



Western Cape  
Government

Environmental Affairs and  
Development Planning

DIRECTORATE: DEVELOPMENT MANAGEMENT  
(REGION 1)

**REFERENCE:** 16/3/3/1/B4/45/1047/19

**ENQUIRIES:** D. Matthews

**DATE OF ISSUE:** 2019 -07- 22

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 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 LOUW'S BOS PUBLIC CEMETERY AND MEMORIAL PARK ON THE REMAINDER OF FARM LOUW'S BOS NO. 502, STELLENBOSCH**

1. The draft BAR dated June 2019, as received by the Department on 21 June 2019, refers.
2. The proposal entails the establishment of the Louw's Bos cemetery and memorial park with associated infrastructure, south of Annandale Road.
3. Departmental comments on the draft BAR:
  - 3.1 It is noted that the Department's comments dated 8 March 2019 has been included as part of the comments received for the pre-application draft BAR. However, these comments were not responded to in the comments and responses report. Please be advised that all comments submitted during pre-application and application phases must be included and responded to in the final BAR. In addition, all issues raised that require amendments to the BAR must be addressed.
  - 3.2 Appendices B1 and B2 both refer to the layouts as being the preferred layout. These pages must be amended to reflect which layout is preferred or not preferred.
  - 3.3 The coordinates on Page 13 differs from those on Page 37. Only the correct coordinates must be included in the final BAR.

- 3.4 The Environmental Management Programme ("EMPr") must include recommendations that will be implemented for the development e.g. 15m for the wetland in the north eastern corner of the site.
  - 3.5 Section E of the BAR, with respect to the Site Alternatives must be amended to include reasons why the various alternatives assessed are preferred or not preferred.
  - 3.6 Comment from the Department of Agriculture must be obtained with respect to the proposed development.
  - 3.7 Comment from the Department of Water and Sanitation has not been included in the draft BAR. Furthermore, there is no proof of the submission of a Water Use License Authorisation ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998). Proof of submission to the Department of Water and Sanitation must be included in the final BAR.
  - 3.8 It is noted that there is no comment from this Department's Directorates Waste and Pollution Management included in the draft BAR. Please be advised that comment from the aforementioned Directorates must be included in the final BAR.
  - 3.9 The Department notes that the proposal triggers Section 38(1) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA"). Please note that in terms of the Standard Operating Procedure ("SOP") between this Department and Heritage Western Cape ("HWC"), which came into effect on 1 July 2014, should Section 38(1) of the NHRA be triggered, a Notice of Intent to Develop ("NID") must be submitted to HWC. Furthermore, a copy of the NID must simultaneously be submitted to this Department. The decision from HWC must be included in the final BAR.
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



**REFERENCE:** 16/3/3/6/7/1/B4/45/1341/18

**ENQUIRIES:** D. Matthews

**DATE OF ISSUE:** 2019 -03- 0 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

**COMMENT ON THE 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 LOUW'S BOS PUBLIC CEMETERY AND MEMORIAL PARK ON THE REMAINDER OF FARM LOUW'S BOS NO. 502, STELLENBOSCH**

1. The pre-application draft BAR dated 25 January 2019, as received by the Department on the same day, refers.
2. The proposal entails the establishment of the Louw's Bos 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 Coordinates on Page 34 must be amended to reflect the Louws Bos site, currently the coordinates are for the Calcutta site.
  - 3.3 If groundwater is to be abstracted, then proof that a Water Use License Authorisation ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998) was submitted to the Department of Water and Sanitation must be provided.
  - 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. The incorrect reference of the vegetation type in the EMPr must be amended to reflect the correct information.
  - 3.4.2 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.
  - 3.4.3 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.
  - 3.4.4 A storm water management plan for the site must be included.
  - 3.4.5 If applicable, a maintenance management plan for the structure/s crossing the watercourse must be included.
  - 3.4.6 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

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Directorate: Development Management  
(Region 1)

**REFERENCE:** 16/3/3/6/7/1/B4/45/1341/18  
**ENQUIRIES:** D'mitri Matthews  
**DATE OF ISSUE:** 2019 -02- 04

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 PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS 2014 (AS AMENDED) FOR THE PROPOSED LOUW'S BOS PUBLIC CEMETERY AND MEMORIAL PARK ON THE REMAINDER OF FARM LOUW'S BOS NO. 502, STELLENBOSCH**

1. The pre-application draft Basic Assessment Report dated 25 January 2019, 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.
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

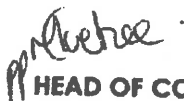
6<sup>th</sup> Floor, 1 Dorp Street, Cape Town, 8001  
Tel: +27 21 483 8350 Fax: +27 21 483 3098  
E-mail: D'mitri.Matthews@westerncape.gov.za

Private Bag X9086, Cape Town, 8000  
[www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)

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**  
**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

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DIRECTORATE: DEVELOPMENT MANAGEMENT  
REGION 1

**REFERENCE:** 16/3/3/6/7/1/B4/45/1289/17  
**ENQUIRIES:** D'mitri Matthews  
**DATE OF ISSUE:** 2019 -02- 04

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

**PROPOSED LOUW'S BOS PUBLIC CEMETERY AND MEMORIAL PARK ON FARM NO. 502, STELLENBOSCH**

1. Your Notice of Intent ("NOI") document dated 8 September 2017, as received by the Department on the same day, the Department's correspondence dated 26 September 2017 and the pre-application meeting held on 10 October 2017, the Department's correspondences dated 16 October 2017 and 13 September 2018 and the NOI received on 28 September 2018, refer.
2. Please note that since a new NOI has been lodged with the Department (DEA&DP Reference: 16/3/3/6/7/1/B4/45/1341/18), the pre-application file has been closed for administrative purposes.
3. This Department 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 1**  
**DEPARTMENT OF ENVIRONMENTAL AND DEVELOPMENT PLANNING**

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6<sup>th</sup> Floor, 1 Dorp Street, Cape Town, 8001  
Tel: +27 21 483 8350 Fax: +27 21 483 3098  
D'mitri.Matthews@westerncape.gov.za

Private Bag X9086, Cape Town, 8000  
[www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)