

## **Appendix E3: Comments and Responses Report**



Project Reference: 755.23023.00008

## NEW KATHU CEMETERY COMMENTS AND RESPONSE REPORT

ISSUE RAISED	BY WHOM AND WHEN	RESPONSE GIVEN
<b>Blasting and Vibration</b>		
The Gamagara Municipality raised concern regarding vibrations that can be felt on site when the mine uses explosives and vibrations may damage tombstones.	Gamagara Local Municipality	A blasting and vibration study was conducted to determine if blasting and vibrations from nearby mines will have an impact on the New Kathu Cemetery. The study indicated that the operating mines are located far away from the proposed New Kathu Cemetery site. The impact of the ongoing mining will be minimal. Ground vibration, airblast, flyrock, fumes and dust will have an insignificant impact at the proposed new cemetery location. Thus, there is no reason why the cemetery should not be located at the proposed location (Kohler, 2017). The study is included in Appendix J3 of the Basic Assessment Report.
<b>Roads and Traffic</b>		
If the proposed cemetery is situated within a 500m radius of an intersection or within 60m from the N14, you need to provide SANRAL with an application for approval.	South African National Roads Agency Limited: Rene de Kock 01 March 2017	Thank you for the application form. Depending on the outcome of the designs, the necessary approvals will be applied for.
When a proposed development has an access directly off the N14, the owner needs to apply to SANRAL as the custodian of the national road, for access permission. It takes the form of an encroachment, hence the request to complete on such application for your proposed development.	South African National Roads Agency Limited: Nicole Abrahams 01 February 2017	

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<b>Biodiversity</b>		
<ul style="list-style-type: none"> <li>There are scattered Acacia (<i>Vachellia</i>) <i>erioloba</i> and Acacia (<i>Vachellia</i>) <i>haematoxylon</i> trees present on site, some of them are quite large, but most are small or medium-sized. The site is deemed suitable from the Department of Agriculture Forestry and Fisheries point of view, because it will not impact on the Kathu Forest.</li> <li>This site is deemed suitable for a cemetery from DAFF's point of view. If individual protected trees must be removed, a licence can be applied for and granted.</li> </ul>	Department of Agriculture Forestry and Fisheries: Jacoline Mans; 29 September 2016 (pre-application site visit)	Application will be made for the removal of protected trees, as required. The layout of the New Kathu Cemetery has taken the location of protected trees into account, to maximise retention of protected trees.
<ul style="list-style-type: none"> <li>The Department visited the proposed cemetery site on the remaining extent of the farm Lyleveld 545, Kathu, in September 2016. The inspection confirmed the presence of protected trees on site, but also that the site is partially disturbed and located away from the Protected Woodland i.e. the Kathu Forest. The Department does not have any objection against the proposed site <i>per se</i>.</li> <li>A positive environmental authorisation does not exempt the developer (Gamagara Local Municipality) from complying with the National Forest Act (NFA; No. 84 of 1998) and the Northern Cape Nature Conservation Act (NCNCA; No. 9 of 2009). If protected trees must be felled or pruned for establishment of the new cemetery, the developer must obtain a valid NFA Licence prior to disturbance of such affected trees.</li> <li>Efforts must be made to minimise impacts on slow growing protected trees, especially larger trees. Infrastructure should be placed where it would have the least impacts on protected trees. In the parking area, large individual trees must be retained as far as possible; it can provide shade for cars.</li> </ul>	Department of Agriculture Forestry and Fisheries: Jacoline Mans; 23 November 2016	
<b>Heritage</b>		
<ul style="list-style-type: none"> <li>In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years, structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority. This means that before such sites are disturbed by development it is incumbent on the developer to ensure that a Heritage Impact Assessment (HIA) is done as per Section 38(8) of the NHRA. This must include the archaeological component (Phase 1) any other applicable heritage components. The HIA must be conducted as part of the Environmental Impact Assessment (EIA) phase of the Environmental Authorisation Application in terms of the National Environmental Management Act, No 107 of 1998 (NEMA) and the NEMA EIA Regulations 2014. The quickest process to follow for the archaeological component would be to contract a specialist (see <a href="http://www.asapa.org.za">www.asapa.org.za</a>) to provide a Phase 1 Archaeological Impact Assessment Report. The Phase 1 Impact Assessment Report will identify the archaeological</li> </ul>	South African Heritage Resources Agency: Natasha Higgitt; 12 December 2016.	The Basic Assessment and appendices (including the heritage impact assessment and the palaeontological impact assessment) have been uploaded to the SAHRIS site for review during the public participation period.

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<p>sites and assess their significance. It should also make recommendations (as indicated in section 38) about the process to be followed. For example, there may need to be a mitigation phase (Phase 2) where the specialist will collect or excavate material and date the site. At the end of the process the heritage authority may give permission for destruction of the sites. If the property is very small or disturbed and there is no significant site the specialist may choose to send a letter to the heritage authority to indicate that there is no necessity for any further assessment. It must be noted that the proposed development is located approximately 14 km from the Kathu Archaeological Site which is currently pending declaration as a National Heritage Site.</p> <ul style="list-style-type: none"> <li>• Where bedrock is to be affected, or where there are coastal sediments, or marine or river terraces and in potentially fossiliferous superficial deposits, a Palaeontological Desk Top study must be undertaken to assess whether or not the development will impact upon palaeontological resources - or at least a letter of exemption from a Palaeontologist is needed to indicate that this is unnecessary. If the area is deemed sensitive, a full Phase 1 Palaeontological Impact Assessment will be required and if necessary a Phase 2 rescue operation might be necessary (see <a href="http://www.palaeontologicalsociety.co.za">www.palaeontologicalsociety.co.za</a> for qualified palaeontologists).</li> <li>• Any other heritage resources that may be impacted such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or views must also be assessed.</li> <li>• Please note that all Environmental Reports (Scoping Report and EIA) with all appendices must be submitted to the SAHRIS Case file in order for an informed comment to be issued.</li> </ul>		
<p>Thank you for the update (<i>revised location notification</i>). Please ensure that the Basic Assessment report and all appendices are submitted to the SAHRIS Case file for review during the Public Participation phase of the project. Please inform me when this is completed, referencing the SAHRIS Case ID number.</p>	<p>South African Heritage Resources Agency: Natasha Higgitt; 23 February 2017</p>	<p>The Basic Assessment and appendices (including the heritage impact assessment and the palaeontological impact assessment) have been uploaded to the SAHRIS site for review during the public participation period. Notification of this was sent.</p>
<p><b>General</b></p>		
<p>We are the environmental consultants appointed for the Eskom Sekgame-Bulkop-Sishen Project and it seems like the planned cemetery and our preferred route alternative may impact on each other. Please refer to the attached route map as well as GE kml file.</p>	<p>Landscape Dynamics on behalf of Eskom; Susanna Nel; 22 November 2017</p>	<p>The location of the New Kathu Cemetery was revised to avoid the Eskom project servitude.</p>

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Could you please forward a kml file of the planned borders of the cemetery? We will then further liaise with Eskom to determine possible impact and mitigation and revert back to you.		
Eskom has confirmed that the power line will be moved to accommodate the position of the cemetery. You can therefore go ahead with your studies for the cemetery as per the position mentioned in yesterday's email.	Landscape Dynamics on behalf of Eskom; Susanna Nel; 13 December 2016	In line with discussions and a meeting held with Eskom, the final location of the New Kathu Cemetery is outside of the 52m servitude of the proposed Eskom powerline.
Thank you for forwarding me the information. Please see address in signature for a copy of the Basic Assessment as per our telephonic conversation.	Department of Environment and Nature Conservation: Samantha De la Fontaine 10 March 2017	The database was updated with the address details. See Appendix E5 for a copy of the IAP database
Communication received ( <i>notification letter</i> ) was forwarded to Eben Louw and Koos Jordaan by Nadia Goltz.	Transnet: Nadia Goltz; 23 November 2016	Nadia Goltz, Eben Louw and Koos Jordaan were registered on the project database.
This depot has no objection to this request.	Transnet: Correspondence received from Marina Lourens; 02 February 2017	These comments are noted. Marina Lourens, Gilbert Nortier, Norman Papenfus, Wentzel Radcliffe and Annelize Harmse were registered on the project database.
Your application 755.23023.00008 dated 17 November 2017 ( <i>original location of cemetery</i> ) refers. This office has no objection to the proposal. Transnet and its OD's are not affected. The nearest railway line lies $\pm$ 460m north west. Our reference: LS.BFX.25/5/24.	Correspondence received from Annelize Harmse 06 February 2017.	
Your application 755.23023.00008 dated 27 February 2017 ( <i>revised location of cemetery</i> ) refers. Transnet Freight Rail has no objection to this proposal and is not affected	Transnet: Correspondence received from Annelize Harmse; 28 February 2016	
Transnet Freight Rail Sishen-Saldanha IOL has no objection to this proposal and is not affected.	Transnet: Correspondence received from Annelize Harmse from Gilbert Nortier; 16 February 2017	
It seems that Transnet land (the Sishen – Saldanha Iron Ore line) will not be directly affected by this proposal. This office in principle has no objection to the proposed application. Our office's reference: SBS0266	Transnet: Correspondence received from Marina Lourens Johannes Hanekom, 28 February 2017	