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Environmental & Heritage Management

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Enviro Works

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Attention: Ms Megan Smith

Via e-mail: megan@enviroworks.co.za

5 March 2021

Dear Megan

COMMENTS ON THE MAINTENANCE MANAGEMENT PLAN FOR THE PROPOSED RESTORATION AND MAINTENANCE OF THE BLUE STONE QUARRY WALL, ROBBEN ISLAND (Feb 2021)

The City acknowledges that the Blue Stone Quarry Wall is an element associated with the Blue Stone Quarry where prisoners were forced to quarry rocks. This quarry is an element of heritage significance on a World Heritage Site that holds outstanding universal value for the world regarding resilience and triumph of the human spirit over adversity. The site is also a breeding site for thousands of seabirds on an important bird area, where globally, coastal island habitat is under threat from human impacts. Hence a careful balance will need to be struck between protecting a heritage resource (the blue stone quarry) by reconstructing the former blue stone quarry seawall which protects the quarry from wave action, while minimising impacts on the birdlife breeding area in and around the blue stone quarry site.

1. Introduction & Background

- 1.1 Site inspection needed: The MMP document was circulated to various Branches for comment. However, without a site inspection officials were unable to provide informed and up to date comment. A site-inspection is required for us to fully comprehend the scope of activities that are proposed and to inform impact assessment of this development proposal on the current receiving environment and

context, within an international Important Bird Area with declining breeding pair numbers across various species. Photos provided were not sufficient to provide a substitute for a site inspection. The City wishes to assess the potential impacts on the water quality, tidal bird breeding areas, and the bird breeding areas further inland, likely to be affected by construction activity, construction camp, and vehicular access routes to the site, and also by the proposed temporary penguin barrier which appears to be well over 400m long around the construction site, relative to the area indicated in purple as the 'wall construction area' of 82m long. The City officials remain willing to attend a site inspection at your earliest convenience.

- 1.2 Previous Blue Stone Quarry Wall Reconstruction EIA process: The City of Cape Town previously provided comments on the (re)construction of the Blue Stone Quarry Wall in February 2015. While it was generally supportive of the reconstruction project, this was subject to numerous concerns relating to the need to protect international marine seabirds breeding in the area, from construction impacts and vehicle strikes. Many of these issues remain unaddressed / inadequately addressed in the MMP.
- 1.3 Drawings required: No drawings have yet been provided of the existing and proposed structure and receiving environment. Please provide dimensioned plans, elevations, sections, and 1:50 drawings of the proposed wall within the existing topography. Without detailed drawings / descriptions, it is not possible to assess the impacts of the proposed blue stone quarry wall reconstruction. It is necessary to see the state of the wall currently, the colonisation of the area by the seabirds, and to understand the quality of the water in the quarry and the relationship to the tides, and the need for reinstating the dyke. These comments are made in the absence of drawings. The remnants of the old blue stone quarry wall are not dimensioned on the photos, to clearly show how much is left, and to what height the wall exists and the height of the proposed wall. Please include on the drawings the extent of the remnants of the old blue stone quarry wall. This will also be important for the heritage interpretive signage for the area distinguishing the original from the reconstructed portions.
- 1.4 The Appendices referred to in the Maintenance Management Plan were not available for reference. These comments are made in the absence of the Appendices and will be required in the next round of comments.

2. Lapsed Environmental Authorisation, purpose of an MMP, activities and impacts

2.1 The Environmental Authorisation of May 2015, Reg14/12/16/3/3/1/747, which granted authorisation for the 'construction of the Blue Stone Quarry Wall over a single six-month period,' has lapsed, as the construction activities did not commence within a period of three years from the date of issue of that authorisation. For this reason, a new application for environmental authorisation may need to be made to assess the impacts of the proposed construction activities and proposed structures in the current context.

2.2 Opportunity to reassess environmental and heritage impacts:

2.2.1 Revised construction method and materials: The lapsed environmental authorisation of 2015 has provided an opportunity to reassess the construction methods and materials and this has already proved fruitful with a reversion to the original construction method of dry-packed locally sourced rocks, pebbles, seashells and sand, rather than the concrete construction method previously authorised, which involved gabions and anchors into bedrock, which did not resemble the original method of low-impact construction of a 'temporary' structure.

2.2.2 Up to date impact assessment and mitigation for breeding areas in Important Bird Area (IBA): Given the knowledge of the impacts on international marine bird breeding pairs and the disappearance of certain species from the island in recent years, the impacts on their breeding areas, and impacts on the water quality of erecting a dyke to hold back the sea water, impacts of enabling vehicular traffic through a breeding area, and the impacts of potentially creating a new tourist destination accessible via a road that traverses thousands of ground roosting seabirds, need to be properly assessed in an up to date impact assessment process. Proposed mitigation measures should adequately address these impacts, such as providing ramps up the wall on both sides to enable penguin access to and from the quarry site, providing mitigation by providing bird monitors to these areas when vehicles are passing through, to chase birds off the roads to prevent road kills. The construction impacts should be reassessed in light of the site's role as an Important Bird Area, and the rapid decline in penguin breeding pairs from 8000 in 2004 to only 1600 in later years and the disappearance of other internationally significant seabird species from the island.

In 2013, Robben Island was deemed to be under 'high' threat (pressure), and in terms of condition (state) was regarded as 'very unfavourable'. (BirdLife International (2021)

Important Bird Areas factsheet: Robben Island. Downloaded from <http://www.birdlife.org> on 04/03/2021). Hence, it may be possible that the condition of the island is no longer favourable in 2021 for further construction impacts on breeding seabirds.

2.3 No drawings / description of stone wall: There is no clear description of the proposed blue stone quarry wall structure in the MMP report. In the previous scope of activities this wall was described as having 'piles of rocks on the seaward side at a 1:4 gradient slope' (which could provide a ramp for penguins to mount it, but does not address how they would mount the wall on their return to the sea).

2.4 Activities authorised in 2015: When considering the scope of activities proposed and the scope of activities previously authorised, it is evident that the proposed construction activities differ from the construction activities previously authorised in the Environmental Authorisation Reg14/12/16/3/3/1/747. (See below figure 1). This is welcomed, as a more authentic and temporary structure is now proposed to be constructed in line with the original nature of the seawall.

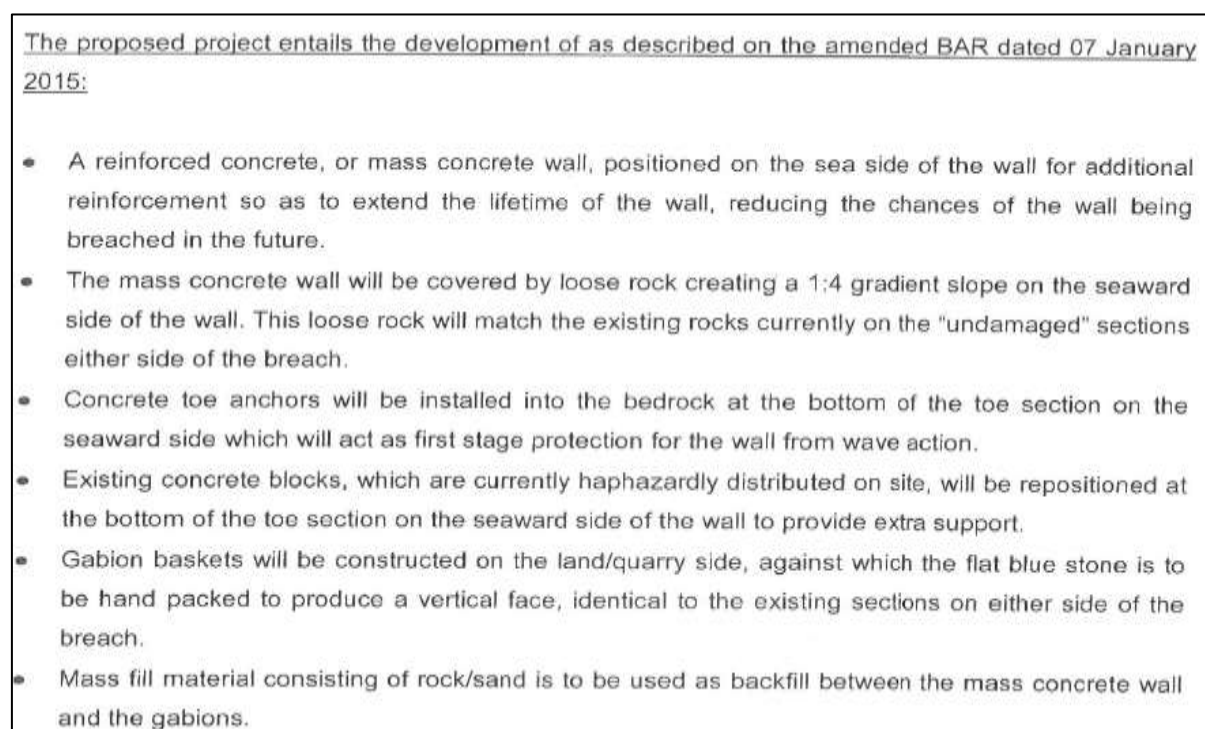


Figure 1: Activities proposed in Environmental Authorisation Reg14/12/16/3/3/1/747

2.5 Further authorisation required: Despite being preferable to what was authorised in 2015, this scope of work is not in line with the conditions contained in the environmental authorisation. The 'scope of authorisation' stipulated that the 'authorisation of the

activity was subject to the conditions contained in the authorisation, which formed part of the environmental authorisation, and which were binding on the holder of the authorisation'. Therefore, any changes to, or deviations from, the project description set out in the authorisation, would appear to require further authorisation in terms of the regulations, if the Department deems it necessary.

2.6 Listed NEMA EIA activities: The proposed repairing of the quarry revetment ring walls, reconstruction/restoration of the experimental 5m long wall on the northern end of the breached section of the wall and the construction of a temporary green or orange "penguin proof" fence around the perimeter of the quarry during restoration activities may also potentially trigger **Listing 1 Notice 1, Activity 17:**

Development -(i) in the sea;(ii) in an estuary; (iii) within the littoral active zone; (iv) in front of a development setback; or (v) if no development setback exists, within a distance of 100 metres in land of the high-water mark of the sea or an estuary, whichever is greater; in respect of – a) fixed or floating jetties and slipways b) tidal pools; c) embankments; d) rock revetments or stabilising structures including stabilising walls; e) infrastructure with a development footprint of 50 square metres or more - but excluding – aa. the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour; bb. where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; cc. the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where coral or indigenous vegetation will not be cleared; or dd. where such development occurs within an urban area.

2.7 Purpose and scope of an MMP: The purpose of an MMP has been outlined in the NEMA (107 of 1998) Guidelines for an MMP as, 'To maintain both man-made and ecological infrastructure in a manner that either improves the current state of, and/or reduces the negative impacts on a watercourse to ensure that ecosystems services are preserved/improved and to prevent further deterioration of the watercourse.' Activities such as the reconstruction of the blue stone quarry wall, the construction of a temporary green or orange "penguin proof" fence around the perimeter of the quarry during restoration activities to prevent penguins from entering the restoration site, or the erection of temporary wooden boardwalks for the movement of the personnel and wheelbarrows, the removals of rocks, from the old stockpile, to be used for the dry packing (and reinstatement of the wall) as stipulated page 13, are not the type of activities that fall within the general ambit of activities that could be covered

by an MMP, but are rather activities that trigger a basic assessment report which could assess the proposed impacts of these activities on the receiving coastal environment's flora and fauna.

3. Maintenance Vs Construction: Scope of Activities Proposed, Definitions

- 3.1 Wall reconstruction is not maintenance: The report outlines that the scope of activities proposed includes; "reinstating the breached section of the BSQ wall (approximately 77 m long); repairing damaged sections of the walls that are currently standing, repairing the Quarry revetment ring walls and repairing any future damages within the next five years to walls and associated infrastructure". When considering the above definitions of maintenance and construction and the scope of work to be done, it is evident that the proposed activities are not restoration/maintenance activities, but construction / reconstruction activities.
- 3.2 Distinction between the definitions of construction and maintenance: According to the National Environmental Management Act (107 of 1998), *construction" means the building, erection or expansion of a facility, structure or infrastructure that is necessary for the undertaking of an activity, but excludes any modification, alteration or upgrading of such facility, structure or infrastructure that does not result in a change to the nature of the activity being undertaken or an increase in the production, storage or transportation capacity of that facility, structure or infrastructure. Maintenance" means actions performed to keep a structure or system functioning or in service on the same location, capacity and footprint.*
- 3.3 Page 17/49 of the report states that, "Although the proposed works are not considered construction, but rather restoration or maintenance, ..." Please look up the definitions of these words and it will be evident that reconstructing a wall from a heap of stones does not constitute restoration or maintenance. The activity proposed, to re-establish the dyke removed by the sea, is 'construction'.
- 3.4 The work is not restoration, but construction: Restoration / maintenance cannot include reinstating the breached section of the BSQ wall (77m long) when it is merely a pile of rocks currently – this is construction. When considering the scope of work proposed, it is evident that the nature of work proposed is not in line with the scope of work intended as 'restoration' / 'maintenance' but is more accurately a construction activity to re-establish a dyke to hold back the waters of the sea. The blue stone quarry

walls no longer exists in shape or form apart from a weathered heap of stones washed into a pile over many years of wave action. A 77m long pile of stones exists where once a wall existed. If the wall still existed, without a 77m long gap, then such a plan could be seen in a different context, and the work could be referred to as 'restoration'. The photographs indicate no wall in existence at this stage, which could be the subject of the 'maintenance management plan.' Currently, the breached section of the wall is about 77m long (p13/49). This means that the wall is currently not existing for the most part. This crucial aspect of construction vs maintenance affects and informs the level of assessment required.

4. Materials

- 4.1 Local materials only: It is noted that all the material for the wall was locally sourced, and no cement was used in its construction. Materials included sand, sea shells and beach pebbles. The previous construction was able to decompose over time, returning to nature, which is an environmentally sustainable approach to holding back the waters of the sea for the duration of the quarrying operation, and allowing them to return, thereafter, post quarrying activities. P14/49 indicates that 'new material will be added to strengthen the wall. No concrete or heavy machinery will be used as part of the reinstatement.'
- 4.2 Re-use of materials is preferable: Please explain what is meant by this statement: "*Suitable debris from the collapsed wall will be recycled while new material such as tie stones or large barrier stones will be added to strengthen the wall.*" The EAP should further clarify whether suitable debris from the collapsed wall should not rather be 're-used' rather than recycled, i.e. re-used in rebuilding the wall rather than crushed into stone chips, or recycled into some other form / nature.
- 4.3 Source of new materials: Please indicate where the large tie stones or barrier stones will come from and whether further quarrying will occur. If these rocks were not previously part of the wall, this is a 'new' construction with a new construction method of using large tie stones. It is also not restoration of an existing wall because the wall no longer exists. It is a reconstruction.
- 4.4 In terms of the materials to be use for the proposed activities, the new materials (tie stones and barrier stones) need to be specified (form, source). The old wall was able

to degenerate over time, while it states the 'reinstatement of the wall ... will ensure the future protection of the quarry" and that this is a 'like for like' reinstatement of the breached section of the wall. 'Like for like' would be a form that would break down over time and allow the sea waters to enter the area they have historically flushed for millions of years, rather than being artificially held back by a dyke.

5. City of Cape Town Coastal Management Programme, 2015

- 5.1 The City's coastline is a unique, dynamic and diverse space, forming a nexus of socioeconomic and environmental interactions. Complex interaction exists between the various elements defining the coastal environment. For this reason, the development and management of ecological buffering to improve and or restore functioning should take cognisance of the characteristics of the receiving environment to enhance the feasibility of the development proposal in relation to the characteristics of the receiving environment.
- 5.2 The City of Cape Town's Coastal Management Programme, 2015, in line with the National Environmental Management: Integrated Coastal Management Act, Act 24 of 2008 (ICM Act), requires that the causes and effects of coastal features must always be considered when dealing with works which affect littoral movement. This report does not adequately address how the proposed wall structure and construction activities will impact on the coastal and marine environment, tidal action and water quality.

6. Map of the proposed Activity' (Section 2, p10/49).

- 6.1 With reference to the "map of the proposed Activity' (Section 2, p10/49), the Sensitive areas map must be in greater detail at 1:1000 scale minimum. The map provided is vague and unhelpful. It does not provide information as to where the sensitive areas are located and if they are avoided or not relative to the construction camp and access routes.



- 6.2 One cannot clearly see the edges of the sensitive bird breeding sites or any demarcation of these areas.
- 6.3 The acronym, 'BSP' protected area, on the legend, must be spelled out in full on the legend of the map for clarity. It is not clear what BSP means.

7. Site Layout Map: No go zones: pg17/49:

7.1 It appears from the maps that the no-go zones include the access roads, including the major circular route around the island. This is welcomed and should perhaps be more extensive in order to protect bird breeding areas.



7.2 Vehicle access routes and impacts: The Construction Camp and Construction site are accessed from both sides by an access road. This must be changed to confine the access route to enter the construction site from the north only, and to exit the construction site to the north only. Allowing construction vehicles the liberty to drive through the entire length of the breeding site would be ill advised, and would spread the adverse impacts on the breeding colony too widely. The access road runs parallel to the coast, between the shore and the immediate coastal area and the breeding areas extending further inland of the coast, and the access road is continually crossed by birds walking in both directions either to or from the coast. The breeding site to the south of the construction site must be designated a no-go area so that there is a safe hazard-free area available for breeding pairs and chicks particularly when construction vehicles render the northern extent of the breeding area too disturbed.

7.3 The impacts of construction vehicles need further attention in the MMP. Methods to ensure reduced speed (maximum 30km / hr) with right of way for birds, penguins, tortoises and other animals, measures such as speed humps, speedometer monitors being fitted on all construction vehicles, and teams of bird monitors to ensure bird safety and to warn approaching vehicles of birds in the road need to be put in place during the construction process.

7.4 Please include clear dimensions for the Construction Camp. It is not clear why the scale of the construction camp needs to be so large. Note for scale the purple is the

Blue Stone Quarry Wall (82m long). Why would an area exceeding 100m in length and width be needed for a Construction Camp, i.e. over a rugby / football field size as a Construction Camp? (100 x 100 = 10 000m² = 1Ha). This is excessive to need and purpose, and must be reduced by at least 75% - 80% in size, being mindful that this area is used by birds, and any damage due to laydown areas for materials, and vehicular access, causing compaction of the ground (damaging the natural grasses growing in the area) will need to be rehabilitated afterwards to ensure the habitat remains functional, given that this is an international bird important area.

8. The Site Layout Map

- 8.1 The Site Layout Map is unclear. Please provide a legible map of better quality and resolution. Please ensure the Heritage elements, numbered 1-7 are identified clearly so that the ECO will know what to protect on site. This will enable the map to be more useful in protecting heritage elements.
- 8.2 Please also provide a close-up / finer scale map of the blue stone quarry wall and quarry area.
- 8.3 The rock stockpile area is excessively large. Please indicate if this is the existing historic rock stockpile area as part of a heritage element, or if this is a new stockpile area for building the wall, or both. If there is a new rock stockpile area, please ensure that this area is reduced in size as the compaction of the soil resulting from this stockpile could have negative consequences for the grasses and habitat for the marine birdlife. It appears it may be the historic rock pile in which snakes and lizards are living.
- 8.4 Mapping the breeding areas as no-go areas: The breeding season and the breeding areas are not articulated in the document, as to when the relevant breeding seasons of the various species occur, where these are located, and when construction activities may occur in which areas. Please provide a map indicating the location of the different species and when they breed, and when certain areas will be available for construction activities.

9. "Section 5: Summary of the main impacts identified during maintenance" – Ecology:

Fauna: p18/49

- 9.1 These are not maintenance activity impacts, but are actually construction impacts of erecting a new wall in the place where there is no wall left today, and creating a new 82m long barrier within a tidal zone. The wall was long ago removed by the wave action of the sea, and the area returned to its former use for penguin breeding.

10. Unsustainable / undesirable erection of the Blue Stone Quarry Wall for international seabirds breeding site

- 10.1 The erection the blue stone quarry wall (82m in length) appears to be an unsustainable exercise in the long term. Given the location of the blue stone quarry wall in a tidal zone, below the high water mark of the sea, further wave action will over the long term repeatedly batter the wall and there will be an ongoing need to repair the wall, if one is wishing to hold back the sea from its natural tidal extent. Consideration of the alternative of allowing the seawaters to flood the quarry area, and allowing this tidal pool to be refreshed by the tidal waters of the sea, providing valuable fairly sheltered coastal habitat to marine birdlife should also be considered as a viable and meaningful option in the context of declining seabird numbers.

11. Interpretive signage

- 11.1 Interpretive signage could denote the location and remnants of the old blue stone quarry wall, without having to artificially maintain an unnatural tidal structure indefinitely, which also has adverse impacts on the natural ingress of seawater to this area.

12. The impacts of the wall in creating a barrier / obstruction to a penguin breeding site

- 12.1 The impacts of the wall in creating a barrier / obstruction to a penguin breeding site do not seem to have been fully assessed or catered for in terms of mitigation measures. The site has been a breeding area for penguins historically, and they should preferably not be obstructed in this manner by the creation of the wall without creating ramps up both sides of the wall at various points, to facilitate their access over the sea wall. This will be an important intervention to help reduce the impacts on the penguins and their chicks.
- 12.2 The attitude expressed in the document that the penguins will cope and find a way to deal with this extensive 82m long barrier wall / dyke to their tidal breeding site, and will cope with a 240m long penguin barrier, is not substantiated with avifaunal information and research, and does not constructively or creatively engage with the penguins' immediate access requirements in terms of current desire lines to and from the coast.

13. The impacts on tidal action to the penguin breeding site, and other construction impacts:

- 13.1 The impacts on tidal action to the penguin breeding site is also not addressed because the impact is viewed as a maintenance impact of an 'existing structure' when

actually, a new structure is to be erected that may block occasional tidal flows to the breeding site and adversely affect water quality and occasional tidal flushing of the pool.

- 13.2 Of concern is that the reconstruction project will occur in the midst of a highly sensitive seabird breeding site where a water-body currently functioning as a nursery for young birds could become contaminated / overrun with construction activities and where construction vehicles will traverse a highly sensitive, spatially-extensive, international seabird breeding site (including African penguins, Caspian terns, Swift terns and Kelp gulls). If the Construction EMP is modified and implemented appropriately, it may be possible that these direct construction impacts could be sufficiently mitigated / controlled in the water-body area if a buffer zone around the water body is maintained during reconstruction works and vehicles are adequately managed.

It is, however, unlikely that bird movement will be able to be confined to within the fenced areas alone as the birds continually move across the existing road in all directions, or that the road will be kept free of birds. Strikes by construction vehicles driving on the road through the bird breeding is likely, as the site extends over several square kilometres.

- 13.3 The impacts on Caspian terns is stated as high negative, as is the disturbance to the Swift Terns' breeding site. Vehicle strikes on kelp gulls were evident at the last visit to the site in 2015. The impacts are not fully described nor mitigation measures provided. There is no avifaunal study or detailed information about the impacts on water quality or obstructing access.

- 13.4 The position adopted that snakes and lizards will die with moving rocks in the stockpile area indicates no adaptation to trying move them or work with them without causing injury as far as possible. There is no mention of having a snake handler on site to remove snakes or lizards as they are encountered.

14. Mitigation Measures

- 14.1 Mitigation measures are an essential component of an environmental impact assessment, and of a so-called Maintenance Management Plan which should aim to minimise impacts on the receiving environment, its water, soils, air, and flora and

fauna, particularly when located within an international Important Bird Area for marine avifauna.

- 14.2 This report indicates no inputs from an avifaunal specialist for mitigation measures, merely the description of impacts on birds, snakes and lizards, and the likely long-term impacts, such as the birds not returning to the island to breed, and finding other breeding sites. This shows no indication of attempts to mitigate impacts.
- 14.3 The omission of mitigation measures must be addressed, as it renders the impacts of the construction of the wall much greater than necessary.
- 14.4 It will be essential to have an avifaunal / bird specialist present on site for the erection of penguin barriers and establishing suitable alternative sites / routes to breeding areas.
- 14.5 Time of construction activities – this should be specified outside the breeding season, once the chicks are able to fly (with the exception of the penguins). The previous authorisation confined construction activities to a 6month period only, outside the breeding season. Something similar should be investigated (if rebuilding the wall is considered desirable).

15. Section 7: Environmental Awareness Plan

- 15.1 This should include more sensitivity to this bird environment, eg. care for the birds, the soil, the plants, etc. Smoking cigarettes should not be allowed in this environment as cigarette butts pollute the environment (including the soil) and could be swallowed by the numerous birds in this area. Best to prevent smoking on site, other than in clearly designated areas (if necessary).
- 15.2 Drive slowly through areas inhabited by birds.
- 15.3 Stop if you see a bird on the road – do not proceed until the bird has moved / been moved from the road.
- 15.4 Provide a snake handler and bird handler contact number, who is present on site at all times for assistance to construction workers.



- 15.5 All equipment with fuel is to be parked on bunded areas, or to have drip trays provided beneath them, so that no fuel can spill onto the ground.
- 15.6 Do not allow waste, litter, oils or foreign materials into any storm water channels, or drains or watercourses or the sea, or on the ground, the rocks, any tidal area or waterbody.

16. Section 8: Impacts and Mitigation Measures (p27/49)

- 16.1 This report denies that there are preconstruction or construction activities that will take place. The misnomer of referring to the construction of an 82m / 77m long wall as restoration and maintenance activities and considering these as 'maintenance and operational activities' is inappropriate, and not supported by the common building industry use of the terms construction / restoration / maintenance.
- 16.2 Hence, 8.1 should read, "mitigation measures for environmental impacts associated with proposed construction ~~maintenance~~ activities."

17. Building plan submission prior to construction

- 17.1 **A Site Layout Master Plan** will be useful but will not substitute for a building plan for this structure.
- 17.2 Pg29/49 on Waste separation: onsite waste management and segregation. Amend to waste separation.

18. P31/49: 8.1:1.3: Mitigation / Management Measures:

- 18.1 It is not clear why concrete is being referred to in the MMP, when it is expressly not going to be used in the construction of the dyke / seawall, because the original structure (now a pile of stones) did not have concrete in it, and used only the natural materials found on site. See excerpt below:
- **Mitigation/Management Measures:**
 - *Concrete, if required, must be mixed on mixing trays only and not on exposed soil.*
 - *b. Concrete must be mixed only in areas which have been specially demarcated for this purpose (preferable where no natural vegetation occurs).*
 - *c. Concrete mixing to be carried out away from sensitive areas and on impermeable surfaces.*

18.2 The time frame outside the breeding season for the birds should be clearly identified in the report, rather than referring the reader to an Appendix which is not included in the document. It is one of the most critical aspects. "Restoration activities should be completed over a six-month period as identified by the avifaunal impact assessment (please see Appendix A)." Rather state when this 6month period commences and ends.

18.3 No mitigation measures have been identified for addressing water quality issues due to the creation of the seawall / dyke. This omission must be rectified before proceeding as it could result in the tidal pool being over saline, and contaminated, in the absence of regular tidal flushing.

As penguins are breeding in this area and their numbers are in decline, their breeding area could be adversely affected by this dyke construction. It is already documented that several bird species have ceased breeding on the island due to human-induced disturbance and activity. Vehicular traffic on Robben Island is known to disturb and kill penguins. Even if only a few are killed annually, the low adult penguin survival rate makes it essential to address every threat affecting the species. Potential mitigation measures such as speed bumps should be investigated, and preventing access south could be instituted.

18.4 Please specify the location of the wastewater treatment facility on the island, into which the various material may be disposed as per the statement below:

"Wastewater that is contaminated with soaps, detergents, grease, oils, and other undesirable materials shall be collected in conservancy tanks and disposed of safely into a wastewater treatment facility". Include the facility on a Map so that contractors know where to find it. "

18.5 Pg32/49: Given that no cement is to be used, please frame this condition to state that 'no cement is to be used in the tidal pool or in the construction of the dyke / seawall', given that it is not an original material and out of keeping with the temporary nature of the wall, which was originally designed to degenerate over time, being a dry-packed wall.

"All cement wastewater, if generated, shall be collected in a container, and allowed to evaporate. Under no circumstances shall it be allowed to enter soil, surface, or groundwater resources, including storm water."

There should be no generation of cement waste water if it is not a permitted material on site.

- 18.6 P33/49: Smoking may only occur within a 3m radius of designated areas." Please add the word 'smoking' before areas to read 'designated smoking areas." Given that cigarette butts are toxic to birds and may be swallowed by them, smoking should be discouraged completely within the bird breeding areas.
- 18.7 Pg36/49: Should read "waste disposal skips" should be kept on site – rather than waste disposal 'slips'.
- 18.8 As there will be no heavy machinery to be used on site according to the MMP, why is so much reference made to machinery that could drip oil?

19. Ecology

- 19.1 Under section 1.10: Ecology, pg37/49: Please include the contact numbers of the SANCOBB representative and Seabird ranger, not only the Robben Island contact person Mr Andile Mdludli, unless these are one and the same person. Please confirm.
- 19.2 These points below should rather include the appointment of a bird specialist / veterinarian on site during construction periods at all times to deal with any bird incidents – a phone number is not sufficient in an emergency.
- "Ensure appropriately trained individual deals with all bird incidents.
 - A list of emergency numbers for bird related incidents should be kept on site at all times. "
- 19.3 Consider appointing people with flags, as we have on our roads during construction operations, to say when the road is clear for vehicles to drive through, and when its full of penguins, kelp gulls, or chicks. Have people to clear the road of birds and chicks ahead of the vehicles as necessary.

20. Section 11: Rehabilitation Measures- Pg48/49

- 20.1 Please indicate on the Site Management Layout plan the location of these activities:

Key aspects within this process include the:

- Removal of structures and infrastructure;
- Handling of inert waste and rubble;
- Handling of hazardous waste and pollution control;
- Final shaping of the terrain;
- Topsoil replacement and soil amelioration;
- Ripping and scarifying of surfaces;

- Planting of indigenous occurring vegetation (if deemed necessary); and
- Maintenance.

20.2 Please confirm if there are areas from where topsoil would have been stripped for this construction process and where topsoil would be replaced.

21.2 The use of foreign material, such as concrete, rubble, woody debris and/or dry land based soil, is strictly prohibited from being used in maintenance actions, unless for the specific purposes of repairing existing infrastructure, coupled with appropriate mitigation measures.

21. Appendix A:

21.1 The report refers to 'Appendix A' e.g., Restoration activities should be completed over a 6month period. However, it doesn't say when, relative to the breeding seasons for the birds, or when the period has been identified by the avifaunal specialist. This is one of the most important aspects for the contractor and is not available in the document. Alternative Construction Options Assessment, 2015 – these alternative construction options are not included. Please indicate where Appendix A is on the report.

21.2 Adopting or defining the MMP does not absolve the proponent from complying with any applicable legislation or the general "duty of care" set out in Section 28(1) of the NEMA. The applicant is reminded to take into account Section 28 of the National Environmental Management Act (No.108 of 1998) to undertake reasonable measures to avoid causing significant pollution or degradation from occurring, continuing or recurring or in so far as harm the environment is authorised by law or cannot be reasonably avoided, stopped or minimised.

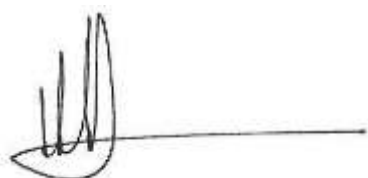
22. I&APs: It is recommended that Birdlife SA who are linked to other international seabird conservation bodies and initiatives, be invited to comment on this Maintenance Management Plan, to determine if the proposed mitigation measures contained in the MMP are regarded as adequate to ensure the conservation of the birds and the bird breeding habitat. It is possible that other international bird associations may also have an interest in the mitigation measures proposed for the construction activities in the bird breeding site and be able to add additional mitigation measures gleaned from international precedent. CapeNature may also wish to comment if they have not already had opportunity.

Concluding Remarks

While the City supports the conservation of heritage elements on Robben Island World Heritage Site, the City is of the opinion that the environmental authorisation granted in 2015 for the re-instatement of the Blue Stone Quarry Wall has since lapsed, as the authorised activities did not commence within a period of three years from the date of issue of that authorisation. Hence, it is unclear why a basic assessment process has not been undertaken to fully assess the impacts of reconstructing the seawall on the coastal environment and important bird area in the current context of increased pressures on international seabird populations and island ecology.

The City is of the opinion that this report has failed to fully engage in the assessment of impacts relating to the proposed construction activities, due to following a Maintenance and Management Plan submission procedure, which is seemingly not applicable to this construction case. A site inspection is required to fully comprehend the scope of works and construction impacts, and to assess the project merits against environmental and heritage considerations.

The City has concerns regarding the proposed restoration and maintenance of the Blue Stone Quarry Wall, Robben Island, which need to be addressed as outlined in the comments above.

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D. Georgeades

Manager

Environmental & Heritage Management Branch