

5.6. NEMA Principles

In addition to the above, you must clearly show how the proposed development complies with the principles contained in Section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.

5.7. BAR Requirements

The BAR must contain all the information outlined in Appendix 1 of the EIA Regulations 2014 (as amended) and must also include the information requested in this letter. Failure to submit any information prescribed in Appendix 1 of the EIA Regulations 2014 (as amended) may result in Environmental Authorisation being refused.

The Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations (as amended). In accordance with Regulation 19 of the EIA Regulations 2014 (as amended), the Department hereby stipulates that the BAR must be submitted to this Department for decision within 90 days from the date of receipt of the application by the Department, calculated from **18 April 2019**. If, however, significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50 days (i.e. 140 days from receipt of the application) would be required for the submission of the BAR. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.

If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations 2014 (as amended) and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form would have to be submitted and the prescribed application fee would have to be paid again.

Please note that two printed copies as well as two electronic copies (saved on CD/DVD) of the BAR must be submitted to the Department.

5.8. General

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department. It is an offence in terms of Section 49A of the NEMA for a person to commence with a listed activity unless the Department has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F and 49A of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department for prosecution.

A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

Yours faithfully



**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr S. van der Merwe (Stellenbosch Municipality)  
(2) Ms V. Thompson (EnviroAfrica CC)

Fax: (021) 886 6899  
Fax: (086) 512 0154



Directorate: Development Management  
(Region 1)

**REFERENCE:** 16/3/3/1/B4/45/1030/19  
**ENQUIRIES:** D'mitri Matthews  
**DATE OF ISSUE:**

The Municipal Manager  
Stellenbosch Municipality  
P. O. Box 17  
**STELLENBOSCH**  
7599

**Attention: Mr P. Smit**

Tel.: (021) 808 8750

Fax: (021) 887 6167

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE DRAFT BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS (GN NO. 326 OF 7 APRIL 2017) FOR THE PROPOSED CALCUTTA PUBLIC CEMETERY AND MEMORIAL PARK ON FARM NO. 29, STELLENBOSCH**

1. The draft BAR dated April 2019, received by this Department on 18 April 2019, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.
3. Please note that this Department will consider the draft Basic Assessment Report and issue a comment within the prescribed 30 day period.
4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
5. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the

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above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

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

Yours faithfully

*pp* 

**HEAD OF COMPONENT**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr S. van der Merwe (Stellenbosch Municipality)  
(2) Ms V. Thompson (EnviroAfrica CC)

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DIRECTORATE: DEVELOPMENT MANAGEMENT  
(REGION 1)

**REFERENCE:** 16/3/3/6/7/1/B4/45/1288/17

**ENQUIRIES:** D. Matthews

**DATE OF ISSUE:** 2019 -03- 11

The Municipal Manager  
Stellenbosch Municipality  
P. O. Box 17  
**STELLENBOSCH**  
7599

**Attention: Mr P. Smit**

Tel.: (021) 808 8750

Fax: (021) 887 6167

Dear Sir

**COMMENT ON THE AMENDED PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ('NEMA') ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS 2014 (AS AMENDED) FOR THE PROPOSED CALCUTTA PUBLIC CEMETERY AND MEMORIAL PARK ON FARM NO. 29, STELLENBOSCH**

1. The pre-application draft BAR dated November 2018, as received by the Department on the same day, refers.
2. The proposal entails the establishment of the Calcutta Public cemetery and memorial park with associated infrastructure.
3. Departmental comments on the pre-application draft BAR:
  - 3.1 The Department notes the response of the Environmental Assessment Practitioner ("EAP") with respect to confirmation of the applicable listed activities. Please be advised that Activity 27 of Listing Notice ("LN") 1 must too be confirmed during the formal application process and if the aforementioned activity is applicable, then it should be included in the listed of applicable activities contained in the BAR and the Environmental Management Programme ("EMPr").
  - 3.2 It is noted that the Concept Site Plan 1 (Appendix B) does differ from the Concept Site Plan 2 in terms of layout. The Department recommends that the different concepts for the cemetery and memorial park are included as alternatives, which includes reasons for preferring or not preferring the concept. The Department notes that Appendices L and M regarding the regarding the criteria used for the site selection.

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- 3.3 It is noted that the draft Calcutta Proposed Storm water and Sewage Plan (Appendix B3) locates the conservancy tank in close proximity to the delineated wetland and watercourse. Comment must be obtained from the Department of Water and Sanitation regarding the appropriateness of the conservancy tank location or an alternative location should be included. Furthermore, it is noted that storm water will be discharging into the watercourse via swales, as such, confirmation regarding the applicability of Activity 19 of LN 1 must be provided to the Department.
  - 3.4 Confirmation regarding the location of the access road must be provided and clearly indicated on all of the concept plans.
  - 3.5 The Department takes note that a rehabilitation and Maintenance Management Plan ("MMP") will be included as part of the Water Use License Application ("WULA"). However, the reason for including the MMP part of the basic assessment process, is for the purposes of adopting the MMP in terms of Activity 19 of Listing Notice ("LN1") 1. In addition, the aforementioned listed activity must be included as part of the applicable listed activities, since the access road will be crossing the watercourse on the property, which will require infilling.
  - 3.6 A declaration of understanding for the "VANRHYNSDORP SOLAR PV FACILITY" has been included as part of the EMPr. As such, only elements pertaining to the above-mentioned proposal must be included in the BAR and EMPr.
4. Regulatory Requirements:
- 4.1 Proof of placing an advertisement in a local newspaper and erecting site notices must be provided.
  - 4.2 Proof of the notifications sent to registered I&APs for the commenting purposes must be included in the final BAR.
  - 4.3 Any new representations and comments received in connection with the application must be included in the final BAR.
  - 4.4 Any new responses by the EAP to the aforementioned representations and comments must be tabulated in a comments and response report that must be included in the final BAR.
  - 4.5 The minutes of any meetings held by the environmental assessment practitioner ("EAP") with I&AP's and other role players which record the views of the participants must be included in the final BAR.
  - 4.6 Please be advised that an original signed and dated applicant declaration is required to be submitted with the final BAR during the formal application process to this Department for decision-making. It is important to note that by signing this declaration, the applicant is confirming that they are aware and have taken cognisance of the contents of the report submitted for decision-making. Furthermore, through signing this declaration, the applicant is making a commitment that they are both willing and able to implement the necessary mitigation, management and monitoring measures recommended within the report with respect to this application.
  - 4.7 In addition to the above, please ensure that original signed and dated EAP and specialist declarations are also submitted with the final BAR during the formal application process for decision-making.
  - 4.8 You are furthermore reminded that the BAR must contain all the information outlined in Appendix 1 and 4 of the Environmental Impacts Assessment Regulations, 2014 (as amended).

5. Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
6. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department.
7. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully



**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr S. van der Merwe (Stellenbosch Municipality)  
(2) Ms V. Thompson (EnviroAfrica CC)

Fax: (021) 886 6899  
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DIRECTORATE: DEVELOPMENT MANAGEMENT  
(REGION 1)

**REFERENCE:** 16/3/3/6/7/1/B4/45/1288/17  
**ENQUIRIES:** D. Matthews  
**DATE OF ISSUE:** 2019 -03- 11

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1. The pre-application draft BAR dated November 2018, as received by the Department on the same day, refers.
2. The proposal entails the establishment of the Calcutta Public cemetery and memorial park with associated infrastructure.
3. Departmental comments on the pre-application draft BAR:
  - 3.1 The Department notes the response of the Environmental Assessment Practitioner ("EAP") with respect to confirmation of the applicable listed activities. Please be advised that Activity 27 of Listing Notice ("LN") 1 must too be confirmed during the formal application process and if the aforementioned activity is applicable, then it should be included in the listed of applicable activities contained in the BAR and the Environmental Management Programme ("EMPr").
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  - 3.6 A declaration of understanding for the "VANRHYNSDORP SOLAR PV FACILITY" has been included as part of the EMP. As such, only elements pertaining to the above-mentioned proposal must be included in the BAR and EMP.
4. Regulatory Requirements:
- 4.1 Proof of placing an advertisement in a local newspaper and erecting site notices must be provided.
  - 4.2 Proof of the notifications sent to registered I&APs for the commenting purposes must be included in the final BAR.
  - 4.3 Any new representations and comments received in connection with the application must be included in the final BAR.
  - 4.4 Any new responses by the EAP to the aforementioned representations and comments must be tabulated in a comments and response report that must be included in the final BAR.
  - 4.5 The minutes of any meetings held by the environmental assessment practitioner ("EAP") with I&AP's and other role players which record the views of the participants must be included in the final BAR.
  - 4.6 Please be advised that an original signed and dated applicant declaration is required to be submitted with the final BAR during the formal application process to this Department for decision-making. It is important to note that by signing this declaration, the applicant is confirming that they are aware and have taken cognisance of the contents of the report submitted for decision-making. Furthermore, through signing this declaration, the applicant is making a commitment that they are both willing and able to implement the necessary mitigation, management and monitoring measures recommended within the report with respect to this application.
  - 4.7 In addition to the above, please ensure that original signed and dated EAP and specialist declarations are also submitted with the final BAR during the formal application process for decision-making.
  - 4.8 You are furthermore reminded that the BAR must contain all the information outlined in Appendix 1 and 4 of the Environmental Impacts Assessment Regulations, 2014 (as amended).

5. Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
6. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department.
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Yours faithfully



**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr S. van der Merwe (Stellenbosch Municipality)  
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Directorate: Development Management  
(Region 1)

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**ENQUIRIES:** D'mitri Matthews  
**DATE OF ISSUE:** 2019 -02- 0 8

The Municipal Manager  
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P. O. Box 17  
**STELLENBOSCH**  
7599

**Attention: Mr P. Smit**

Tel.: (021) 808 8750  
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Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE SECOND PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS (GN NO. 326 OF 7 APRIL 2017) FOR THE PROPOSED CALCUTTA PUBLIC CEMETERY AND MEMORIAL PARK ON FARM NO. 29, STELLENBOSCH**

1. The draft BAR dated 31 January 2019, received by this Department on 1 February 2019, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.
3. Please note that this Department will consider the draft Basic Assessment Report and issue a comment within the prescribed 30 day period ending on 5 March 2019.
4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
5. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the

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Yours faithfully



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DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

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DIRECTORATE: DEVELOPMENT MANAGEMENT  
(REGION 1)

REFERENCE: 16/3/3/6/7/1/184/45/1288/17

ENQUIRIES: D. Matthews

DATE OF ISSUE: 14/12/18

The Municipal Manager  
Stellenbosch Municipality  
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1. The pre-application draft BAR dated November 2018, as received by the Department on the same day, refers.
2. The proposal entails the establishment of the Calcutta Public cemetery and memorial park with associated infrastructure.
3. Departmental comments on the pre-application draft BAR:
  - 3.1 Various activities have been included that may potentially be triggered. Confirmation of the applicable activities must be included in the in-process draft BAR.
  - 3.2 The Department notes that only one alternative besides the "no-go" alternative was investigated in the pre-application draft BAR. As such, your attention is drawn to the Guideline on Alternatives (March 2013) which states:

*"In terms of the NEMA EIA Regulations all Basic Assessment Reports, Scoping Reports and Environmental Impact Reports must contain a description of any feasible and reasonable alternatives that have been identified, including a description and comparative assessment of the advantages and disadvantages that the proposed activity and alternatives will have on the environment and on the community that may be affected by the activity. Every EIA process must therefore identify and*

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*investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed. If, however, after having identified and investigated alternatives, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment phase. What would, however, have to be provided to the Department in this instance is proof that an investigation was undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the no-go option exist."*

- 3.3 It is noted that a Biodiversity Sensitivity Map was included in the pre-application draft BAR, but no Botanical Impact Assessment was included. Confirmation from CapeNature regarding the need for a Botanical Assessment must be included in the in-process draft BAR.
- 3.4 The following issues with respect to the draft Environmental Management Programme ("EMPr") must be addressed:
  - 3.4.1 Reference is made to Bonnievale Renosterveld Thicket and the Botanical Assessment (Appendix 12) in various sections must be excluded and amended to reflect the correct information.
  - 3.4.2 No site-specific recommendations as highlighted in the various specialist reports have been included i.e. watercourse buffers; watercourse rehabilitation; confirmation of Outspan Site; Outspan Route Recognition; a specific plan for the historic Outspan Site's development; visual mitigation; etc.
  - 3.4.3 It is noted that the site is heavily infested with alien invasive plants, however, the EMPr does not include any aspect regarding alien vegetation removal/management for the site.
  - 3.4.4 The operational phase of the EMPr must be updated to include management activities and mitigation for all activities. This section incorrectly refers to Property Owners Association in terms of management during the operational phase.
  - 3.4.5 A storm water management plan for the site must be included.
  - 3.4.6 A maintenance management plan for the structure/s crossing the watercourse must be included.
  - 3.4.7 In addition to the abovementioned issues, the EMPr does not fulfil the requirements of Appendix 4 of the EIA Regulations 2014 (as amended) and must be corrected.
4. Regulatory Requirements:
  - 4.1 Proof of placing an advertisement in a local newspaper and erecting site notices must be provided.
  - 4.2 Proof of the notifications sent to registered I&APs for the commenting purposes must be included in the final BAR.
  - 4.3 Any new representations and comments received in connection with the application must be included in the final BAR.
  - 4.4 Any new responses by the EAP to the aforementioned representations and comments must be tabulated in a comments and response report that must be included in the final BAR.

- 4.5 The minutes of any meetings held by the environmental assessment practitioner ("EAP") with I&AP's and other role players which record the views of the participants must be included in the final BAR.
- 4.6 Please be advised that an original signed and dated applicant declaration is required to be submitted with the final BAR during the formal application process to this Department for decision-making. It is important to note that by signing this declaration, the applicant is confirming that they are aware and have taken cognisance of the contents of the report submitted for decision-making. Furthermore, through signing this declaration, the applicant is making a commitment that they are both willing and able to implement the necessary mitigation, management and monitoring measures recommended within the report with respect to this application.
- 4.7 In addition to the above, please ensure that original signed and dated EAP and specialist declarations are also submitted with the final BAR during the formal application process for decision-making.
- 4.8 You are furthermore reminded that the BAR must contain all the information outlined in Appendix 1 and 4 of the Environmental Impacts Assessment Regulations, 2014 (as amended).
5. Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
6. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department.
7. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully



**HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr S. van der Merwe (Stellenbosch Municipality)  
(2) Ms V. Thompson (EnviroAfrica CC)

Fax: (021) 886 6899  
Fax: (086) 512 0154



Directorate: Development Management  
(Region 1)

**REFERENCE:** 16/3/3/6/7/1/B4/45/1288/17  
**ENQUIRIES:** D'mitri Matthews  
**DATE OF ISSUE:** 2018 -11- 2 8

The Municipal Manager  
Stellenbosch Municipality  
P. O. Box 17  
**STELLENBOSCH**  
7599

**Attention: Mr P. Smit**

Tel.: (021) 808 8750  
Fax: (021) 887 6167

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE DRAFT BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS (GN NO. 326 OF 7 APRIL 2017) FOR THE PROPOSED CALCUTTA PUBLIC CEMETERY AND MEMORIAL PARK ON FARM NO. 29, STELLENBOSCH**

1. The draft BAR dated 15 November 2018, received by this Department on the same day, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.
3. Please note that this Department will consider the draft Basic Assessment Report and issue a comment within the prescribed 30 day period ending on 14 December 2018.
4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
5. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the

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From:

To:\*00865120164

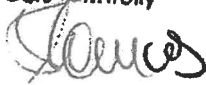
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above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

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

Yours faithfully



**HEAD OF COMPONENT**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr S. van der Merwe (Stellenbosch Municipality)  
(2) Ms V. Thomson (EnviroAfrica CC)

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DIRECTORATE: DEVELOPMENT MANAGEMENT

(REGION 2)

**REFERENCE:** 16/3/3/6/7/1/B4/45/1288/17  
**ENQUIRIES:** D. Matthews  
**DATE OF ISSUE:** 2017 -09- 26

The Municipal Manager  
 Stellenbosch Municipality  
 P. O. Box 17  
**STELLENBOSCH**  
 7599

**Attention: Mr P. Smit**

Tel.: (021) 808 8750

Fax: (021) 887 6167

Dear Sir

**ACKNOWLEDGEMENT AND ACCEPTANCE OF THE NOTICE OF INTENT TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO. 107 OF 1998) ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE PROPOSED CALCUTTA PUBLIC CEMETERY AND MEMORIAL PARK ON FARM NO. 29, STELLENBOSCH**

1. The correspondence dated 8 September 2017, received by the Department on the same day, refers.
2. This letter serves as an acknowledgement of receipt and acceptance of the abovementioned document by this Department.
3. The Department notes that a pre-application meeting was requested. This meeting will be held with the Environmental Assessment Practitioner on 10 October at 10:00.
4. Please note that the proposed development may not commence prior to an environmental authorisation being granted by the Department.
5. The Department reserves the right to revise or withdraw comments or request further information based on any information received.

Yours faithfully

*pp van der Merwe*

**HEAD OF DEPARTMENT  
 DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr S. van der Merwe (Stellenbosch Municipality)  
 (2) Ms V. Thompson (EnviroAfrica CC)

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