

F9: Comments & Responses

SCIENTIFIC SERVICES

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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 SSD14/2/6/1/9/2/778_Avondrood_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 25m high telecommunications mast on farm 778 Avondrood, Rawsonville.

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 Fynbos which is listed as Endangered according to the threatened ecosystem listing for the Western Cape. However it is noted that the specific site is largely under cultivation. Please could you confirm the status and ground cover of the exact site of 59 square meters that is to be cleared.
2. 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 9:39 AM
To: Emile Esquire
Subject: RE: CapeNature Comment Cell Mast Farm 778 Avondrood

Thank you

Philippa Huntly

Scientist: Land-Use Advice & Biodiversity Mainstreaming



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From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Wednesday, 04 July 2018 09:34 AM
To: phuntly@capenature.co.za
Cc: 'EnviroAfrica :Admin' <admin@enviroafrica.co.za>
Subject: RE: CapeNature Comment Cell Mast Farm 778 Avondrood

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

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w: www.enviroafrica.co.za e: emile@enviroafrica.co.za

From: Philippa Huntly <phuntly@capenature.co.za>

Sent: June 28, 2018 12:15 PM

To: admin@enviroafrica.co.za

Subject: CapeNature Comment Cell Mast Farm 778 Avondrood

Dear Emile,

Please find attached CapeNature comment on the proposed cell mast at Farm 778 Avondrood, Rawsonville.

Kind regards,

Philippa Huntly

Scientist: Land-Use Advice & Biodiversity Mainstreaming



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BREDE-GOURITZ

**Catchment Management Agency
Opvanggebied Bestuursagentskap
I-Arhente yoLawulo lomMandla nokungqongileyo
51 Baring Street Worcester 6850, Private Bag X3055 Worcester 6850**

Enquiries: S. Lupa
Your Ref:

Tel: 023-3468000

Fax: 0865156323

E-mail: slupa@bgcma.co.za

Our Ref: 4/10/2/H10L/Avondrood
778

Date:
16 July 2018

EnviroAfrica CC
P.O. Box 5367
HELDERBERG
6850

Attention: Emile Esquier
emile@enviroafrica.co.za

NEMA EIA PUBLIC PARTICIPATION PROCESS FOR THE PROPOSED CONSTRUCTION OF A 25M HIGH TELECOMMUNICATION MAST IN AVONDROOD FARM NO 778, RAWSONVILLE.

The Breede-Gouritz Catchment Management Agency (BGCMA) has received your notice to register for Interested and affected parties' public participation process on 28 June 2018 concerning the above mentioned development.

However, due to a short notice as the commenting and/or registering due date was 29 June 2018; an extension was requested and it was granted until the 20th of July 2018.

BGCMA therefore, would like to register as an Interested and Affected Party. It is therefore, recommended that the proposed construction be displayed against water resources in a map which will show the distance from the nearby watercourses and how deep the Mast will go underground should be indicated as well (in relation to the groundwater table).

General

- No water must be taken from a water resource for any purpose without authorisation from the National Water Act, 1998 (Act 36 of 1998).
- No waste or water containing waste may be disposed without authorisation from the National Water Act, 1998 (Act 36 of 1998) and National Environmental Management: Waste Act, 2008 (Act 59 of 2008).
- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
- Stormwater management must be addressed both in terms of flooding and pollution potential.
- No stormwater runoff from any premises containing waste, or water containing waste emanating from the proposed activities and premises may be discharged into a water resource. Polluted stormwater must be contained.

Please be advised that no activities may commence without the appropriate approvals/authorizations where needed from the responsible authority. The onus remains with the registered property owner to confirm adherence to any relevant legislation that such activities might trigger and/or need authorization for.

This office reserves the right to amend and revise its comments as well as to request any further information.

Please do not hesitate to contact this office if you have any further queries. Please ensure to quote the above reference in doing so.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'J. van Staden', written over a small, faint circular stamp.

JAN VAN STADEN

CHIEF EXECUTIVE OFFICER (ACTING)

Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Monday, 16 July 2018 3:57 PM
To: 'Siyabulela Lupa'
Cc: 'admin@enviroafrica.co.za'; 'Elkerine Rossouw'; 'Vatiswa Myeza'
Subject: RE: NEMA EIA Public Participation Process For The Proposed Construction Of A 25m High Telecommunication Mast In Avondrood Farm No 778, Rawsonville

| Tracking: | Recipient | Read |
|-----------|----------------------------|--------------------------|
| | 'Siyabulela Lupa' | |
| | 'admin@enviroafrica.co.za' | |
| | 'Elkerine Rossouw' | |
| | 'Vatiswa Myeza' | |
| | EnviroAfrica :Admin | Read: 2018/07/17 7:53 AM |

Dear Siyabulela,

Your comment dated 16 July 2018 is duly noted.

BGCMA is now a registered Interested and Affected Party (I&AP) and will be placed on the list of registered I&APs, and will receive a copy of the Basic Assessment Report (BAR) in due course.

Please note that appropriate mitigation measures will be incorporated into the BAR and Environmental Management Programme (EMPr) to ensure that no surface or groundwater resources are being polluted. In addition, there is no watercourse or surface water bodies within 32m of the proposed site.

The management of stormwater runoff will be covered in the EMPr.

Kind regards,

Emile Esquire



EnviroAfrica

Environmental Consultant

EnviroAfrica cc

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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: Siyabulela Lupa <SLupa@bgcma.co.za>

Sent: Monday, 16 July 2018 2:52 PM

To: emile@enviroafrica.co.za

Cc: admin@enviroafrica.co.za; Elkerine Rossouw <erossouw@bgcma.co.za>; Vatiswa Myeza <vmyeza@bgcma.co.za>

Subject: NEMA EIA Public Participation Process For The Proposed Construction Of A 25m High Telecommunication Mast In Avondrood Farm No 778, Rawsonville

Good Afternoon Emile

Please find attached comments from BGCMA concerning the subject matter and the original comments will be posted to you in due course.

Kind Regards

Siyabulela Lupa

Water Use Officer

Tel: 023 346 8000

Cell: 0820532593

Fax: 023 347 2012

BREED-GOURITZ

Catchment Management Agency
Opvanggebied Bestuursagentskap
I-Arhente yoLawulo lomMandla nokungqongileyo

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Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Friday, 13 July 2018 4:54 PM
To: 'Siyabulela Lupa'
Cc: 'admin@enviroafrica.co.za'; 'Elkerine Rossouw'; 'Coreen Rautenbach'; 'Vatiswa Myeza'
Subject: RE: Comments: PROPOSED CONSTRUCTION OF A 25M HIGH TELECOMMUNICATION MAST, FARM NO. 778, AVONDROOD, RAWSONVILLE

Dear Siyabulela,

Please provide your comment to me by **20 July 2018**.

I am currently busy compiling the BAR for comment, and would like to receive BGCMA's comment.

Kind regards,

Emile Esquire



EnviroAfrica

Environmental Consultant

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w: www.enviroafrica.co.za e: emile@enviroafrica.co.za

From: Siyabulela Lupa <SLupa@bgcma.co.za>
Sent: Friday, 13 July 2018 4:27 PM
To: emile@enviroafrica.co.za
Cc: admin@enviroafrica.co.za; Elkerine Rossouw <erossouw@bgcma.co.za>; Coreen Rautenbach <CRautenbach@bgcma.co.za>; Vatiswa Myeza <vmyeza@bgcma.co.za>
Subject: Comments: PROPOSED CONSTRUCTION OF A 25M HIGH TELECOMMUNICATION MAST, FARM NO. 778, AVONDROOD, RAWSONVILLE

Good Afternoon Emile

Following our telephonic conversation in relation to the subject matter, I would like to highlight to you that the document to comment on was received by BGCMA on 28 June 2018 and the due date was 29 June 2018.

I would like therefore, to request an extension of the due date in order to have fair enough time to go through your submitted document.

Thanking you in advance for your understanding and assistance.

Kind Regards
Siyabulela Lupa
Water Use Officer

Tel: 023 346 8000

Cell: 0820532593

Fax: 023 347 2012

BREED-GOURITZ

Catchment Management Agency
Opvanggebied Bestuursagentskap
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Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Wednesday, 25 July 2018 12:08 PM
To: 'kfouche@bvm.gov.za'
Cc: 'pieter2@bvm.gov.za'; 'EnviroAfrica :Admin'
Subject: RE: NEMA EIA PUBLIC PARTICIPATION PROCESS : PROPOSED CONSTRUCTION OF A 25M HIGH TELECOMMUNICATION MAST, FARM NO. 778, AVONDROOD, RAWSONVILLE, WESTERN CAPE

Dear Karen,

Your comment is duly noted.

Please note that the proposed site zoned Agriculture Zone 1, and a Consent Use application was submitted to the Breede Valley Municipality.

Kindly note that I have requested our client to provide proof of submission of the Consent Use application, and will forward it you as soon as I received the document.

Please don't hesitate to contact me should you require any additional information.

Kind regards,

Emile Esquire



EnviroAfrica

Environmental Consultant

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P.O. Box 5367, Helderberg, 7135

w: www.enviroafrica.co.za e: emile@enviroafrica.co.za

From: Karen Fouche <kfouche@bvm.gov.za>
Sent: July 19, 2018 10:45 AM
To: admin@enviroafrica.co.za
Cc: Pieter Hartzenberg <pieter2@bvm.gov.za>
Subject: NEMA EIA PUBLIC PARTICIPATION PROCESS : PROPOSED CONSTRUCTION OF A 25M HIGH TELECOMMUNICATION MAST, FARM NO. 778, AVONDROOD, RAWSONVILLE, WESTERN CAPE

Dear Sir / Madam,

NEMA EIA PUBLIC PARTICIPATION PROCESS : PROPOSED CONSTRUCTION OF A 25M HIGH TELECOMMUNICATION MAST, FARM NO. 778, AVONDROOD, RAWSONVILLE, WESTERN CAPE

Your letter dated May 2018 with the above reference applies.

Please take note that an application for Consent Use must be submitted to council for any such use (telecommunication infrastructure) on Agriculture Zone I zoned land.

Furthermore, should the land be zoned Agriculture Zone II, we would need a clear indication of the exact position of the proposed structure to ensure no building line encroachment or other land use planning application is applicable to the proposed use.

Kind regards,

Karen Fouché

Tegnikus Beplanning / Technician Planning

Afdeling Munisipale Beplanning / Section Municipal Planning

Direktoraat Tegniëse Dienste / Technical Services Directorate

Breede Valley Municipality / Breedevallei Munisipaliteit

Postal address: Private Bag X3046, Worcester, 6849, South Africa

Office Phone: +27233482622 · **Fax:** +27233482630

Email: kfouche@bvm.gov.za · **Web:** www.bvm.gov.za

Facebook: Breedevallei Munisipaliteit - Breede Valley Municipality



'n Unieke en sorgsame vallei van uitmuntende dienslewering
geleenthede en groei.

**Inilambo ekhethekileyo enenkukhale, egwesayo kaniko-
zin konzo, ivulela amakhuba kwaye iphuhlise kwaye iphuhlise.**

A unique and caring valley of service excellence, opportunities
and growth.



REFERENCE: 16/3/3/6/7/1/B2/21/1161/18
ENQUIRIES: Samornay Smidt
DATE: 2018-06-20

The Board of Directors
Eagle Towers SA (Pty) Ltd
Private Bag X4
DIE BOORD
7613

Attention: Avril van der Rheede

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

Dear Sir

COMMENT ON NOTICE OF INTENT ("NOI") TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS 2014, (AS AMENDED) FOR THE PROPOSED DEVELOPMENT OF A 25M HIGH TELECOMMUNICATION MAST ON FARM NO. 778, RAWSONVILLE

1. Your document and letter dated 7 June 2018, as received by the Department on the same day, refer.
2. Following a review of the information submitted to this Department, we note the following:
 - 2.1. The proposal entails the construction of a 25m high telecommunications mast with associated infrastructure.
 - 2.2. The development footprint is approximately 59m².
 - 2.3. The proposed site is zoned Agriculture Zone I and the surrounding properties are utilised for agricultural purposes.

Process

3. Be advised that the NEMA EIA Regulations were amended on 7 April 2017 and published in Government Gazette No. 40772 of 7 April 2017. Cognisance must be taken of the amendments to the National Environmental Management Act, 1998 (Act

107 of 1998) ("NEMA") EIA Regulations, 2014. After considering the information provided in the Notice of Intent, the Department concurs that the proposed development constitutes listed activities as defined in terms of the NEMA EIA Regulations, 2014 (as amended).

4. A Basic Assessment process must be followed in order to apply for Environmental Authorisation. Only those activities applied for shall be considered for 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. You are advised that when undertaking the Basic Assessment process, you must take into account the applicable guidelines including the guidelines developed by the Department. The Department's guidelines can be downloaded from the Department's website (<http://eadp-westerncape.kznsshf.gov.za/your-resource-library>). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:
 - 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).
6. Please ensure the Basic Assessment Report and Environmental Management Programme contain all information requirements outlined in Appendices 1 and 4 respectively of GN R. 326. Omission of any required information may result in the application for Environmental Authorisation being refused.

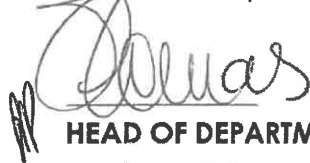
Public Participation

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

10. 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.
11. 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.
12. 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.
13. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully



HEAD OF DEPARTMENT

DEPARTMENT OF ENVIRONMENTAL AND DEVELOPMENT PLANNING

Cc (1) E Esquire (EnviroAfrica)
(2) D McThomas (Breede Valley Municipality)

Fax: (086) 512 0154
Fax: (023) 347 3671

Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Thursday, 13 September 2018 11:08 AM
To: 'Samornay Smidt'
Cc: 'EnviroAfrica :Admin'
Subject: RE: Avondrood - DEA&DP Comment on NOI (DEA&SP Ref: 16/3/3/6/7/1/B2/21/1161/18)

Dear Samornay,

I hereby acknowledge receipt of the Department's comment dated 20 June 2018.

Please note that the comment and recommendations made in the aforementioned correspondence is duly noted.

Kind regards,

Emile Esquire



EnviroAfrica

Environmental Consultant

EnviroAfrica cc

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w: www.enviroafrica.co.za e: emile@enviroafrica.co.za

From: Samornay Smidt <Samornay.Smidt@westerncape.gov.za>
Sent: Thursday, 13 September 2018 9:14 AM
To: EnviroAfrica:Admin (admin@enviroafrica.co.za) <admin@enviroafrica.co.za>
Cc: Emile Esquire <emile@enviroafrica.co.za>
Subject: Ack of NOI

FYI

Samornay Smidt
Development Management – Region 2
Development Planning
Department of Environmental Affairs and Development Planning

2nd Floor, Utilitas Building
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Western Cape
Government

BETTER TOGETHER.