



REFERENCE: 16/3/3/1/D2/45/0020/23
DATE OF ISSUE: 09 October 2023

The Municipal Manager
% The Director: Civil Engineering Services
The George Municipality
PO Box 19
GEORGE
6530

Attention: Mr. Jannie Koegelenberg

E-mail: jkoegelenberg@george.gov.za

Dear Sir

COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR PACALTS DORP WEST BULK WATER SUPPLY ON REMAINDER OF ERF 325, PACALTS DORP, GEORGE

1. The Draft Basic Assessment Report (Ref: GEO723/06) dated 5 September 2023 compiled by the appointed registered Environmental Assessment Practitioner ("EAP"), Ms. Louise-Mari van Zyl (EAPASA No: 2019/1444) of Cape EAPrac and assisted by Candidate EAP, Mr. Francois Byleveld (EAPASA No: 2023/6770), as received by the Directorate: Development Management (Regions 3) ("this Directorate") on 6 September 2023, refers.
2. This Directorate has reviewed the information contained within the Draft Basic Assessment Report ("DBAR") and provides the following comment:

2.1. *BAR Requirements*

The BAR must contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 (as amended) and must also include the information requested in this letter. Omission of any of the said information may result in the application for Environmental Authorisation being refused. In this regard, the BAR must include, *inter alia*:

● *Declarations*

- **Applicant declaration:** The DBAR does not include a signed copy of the applicant declaration. The omission of the declarations suggests that the applicant does not take responsibility for any information which is contained within the report.
- **Specialist declarations:** This Directorate notes that the specialist declarations will be included in the final BAR. In this regard, please note the Department has determined the format of the various declaration forms as included in the various Departmental form templates. Therefore, the BAR must include the duly

completed and signed declarations as has been included in the Basic Assessment Report template (Form No: BAR10/2019).

2.2. Specialist reports

● *Aquatic Biodiversity Impact Assessment*

This Directorate notes the findings of the Aquatic Biodiversity Impact Assessment. In this regard, the report confirms the VERY HIGH sensitivity rating for Option C due to the presence of wetland habitat. The assessment also indicates that the sensitivity for Option B is considered to be LOW due to past disturbance and unlawful dumping.

In light of the above, the aquatic specialist does not support Option C due to the presence of a confirmed wetland and supports the development of the reservoirs at site Option B. However, it is noted that the specialist has determined a 21m buffer from the delineated wetlands in order to mitigate the impacts of the activities on the wetlands. Furthermore, it must be ensured that the mitigation measures recommended by the specialist be included in the Environmental Management Programme ("EMPr").

● *Botanical and Terrestrial Biodiversity Compliance Statement*

According to the results of the Botanical and Terrestrial Biodiversity Compliance Statement, the fynbos vegetation at Option C is modified, but some species associated with Garden Route Granite Fynbos are still present. Furthermore, there are also *Watsonia* sp. present at Option C. As such, assessment concludes that the Ecological Importance of Option C is considered to be HIGH which corresponds with the findings of the Screening Tool Report for the Terrestrial Biodiversity Theme.

According to the report, Option B is mostly covered with alien vegetation, *inter alia* *Acacia mearnsii* (black wattle) and *Cenchrus clandestinus* (kikuyu grass). Furthermore, the report also indicates that the site is used for illegal dumping of soil, rubble and refuse. Therefore, the sensitivity in terms of the Terrestrial Biodiversity Theme is considered to be LOW according to the assessment.

With due consideration of the findings of both the Aquatic Biodiversity Impact Assessment and the Botanical and Terrestrial Biodiversity Compliance Statement in respect of site Option C, the George Municipality should consider the development of a management plan for this site and any other similar open spaces to protect the watercourse and associated vegetation. Such a plan must, *inter alia* focus on the control and removal of alien vegetation and management removal of any debris and rubble where required.

2.3. Implementation programme

In accordance with the provision of the Environmental Impact Assessment Regulations, 2014, a period for which the environmental authorisation is required, must be provided. This period must be informed by the non-operational aspects and the operational aspects of the proposed development. As such, the date on which the activity will be concluded and the post construction monitoring requirements finalised, must be determined.

In this regard, this Directorate notes the implementation programme provided in the DBAR. According to this programme, the development activities (construction) must commence

within five years from the date of issue of the environmental authorisation and 15 years from the commencement of the development activities to complete the project.

In this regard it is noted that the proposed project will be implemented in two phases, where Phase 1 is aimed at the short to medium term (10-15 year horizon) and entails:

- One (1) x 14.5ML Water Reservoir.
- One (1) x 1.25ML Water pressure tower (max height 35m).
- First phase of the pumpstation.
- Interconnecting pipelines with existing municipal water reservoir infrastructure.
- Access roads to development site (from Olympic Street and Beach Road).
- Fence (480m long and 2.4m high).
- Stormwater drainage pipes, headwalls and level spreaders.

Phase 2 is aimed at the long-term design horizon (up to 50 years) and entails the following:

- One (1) x 14.5ML Water reservoir.
- One (1) x 1.75ML Water pressure tower (max height 35m).
- Second phase of the pumpstation.
- Interconnecting pipelines with existing municipal water reservoir infrastructure.

With due consideration of the phasing and the proposed implementation programme provided in the DBAR, you are requested to clarify the implementation of the proposed development of the reservoirs and indicate whether both phases will be completed within the timeframe provided in the DBAR.

2.4. Other relevant legislative requirements

● National Water Act, Act 36 of 1998

This Directorate notes the correspondence between the EAP and the consultant for the Water Use Authorisation ("WUA") in respect of the application for WUA. It is noted that confirmation has been obtained that the General Authorisation process will be followed in respect of the relevant water use activities in terms of the National Water Act, Act 36 of 1998 ("NWA"). The technical issues are noted; however, it must be ensured that the official letter from the relevant authority is included in the Final Basic Assessment Report.

2.5. Environmental Management Programme (EMPr)

The contents of the EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R. 982 of 4 December 2014. 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).

This Directorate has reviewed the EMPr as included and received as part of the pre-app BAR. The following aspects must be addressed:

● Frequency of visits by the Environmental Control Officer

The EMPr specifies the frequency of site inspections by the Environmental Control Officer ("ECO"). In this regard the EMPr states that the bi-weekly inspections will be undertaken during construction. The Directorate acknowledges that construction activities may pose a lesser risk once the initial earthworks have been completed. However, it is advised that ECO visits be undertaken weekly during the initial clearing and earthwork activities. Once this has been completed and construction commences on the

installation of services and construction of units, the frequency of site visits may taper at the discretion of the ECO. Therefore, it is advised that the description of the ECO inspection programme be amended to cater for such an event.

● *Map with environmental sensitivities*

The outcome of the Aquatic Biodiversity Impact Assessment and Botanical and Terrestrial Biodiversity Compliance Statement indicates that the site identified for Option C is highly sensitive. Furthermore, the Aquatic Biodiversity Impact Assessment have recommended a 21m buffer around the wetlands to mitigate the impact on the wetlands. However, a map with these sensitivities has not been included in the EMPr. In light of the above and with due consideration of Appendix 4 of the EIA Regulations, 2014 a map at an appropriate scale which superimposes the proposed activity, the associated structures and infrastructure w.r.t. the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers, must be included in the EMPr.

3. *Submission of Basic Assessment Report*

The BAR must contain all the information outlined in Appendix 1 of GN No. R. 982 of 4 December 2014 (as amended).

Please be reminded that in accordance with Regulation 19 of GN No. R. 982 of 4 December 2014, the Directorate hereby stipulates that the BAR (which has been subjected to public participation) must be submitted to this Department for decision within **90 days** from the date of receipt of the application by the Directorate. However, if significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify this Directorate 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 90 days or 140 days, where an extension is applicable, the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 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.

Note: In accordance with Environmental Impact Assessment best-practice, you are kindly requested to notify all registered Interested and Affected Parties including the authorities identified in the Public Participation Plan of the submission of the FBAR and to make the document available to them. This will provide such parties an opportunity to review the document and how their issues were addressed.

4. Please note that the proposed development may not commence prior to an environmental authorisation being granted by this Directorate.
5. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

pp_____

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Ref.: 16/3/3/1/D2/45/0020/23

Copied to:

George Municipality: Mr. André Scheepers

Cape EAPrac: (1) Candidate EAP: Mr. Francois Byleveld

(2) EAP: Ms. Louise-Mari van Zyl

Email: andscheepers@george.gov.za

Email: francois@cape-eaprac.co.za

Email: louise@cape-eaprac.co.za