Western Cape Government
Environmental Affairs and Development Planning

Directorate: Development Management
(Region 2)

REFERENCE: 16/3/3/6/7/1/B2/3/1160/18
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 2018 -06- 15

The Board of Directors
Eagle Towers SA (Pty) Ltd
Suite No. 35
Private Bag X4
DIE BOORD
7613

Attention: Avril van der Rheede

Tel: (021) 880 0914
Fax: (086) 726 2626

Dear Sir

COMMENT ON THE NOTICE OF INTENT TO SUBMIT AN APPLICATION IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED DEVELOPMENT OF A 30M HIGH TELECOMMUNICATION MAST ON PORTION 108 OF FARM DOORNRIVIER NO. 369, AAN DE DOORNS.

1. Your document and letter dated 7 June 2018, as received by the Department on the same day, refer.

2. Following the review of the information submitted to this Department, the following is noted:
   - The proposal entails the development of a 30m high lattice mast on Portion 18 of Farm Doornrivier No. 369, Aan De Doorns.
   - The proposal will have a development footprint of 59m².
   - No indigenous vegetation is present on the site.
   - No watercourses are present on the site or within 32m of the site.
   - An existing wine cellar is present on the site which will provide existing access and power for the proposal.
   - The site is zoned for Agriculture and is located outside the urban area of De Doorns.

Process

3. Having considered the information contained in the NoI, the Department concurs that the proposed development constitutes a listed activity as defined in terms of the NEMA EIA Regulations, 2014 (as amended).

4. In light of the activity identified, you are herewith advised that a Basic Assessment process must be followed in order to apply for Environmental Authorisation. Only the activity applied for shall be

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considered for environmental authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.

5. The Department reminds you that the "Request for a specific fee reference number" form must be completed and submitted to the Department prior to submission of the formal application for the abovementioned proposed development. Upon receipt of the specific fee reference number, it must be inserted into the Application Form and proof of payment of the applicable fee attached when the Application Form is submitted to the Department.

6. You are advised that when undertaking the Basic Assessment process, you must take into account all applicable guidelines, including the guidelines developed by the Department. These can be downloaded from the Department's website,(http://eadp-westerncape.kznsshf.gov.za/your-resource-library/policies-guidelines). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:
   - Circular EADP 0028/2014: One Environmental Management System.
   - Guideline for the Review of Specialist Input in the EIA process (June 2005).
   - Guideline for Environmental Management Plans (June 2005).
   - Guideline on Alternatives (March 2013).
   - Guideline on Need and Desirability (March 2013).
   - Guideline for involving visual and aesthetic specialists in EIA processes (June 2005).

7. Please ensure that the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contain all the information requirements outlined in Appendices 1 and 4 respectively of GN No. 326.

Public Participation

8. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed application (pre-application) process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the BAR.

9. Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to the Department, in terms of Regulation 40, the pre-application BAR may also be submitted to the Department for commenting purposes. Please ensure a minimum of two printed copies of the pre-application BAR is submitted to the Department for commenting purposes.

10. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014 (as amended), any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. **Please note that the Environmental Assessment Practitioner ("EAP") is responsible for such consultation.** Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of NEMA in the BAR, where appropriate.

11. The Department awaits the submission of the Application Form and/or pre-application BAR prescribed by the EIA Regulations, 2014 (as amended). Please note that one printed copy and one electronic copy (saved on CD/DVD) of the Application Form must be submitted.

12. Please note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and

Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

13. Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to the Department.

    No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:
    - that additional information or documents will not be requested
    - of the outcome of the application

14. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information received.

Yours faithfully

HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 2
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Bernard de Witt / Emile Esquire (EnviroAfrica CC) Fax: (086) 512 0154
(2) Pieter Hartzenberg (Breede Valley Municipality) Fax: (023) 347 3671

CapeNature

SCIENTIFIC SERVICES

postal Private Bag X5014 Stellenbosch 7599
physical Assegaaibosch Nature Reserve Jonkershoek
website www.capenature.co.za
enquiries Philippa Huntly
telephone +27 21 866 8000 **fax** +27 21 866 1523
email phuntly@capenature.co.za
reference **SSD14/2/6/1/9/2/369_Doornrivier_Cell**
date **28 June 2018**

Emile Esquire
EnviroAfrica
Unit 7 Pastorie Park
Cnr Reitz & Lourens Street
Somerset West

By email: admin@enviroafrica.co.za

Dear Emile,

RE: Proposed construction of a 30m high telecommunications mast on portion 108 of farm Doornrivier No 369 Aan de Doorns

CapeNature would like to thank you for the opportunity to comment on the above application and wish to make the following comments:

1. The vegetation in this area is mapped as Breede Alluvium Renosterveld which is listed as Endangered according to the threatened ecosystem listing for the Western Cape. However it is noted that the specific site is already developed with number of large buildings and associated infrastructure including access roads. Please could you confirm the status and ground cover of the exact site of 59 square meters that is to be cleared for the mast.

2. The area is mapped as an Ecological Support Area (ESA) according to the Western Cape Biodiversity Spatial Plan of 2017. The desired management objective for ESAs is that they are maintained in functional near natural state and that while some habitat loss is acceptable the underlying ecological functioning should not be compromised. Given this, the management plan for the base station site and the access road must include erosion control measures and regular clearing of alien vegetation.

Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the proposed application. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely

Philippa Huntly
For: Manager (Scientific Services)

Emile Esquire

From: Philippa Huntly <phuntly@capenature.co.za>
Sent: Wednesday, 04 July 2018 9:31 AM
To: Emile Esquire
Subject: RE: CapeNature Comment Cell Mast Ptn 108 Farm 369 Doornrivier

Thank you

Philippa Huntly

Scientist: Land-Use Advice & Biodiversity Mainstreaming

CapeNature

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email phunty@capenature.co.za |

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physical Assegaaibosch Nature Reserve Jonkershoek Road Stellenbosch

www.capenature.co.za

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Wednesday, 04 July 2018 09:23 AM
To: phuntly@capenature.co.za
Cc: 'EnviroAfrica :Admin' <admin@enviroafrica.co.za>
Subject: RE: CapeNature Comment Cell Mast Ptn 108 Farm 369 Doornrivier

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Wednesday, 04 July 2018 9:20 AM
To: 'phuntly@capenature.co.za' <phuntly@capenature.co.za>
Cc: 'EnviroAfrica :Admin' <admin@enviroafrica.co.za>
Subject: RE: CapeNature Comment Cell Mast Ptn 108 Farm 369 Doornrivier

Dear Philippa,

I hereby acknowledge receipt the attached comment dated 28 June 2018.

Your comment is duly noted.

I hereby confirm that the proposed site is in a transformed and degraded state due to past development activities on the property, with no natural vegetation present on the proposed site. An area of 59m² will be cleared for the mast. Also find attached some site photos, showing the current status of the site.

Please note that erosion control measures and alien vegetation clearing measures will be included in the Environmental Management Programme ("EMPr").

Kind regards,

Emile Esquire

EnviroAfrica

Environmental Consultant
EnviroAfrica cc
p: +27 21 851 1616
f: +27 86 512 0154
a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130
P.O. Box 5367, Helderberg, 7135
w: www.enviroafrica.co.za e: emile@enviroafrica.co.za

From: Philippa Huntly <phuntly@capenature.co.za>
Sent: June 28, 2018 11:55 AM
To: admin@enviroafrica.co.za
Subject: CapeNature Comment Cell Mast Ptn 108 Farm 369 Doornrivier

Dear Emile,

Please find attached CapeNature comment on the above development application.

Kind regards,

Philippa Huntly

Scientist: Land-Use Advice & Biodiversity Mainstreaming

CapeNature

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any attachment is free of viruses. CapeNature accepts no liability or legal responsibility for any damages resulting directly or indirectly from accessing this electronic message or the attachment.

Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Thursday, 12 July 2018 11:02 AM
To: 'nfeni@bgcma.co.za'
Cc: 'EnviroAfrica :Admin'; 'erossouw@bgcma.co.za'
Subject: RE: Registered as I&AP's Portion 108 of farm Doornrivier no. 369, Aan De Doorns

Dear Ntombizanele,

Please note that you will be placed on the list of registered interested and affected parties, and will receive the BAR that will go out for public comment in due course.

Kind regards,

Emile Esquire

EnviroAfrica
Environmental Consultant
EnviroAfrica cc
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f: +27 86 512 0154
a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130
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w: www.enviroafrica.co.za e: emile@enviroafrica.co.za

From: Ntombizanele Feni <NFeni@bgcma.co.za>
Sent: July 12, 2018 9:58 AM
To: admin@enviroafrica.co.za
Cc: Elkerine Rossouw <erossouw@bgcma.co.za>
Subject: Registered as I&AP's

Good morning Emile Esquire,

I would like to register as an Interest and Affected Party for a telecommunications mast , including associated infrastructure project on Portion 108 of farm Doornrivier no. 369, Aan De Doorns, Western Cape. Future correspondence can be sent to me. My details are mentioned below:

I hope you will find this email in order.

Regards,

Feni Ntombizanele | Water Use Officer| Breede-Gouritz Catchment Management Agency
Tel: 023 346 8000 | Fax: 0865156323| Email: nfeni@bgcma.co.za
51 Baring Street, Private Bag X3055, Worcester, 6850

BREEDE-GOURITZ
Catchment Management Agency
Opvanggebied Bestuursagentskap
I-Athente yoLwandle lomMandla nokungqongileyo

REGISTERED POST

ILifa leMveli leNtshona Koloni
Erfenis Wes-Kaap
Heritage Western Cape

Our Ref: HM/CAPE WINELANDS/WORCESTER/FARM 108 PTN 369
Case No.: 18081310KB0814E
Enquiries: Khanyisile Bonile
E-mail: Khanyisile.Bonile@westerncape.gov.za
Tel 021 483 9689
Date: 28 August 2018

Emile Esquire
P.O BOX 5367
Helderberg
7135

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: THE PROPOSED 25M TELECOMMUNICATIONS MAST ON, FARM 108 PORTION 369, BREEDE VALLEY, WORCESTER, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 18081310KB0814E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 14 August 2018. This matter was discussed at the Heritage Officers meeting held on 27 August 2018.

You are hereby notified that, since there is no reason to believe that the proposed 25m telecommunications mast on, Farm 108 Portion 369, Breede Valley, Worcester will not impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully

..pp.....

Dr Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape