

# APPENDIX E<sub>4</sub>

List of comments received

**proposed construction of the Ganspan WWTW and related bulk sewer infrastructure**

Our Ref:



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za  
South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
www.sahra.org.za

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: nhiggitt@sahra.org.za  
CaseID: 10936

Date: Wednesday May 17, 2017  
Page No: 1

### **Final Comment**

**In terms of Section 38(4) of the National Heritage Resources Act (Act 25 of 1999)**

Attention: Phokwane Local Municipality

Private Bag X3 Hartswater 8570

**The proposed project entails the construction of a WWTW and related infrastructure (including pipeline) at Ganspan, Northern Cape Province.**

MDA Town & Regional Planners, Environmental & Development Consultants was appointed by the Phokwane Local Municipality to conduct a Basic Assessment process for the proposed Ganspan WWTW and related bulk sewer infrastructure at Ganspan, Northern Cape Province. A Draft Basic Assessment Report (dBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the Environmental Impact Assessment (EIA) Regulations 2014. The proposed development will entail the construction of 3.155 km sewer pipeline, with a sewer pump station linked to a Waste Water Treatment Works (WWTW) covering 4 ha. Dr Lloyd Rossouw was appointed to conduct the Heritage Impact Assessment (HIA) for the project.

*Rossouw, L. 2017. Phase 1 Heritage Impact Assessment of a new Waste Water Treatment Works at the Ganspan Settlement near Jan Kempdorp, North West Province.*

The proposed development area is underlain by the palaeontologically insignificant Ventersdorp Supergroup which is mantled by superficial Quaternary sediments. No fossil remains were found in the Quaternary deposits. Several concrete structures and small stone-walled structures were identified, however they fall outside of the proposed development area and will not be impacted. No recommendations were provided.

The EMPr contains recommendations pertaining to heritage resources.

#### **Final Comment**

The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit accepts the submitted heritage specialists reports and the recommendations contained within the EMPr. The following conditions must be included in the Environmental Management Programme (EMPr) for the project:

- The Final BAR and all appendices must be submitted to the SAHRIS Case file upon final submission to the relevant competent authority;



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- If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/John Gribble 021 462 5402) must be alerted. If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Mimi Seetelo 012 320 8490), must be alerted immediately. A professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA; and
- If the development receives an Environmental Authorisation (EA), SAHRA must be informed and all documents pertaining to the EA must be uploaded to the SAHRIS Case file.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

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Natasha Higgitt  
Heritage Officer  
South African Heritage Resources Agency

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John Gribble  
Manager: Maritime and Underwater Cultural Heritage Unit / Acting Manager: Archaeology, Palaeontology and Meteorites Unit  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/397556>  
(DENC, Ref: )

**Terms & Conditions:**

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Directorate: Forestry Management (Other Regions)  
P.O. Box 2782, Uppington, 8800, Tel 054 338 5909, Fax 054 334 0030

Enquiries: J Mans  
E-mail: [JacolineMa@daff.gov.za](mailto:JacolineMa@daff.gov.za)  
Date: 08 May 2017  
Ref: 40.8.14.2/NC/81

MDA Town & Regional Planner, Environmental & Development Consultants  
P.O. Box 100982  
Brandhof  
BLOEMFONTEIN  
9324

ATTENTION: Neil Devenish ([hanlie@mdagroup.co.za](mailto:hanlie@mdagroup.co.za))

RE: COMMENTS ON DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CONSTRUCTION OF THE GANSPAN WWTW AND RELATED BULK SEWER INFRASTRUCTURE (DENC REF: NOT SUPPLIED)

### 1. DEPARTMENTAL MANDATE

The Directorate: Forestry Management (Other Regions) in the Department of Agriculture, Forestry and Fisheries (DAFF) is responsible for implementation of the **National Forests Act, Act 84 of 1998 (NFA)** and **the National Veld and Forest Fires Act, Act 101 of 1998** as amended. The developer must take note of the following sections of the NFA:

- 1.1 Section 12(1): "The Minister may declare-
  - (a) a particular tree,
  - (b) a particular group of trees,
  - (c) a particular woodland; or
  - (d) trees belonging to a particular species, to be a protected tree, group of trees, woodland or species.
- 1.2 Section 15(1): "No person may-
  - (a) Cut, disturb, damage or destroy any protected tree; or
  - (b) Possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree, or any forest product derived from a protected tree, except-
    - (i) under a license granted by the Minister; or
    - (ii) in terms of an exemption from the provision of this subsection published by the Minister in the Gazette on the advice of the Council."
- 1.3 "Any person who contravenes the prohibition on-
  - (i) The cutting, disturbance, damage or destruction of temporarily protected trees or groups of trees referred to in section 14(2) or protected trees referred to in section 15(1)(a); or



- (ii) The possession, collection, removal, transport, export, purchase or sale of temporarily protected trees or groups of trees referred to in section 14(2) or protected trees referred to in section 15(1)(b), or any forest product derived from a temporarily protected tree, group of trees or protected tree, is guilty of a first category offence.
- 1.4 Section 58 (1): "Any person who is guilty of a first category offence referred to in sections 62 and 63 may be sentenced to a fine or imprisonment for a period of up to three years, or to both a fine and such imprisonment."
- 1.5 The list of protected tree species under section 12(1) (d) of the National Forests Act, 1998 (Act No. 84 of 1998) was published in GN1602 of 23 December 2016.

## 2. COMMENTS ON DRAFT BASIC ASSESSMENT REPORT

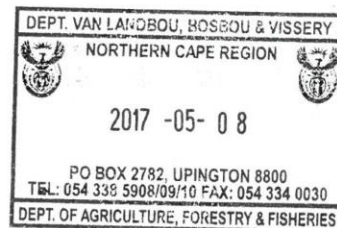
- 2.1 The report stated that the WWTW footprint is 4 ha with pipe line route option of between 2.755 km and 4.345 km. Existing access roads will be widened and a new road link of 150 m must be established. All these activities may result in clearance of vegetation. Page 38 of the report refers to the affected vegetation type, Kimberley Thornveld and stated that there is a dense woodland dominated by large specimens of *Vachellia erioloba* to the east of the site, but that this woodland is excluded from the development site. It further stated that large specimens will not be removed, but it is likely that smaller specimens on site may need to be removed. It refers to the need for a permit, therefore the NFA might be applicable, but it was not mentioned on page 27 under applicable legislation.
- 2.2 Page 39 refers to small succulents and herbs on site and protected *Aloe grandidentata* and *Anacampseros filmentosa* that should be transplanted after getting a permit. These species are protected under the Northern Cape Nature Conservation Act (Act No. 9 of 2009), and Act that was mentioned under applicable legislation on page 27 of the report. Kindly note the application for the NFA license should only be submitted to the DAFF after a positive Environmental Authorisation was issued, but prior to disturbance of any protected tree.
- 2.3 The report gave an indication of the length of the proposed pipe line route, but no indication was given of the width that needs to be cleared of vegetation to facilitate construction of the pipe line and access road? It is important that vegetation clearance be kept to the absolute minimum, to minimise unavoidable impacts on protected plant species confirmed present on site.
- 2.4 Please note that trees with active bird nests or any other significant biodiversity features may not be damaged or disturbed without a valid Fauna Permit from Nature Conservation.

Thank you for notifying the Department of the proposed development.

Kind Regards,



Jacoline Mans  
Chief Forester: NFA Regulation







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Department:  
Environment & Nature Conservation  
NORTHERN CAPE PROVINCE  
REPUBLIC OF SOUTH AFRICA

SASKO Building  
90 Long Street  
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Enquiries : Dorien Werth  
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Isalathiso : NC/BA/11/FB/PHO/GAN1/2017  
Verwysing :

Date : 03 May 2017  
Leshupelo :  
Umhla :  
Datum :

**Att:** Neil Devenish

9 Barnes Street

Westdene

Bloemfontein

9324

**Email:** [neil@mdagroup.co.za](mailto:neil@mdagroup.co.za)

Dear Sir/Madam

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION: GNR 983: ACTIVITY 27:  
THE CONSTRUCTION OF THE GANSPAN WWTW AND RELATED BBULK SEWER  
INFRASTRUCTURE, PHOKWANE LOCAL MUNICIPALITY, FRANCESBAARD  
DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.**

The draft basic assessment report which was submitted by you in respect of the abovementioned application and received by the Department on 13 April 2017. The Department: Impact Management Section has reviewed the report and are awaiting the final basic assessment report.

Kindly take the following recommendation into account:

- Kindly indicate the distance, diameter and throughput of the pipeline to be installed.
- The Department recommends a geohydrology report in the final basic assessment report.
- Kindly remove the irrelevant activity (activity 25 of GN. R.983) in the final basic assessment report and in the application form that was submitted to the Department.

Please draw the applicant attention to the fact that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



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*Dorien Werth*

Environmental Officer: Impact Management

cc: MM. MC Mogale

*mogale@phokwane.gov.za*