



DEPARTMENTAL REFERENCES:

16/3/3/6/4/1/A7/21/3029/21 (Development Management)

19/2/5/3/A7/21/WL0008/21 (Waste Management)

19/3/2/4/A7/21/DDF005/21 (Pollution and Chemicals Management)

ENQUIRIES:

Ms Naadiya Wookey (Directorate: Development Management (Region 1))

Ms Shehaam Brinkhuis (Directorate: Pollution and Chemicals Management)

Mr Muneeb Baderoon (Directorate: Waste Management)

DATE: 24 June 2021

The Board of Directors

King's Landing Trading 507 (Pty) Ltd t/a Enviroworks

Suite 1064

Private Bag X2

CENTURY CITY

7446

For attention: Ms Megan Smith

Tel.: (021) 527 7084

E-mail: meagan.smith@enviroworks.co.za

PER E-MAIL

Dear Madam

COMMENTS ON THE REVISED MAINTENANCE MANAGEMENT PLAN FOR THE PROPOSED RESTORATION AND MAINTENANCE OF THE BLUE STONE QUARRY WALL AT ROBBEN ISLAND (DFFE REF: 14/12/16/3/1/1/162/MP1)

1. The Draft Maintenance Management Plan ("MMP") dated January 2021, the Department's comments thereto dated 01 March 2021, the e-mail received from the environmental assessment practitioner ("EAP") on 24 May 2021 providing a Comments and Response Report ("C&RR"), the Department's acknowledgement of receipt of the C&RR and comments thereto sent via e-mail on 26 May 2021, and the subsequent response from the EAP received on 26 May 2021 which included a Revised MMP that was also available for download from the website of the EAP, refer.
2. The Department acknowledges that the Department's comments on the Draft MMP dated January 2021 have been adequately responded to in the C&RR received on 24 May 2021, and where applicable, these comments have been incorporated in the Revised MMP dated May 2021.

3. It is noted that the batching plant and site/construction camp have been excluded from the MMP and that no indigenous vegetation will be cleared for the proposed restoration and maintenance activities.
4. The Department is further pleased to note that the environmental control officer will undertake bi-monthly site visits during phases when restoration activities and maintenance activities occur.
5. It appears that the Revised MMP is only for the proposed restoration and maintenance of the Blue Stone Quarry Wall ("BSQW") within the next five years whereas the Draft MMP was for the restoration and maintenance of the BSQW and the reinstatement of the limestone pathway along the top of the BSQW. Please confirm that the reinstatement of the limestone pathway has been excluded from the scope of work for the revised MMP?
6. It is further noted that an updated Avifaunal Impact Assessment Report was compiled by The Biodiversity & Development Institute dated May 2021. The Avifaunal Impact Assessment Report and the Implementation Plan compiled by Archaeological and Heritage Services Africa (Pty) Ltd (Revised September 2020) recommended that restoration activities should commence mid-winter 2021 and continue uninterrupted up to a year. It was further recommended that restoration activities should take place between 09h00 and 17h00 each day to ensure that the movement of penguins are avoided. The Avifaunal Impact Assessment Report stated that *"Overall, the risks to the two endangered species (African Penguin and Cape Cormorant) posed by this project are medium to high, so it will be imperative that all the mitigation measures and recommendations listed above be put in place and are strictly adhered to keep impacts to a minimum."* Considering that the commenting period on the Revised MMP ends on 24 June 2021 and the Final MMP must still be submitted to the competent authority for adoption, how will the recommendations of the specialists be influenced should restoration and maintenance activities only commence in late spring or early summer 2021, or would the restoration and maintenance activities be shifted to the winter of 2022? Comments from the avifaunal and archaeological/ heritage specialists must be obtained regarding the rescheduling of restoration and maintenance activities and how it would impact the African Penguin and Cape Cormorant.
7. It is again reiterated that both aspect 1.12 of the table in section 9.1 of the Revised MMP and the Emergency Response Plan relating to spillage of diesel or hazardous substances should include the stipulation of adherence to section 30 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") pertaining to the control of incidents. In the event of a significant spill or leak of hazardous substances used during the proposed activities, such an incident(s) must also be reported to the Directorate: Pollution and Chemicals Management in accordance with section 30 of the NEMA, 1998.
8. Please note that the Environmental Impact Assessment ("EIA") Regulations should be referenced as the NEMA EIA Regulations, 2014 (as amended).

9. The applicant is reminded of its "*general duty of care towards the environment*" as prescribed in section 28 of the NEMA, 1998 which states that "*Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.*"
10. Please direct any enquiry via e-mail to Ms Adri La Meyer, who will forward your enquiry to the relevant official for a response.
11. The Department reserves the right to revise or withdraw its comments and request further information based on new information received.

Yours faithfully

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