

NO.	DATE	AFFILIATION	REFERENCE NUMBER	COMMENTS	RESPONSE	RESPONDENT
Comments on Pre-Application BAR September 2018						
1.	2018-09-17	SACAA Lizelle Storh		<p>Appendix F1.4 Comment of Pre-App BAR Good day Inge, the SACAA already provided approval with conditions to the proposed site. This is part of our Comment process, please find approval for easy reference.</p>	<p>Thank you. Please refer to Appendix E2 for the Obstacle Approval. CAA Obstacle ID: CAA_2018_4_137</p>	EnviroAfrica
2.	2018-10-30	DEADP Ayesha Hamdulay	16/3/3/6/7/1/A5/88/2134/18	<p>Appendix F1.5 Comment on the Pre-Application Basic Report terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") regulations, 2014 (as amended): The proposed development of an approximately 25m high tree-type mast and associated infrastructure on Erf 73, Klipheuwel.</p> <ol style="list-style-type: none"> 1. The pre-application BAR with cover letter dated 14 September 2018 received by this Department on the same date, refers. 2. The following a review of the pre-application BAR, this Department has the following comment pertaining to the development proposal: <ol style="list-style-type: none"> 2.1 The development proposal entails the erection of an 	<ol style="list-style-type: none"> 1. Noted 2. 2.1 Correct 	EnviroAfrica

				<p>approximately 25m high tree-type communication mast and association infrastructure on Erf 74, Klipheuwel. The infrastructure associated with the approximately 25m high tree-type communication mast includes a 2.4m high palisade fence around the base station. The development proposal will be located on a farm zoned Rural, with a total development footprint of approximately 100m².</p> <p>2.2 The following listed activity is therefore applicable to the development proposal and has been included in the pre-application BAR:</p> <p>Item 3 of GN No. R.983 (as amended)</p> <p>“The development of masts or towers of any material type used for telecommunication broadcasting or radio transmission purposes where the mast or tower-</p> <p>(a) Is to be placed on a site not previously used for this purpose</p> <p>(b) Will exceed 15m in height – but excluding buildings and masts on rooftops.</p> <p>i Western Cape:</p> <p>i All areas outside urban areas;</p> <p>ii Areas designated for conservation use in SDF’s adopted by the competent authority, or zoned for conservation purposes, within urban areas; or</p>	<p>2.2 Agreed and noted</p>	
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				<p>iii Areas zoned for use as public open space of equivalent zoning within urban areas.”</p> <p>3. Heritage Western Cape It is noted in the letter from Heritage Western Cape dated 10 August 2018 that no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.</p> <p>4. Request for a Specific Fee Reference.</p> <p>5. NEMA Principles You must clearly show how the development proposed complies with the principle contained under Section 2 of the NEMA and must also show how the development proposal meets the requirements of sustainable development.</p> <p>6. Social and Gender considerations You are reminded that the social context of the proposed development must always be considered. This includes the impacts that the development proposal may have on the prevalence of HIV/AIDS, sexually transmitted infections (STI) and TB, as well as equity and gender related concerns.</p>	<p>3. Agreed and noted</p> <p>4. The fee reference number is:</p> <p>5. Please refer to Section D 18 and Section G 1 (e) of the BAR.</p> <p>6. Noted</p>	
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				<p>7. This Department awaits the submission of the Application Form prescribed by the EIA Regulations, 2014 (as amended). Please note that two printed copies and on electronic copy of the Application form for EA must be submitted.</p> <p>8. 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 documentation will not be requested or of the outcome of the application.</p> <p>9. Kindly quote the above mentioned reference number in any future correspondence in respect of the pre-application process.</p> <p>10. It is prohibited in terms of Section 24F of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply in terms of the prohibition will result in the matter being referred to the Environmental Law Enforcement Directorate of this Department for possible</p>	<p>7. Please note an Application Form was submitted with the Post-Application BAR December 2018 (this report)</p> <p>8. Noted</p> <p>9. Noted</p> <p>10. Noted</p>	
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				<p>prosecution. A person convicted of an offence in the terms of the above is liable for a fine not exceeding R5 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.</p> <p>11. The Department reserves the right to revise or withdraw its comments and request further information from you based on any information received</p>	11. Noted	
3.	11-10-2018	City of Cape Town Municipality Clarissa Fransman		<p>Appendix F1.6 Good day Inge/Emile/Belinda The attached notification letter refers. Our Department has only received the documentation for the Pre-App BAR for the tree cell mast on Erf 73Klipheuwel today. The letter indicates that the commenting period ends the 17th October. As we require to send this to the relevant City departments and collate responses, it is requested that we receive the full 30 day commenting period starting today. The deadline for the comment would subsequently be 12 November 2018. It is further requested that a hard copy of the Pre-App BAR also be delivered/sent to this office please.</p>	A hard copy of the Pre-App Scoping was delivered to their offices as request. Please see Appendix F1.4.1 for proof. Deadline for commenting on the Pre-App Scoping was extended until 12 Nov 2018 as requested.	

<p>4.</p>	<p>12-11-2018</p>	<p>Pat Titmuss City of Cape Town</p>	<p>CCT Ref: KFN21/1/2/2/199</p>	<p>Appendix F1.7 1. City HEALTH: Environmental Health Department 1.1 The base station infrastructure (or any future combination of such infrastructure), shall not at any time cause public to be exposed to RF levels that exceed the ICNIRP public exposure guideline. 1.2 The projected RF exposure levels within the area to which the public has reasonable access to, must be determined and certified by a qualified person and supplied to Council's Director Health Services, prior to the erection of the cell mast infrastructure. Such qualified persons must provide a certified statement that the projected RF exposure levels are within the ICNIRP public exposure guideline. 1.3 Appropriate steps must be taken by the applicant, to the satisfaction of Council, to ensure that: 1.3.1 The public exclusion zone is determined by a qualified person and forwarded to Council prior to the erection of infrastructure. Such exclusion zone must thereafter be adequately sign posted with the appropriate health warning</p>	<p>1.1 Noted. 1.2 Noted, we will attend to the request during the LA process. 1.3.1 Noted, The telecommunication station will be fenced with a 2,4m palisade fence. The Antenna's will be located 20-25m above ground level and in accessible to public, a mast door with high security locks will be used. Access will be</p>	<p>Atlas Tower</p>
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				<p>signs in accordance with international best practices.</p> <p>1.3.2 Access control measures must be implemented to ensure that unauthorised persons do not gain access to the public exclusion zone.</p> <p>1.4 Regular measurements are taken to ensure that unauthorised persons do not gain access to the public exclusion zone.</p> <p>1.5 In the event of such measurements showing the ICNIRP public exposure guidelines are being exceeded, Council reserves the right to withdraw the LUPO and NBR permission and cause the cellular telecommunication infrastructure to be decommissioned at the cost of the applicant.</p> <p>1.6 Health standards are to be reviewed periodically based on ongoing scientific research, the application will be required to decommission (including site rehabilitation) or upgrade any communication structure that does not meet the most recently published health standards of the World Health Organisation, the International Committee on Non-Ionising Radiation</p>	<p>limited to registered and qualified personnel only.</p> <p>1.3.2 Restrictive security signage to be attached to access gate.</p> <p>1.4 The above safety and security measures will be put in place to prevent access to the public.</p> <p>1.5 Noted</p> <p>1.6 Noted, The City of Cape Town telecommunication policy and the South African Department of Health supports the erection of telecommunication base stations in accordance with ICNIRP (International Commission on Non-Ionizing Radiation Protection), the WHO (World Health Organization) and ICASA</p>	
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				<p>Protection (which have been adopted by the National Department of Health) and the independent Communication Authority of South Africa.</p> <p>1.7 Should the Health Department determine that the current limits if the electromagnetic radiation pose a significant health risk, decommissioning shall be required and the site be rehabilitated to the satisfaction of this department.</p> <p>1.8 The City of Cape Town Cellular Telecommunication Infrastructure Policy is to be complied with.</p> <p>1.9 Numerical simulations of predicted RF EME levels must be submitted to City Health's Senior Mechanical Engineer, for verification and assessment, prior to approval of the site. This Department may request further information or verification from the applicant, which may include numerical simulations of predicted RF EME levels done by an independent certified institution. These readings must be submitted with reference to compliance with the latest public exposure</p>	<p>(Independent Communication Authority of South Africa).</p> <p><i>Please refer to attach memorandum from the South African Department of Health, regarding all health comments.</i> Appendix F1.7.1</p> <p>1.8 Noted, the proposal will adhere to the TMIP, 2015.</p> <p><i>1.9 Please refer to attach memorandum from the South African Department of Health.</i> Appendix F1.7.1</p> <p>The Directorate: Radio Control, within the South African Department of Health is the responsible authority regulating cellular base station effects on health. The department of health regulates non- ionizing radiation, and this includes electromagnetic fields (EMF) at frequencies less than 300 GHz.</p>	
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				<p>limits, i.e. wat percentage is of the ICNIRP guidelines</p> <p>2. Specialised Environmental Health: Mechanical Engineering – Noise Division</p> <p>2.1 All antenna and ancillary on the mast are to be clearly indicated on the plans, including the exact position of each antenna and ancillary. This must be done for the short term, medium term, ad long term positioning. Any deviations from this plan needs to be cleared with the City of Cape Town prior to any installations/ augmentations have been made.</p> <p>2.2 The tilt angler of each transponder it to be provided.</p> <p>2.3 The distance in metres from the bottom tip of the lowest transponder to the final ground level to be provided.</p> <p>2.4 At the 50m public exclusion zone band of 5m, the height safety factor above the head level of a man that is 2m in length or walking in that area at that range is to be depicted graphically.</p> <p>2.5 All geometric sketches including all angles and distances to scale are to be provided.</p> <p>2.6 It is questioned if any stand-by generations will be installed. If,</p>	<p>2.1 – 2.5 Noted Will be indicated on plans during the LA phase.</p> <p>2.6 There will be no generations installed.</p>	<p>Atlas Tower</p>
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				<p>so what noise mitigating measures will be put in place.</p> <p>2.7 No aviation lights are indicated on the plans. Two aviation lights are to be installed on the proposed mast and indicated on the plans.</p> <p>3. Transport Development Authority (TDA): Development Management Department.</p> <p>3.1 The submission and approval of a consent use application to permit the freestanding base telecommunication station is required once the necessary Record of Decisions have been received from the competent authorities, Heritage Western Cape and DEADP.</p> <p>4. Transport Development Authority (TDA): Environmental Management Department</p> <p>4.1 Page 6 of the Pre-App BAR under the site description section it erroneously states that the proposed 25m high telecommunication mast and base station will be located on Erf 72 Klipheuwel. This must be corrected.</p> <p>4.2 Page 7 of the Pre-App BAR under the site description section indicates the mast proposed will be a tree mast. The report does not indicate the</p>	<p>2.7 Noted, we await the CAA approval to confirm.</p> <p>3.1 Noted, will be submitted.</p> <p>4.1 Noted and corrected to Erf 73 Klipheuwel.</p> <p>4.2 25m Yellowwood Tree mast</p>	<p>Atlas Tower</p> <p>EnviroAfrica</p> <p>Atlas Tower</p>
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				<p>type of tree mast this design will be, e.g. palm tree, Norfolk pine, etc. this disguised type must be provided.</p> <p>4.3 The EMP is not supported in its current format. Many inconsistencies and information not pertaining to the subject erf is evident. The following sections require amendment:</p> <p>4.3.1 Project description 4.3.2 Access 4.3.3 Receiving environment</p> <p><u>Heritage</u></p> <p>4.4 the NID submission and HWC response to the NID submission is noted. The NID submission, the HWC response letter and the Heritage screener refers to Erf 72 and the application is applicable to Erf 73. The EAP must please follow up and confirm with HWC if a revised letter from them is required in this regard.</p> <p>4.5 It is noted that the heritage screener document focuses mostly on heritage resources related to archaeology. The NID submission did not reflect the site in relation to the Agter Paarl/Paardeberg cultural landscape, Klipheuwel Radio Station or Koeberg/ Swartland</p>	<p>4.3 Noted and corrected</p> <p>4.4 Noted. The amended HWC response letter was included. Please refer to Appendix E1.</p> <p>4.5 Please refer to Appendix F1.7.2 for the response email from CTS Heritage.</p> <p>The competent heritage authority (HWC) has agreed that no heritage resources are likely to be impacted by the proposed development.</p>	<p>EnviroAfrica</p> <p>CTS Heritage</p>
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				<p>Farms Cultural Landscape with the larger landscape.</p>	<p>- Comment: "It is noted that the Heritage Screener Document focuses mostly on heritage resources related to archaeology". I would disagree - the HS covers impacts to all heritage resources including archaeology, built environment, cultural landscapes and palaeontology</p> <p>- Comment: "The NID submission did not reflect the site in relation to the Agter Paarl/Paardeberg Cultural Landscape, Klipheuwel Radio Station, or the Koeberg/Swartland Farms Cultural Landscape within the larger landscape". The HS and NID are NOT intended to be heritage impact assessments. The role of the NID and HS is to determine the likelihood of the proposed development impacting on significant heritage resources. The CoCT has not identified the area in which the telecommunications mast is proposed to be built as a heritage landscape of any significance (see attached image). In addition, the proposed 25m mast will not impact at all on the Agter Paarl/Paardeberg Cultural Landscape or the Koeberg/Swartland Farms</p>	
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					<p>Cultural Landscape, as noted in the HS: "The proposed telecommunications mast is not likely to impact on any significant or pristine cultural landscape as the proposed telecommunications mast is intended to be located away from any street frontage on private property and will be minimally visible to the public."</p> <p>As far as we are able to ascertain from the publicly available information, the Klipheuwel Radio Station has not been identified as a heritage resource. Lastly, the Klipheuwel Radio Station is located approximately 2.5km away from the proposed telecommunications mast and as such, the proposed mast will have no impact.</p>	
Comments on Pre-Application Public Participation and NOI						
1.	2018-08-06	Rhett Smart CapeNature	SSD14/2/6/1/4/6/73_cell_Klipheuwel	<p>Appendix F1.1 Background Information Document for the Proposed 25m High Telecommunications Mast on Erf 73, Klipheuwel, Cape Town</p> <p>1. CapeNature would like to thank you for the opportunity to comment on the proposed development and would like to make the following comments. Please note that our comments only pertain to the biodiversity</p>	1. Noted	EnviroAfrica

				<p>impacts and not to the overall desirability of the proposed development.</p> <p>2. The property on which the development is classified as No Natural according to the Biodiversity Network for the City of Cape Town and the Western Cape Biodiversity Spatial Plan. The Google Earth imagery indicates that the site is a developed residential erf and is fully transformed. No Terrestrial specialist studies are considered necessary. There are no freshwater features mapped on the site or surrounding area, and therefore it is not considered necessary to conduct a freshwater specialist study.</p> <p>3. CapeNature will comment in more detail on the Draft Basic Assessment Report, however we are unlikely to object to this application.</p> <p>4. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>	<p>2. Noted thank you</p> <p>3. Noted thank you.</p> <p>4. Noted</p>	
2	2018-08-10	HWC Heidi Boise	HM/ CAPETOWN METROPOLITAN / DURBANVILLE/ MIKPUNT/ ERF 72	<p>Appendix E1/ F1.2</p> <p>1. Heritage Western Cape is in receipt of your application for the above matter received on 26</p>	Thank you	EnviroAfrica

				<p>July 2018 and was discussed at our Heritage Officials Meeting (HOMS) on 06 August 2018.</p> <p>2. You are hereby notified that, since there is no reason to believe that the proposed 30m telecommunications mast will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.</p>		
3	2018-08-28	DEADP Ayesha Hamdulay The Board of Directors Atlast Towers	16/3/3/6/7/1/A5/88/2134/18	<p>Appendix F1.3</p> <p>Comment on the notice of intent to submit an application in the terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) and the Environmental Impact Assessment (“EIA”) regulations, 2014 (as amended): The proposed development of an approximately 25m high tree-type mast and associated infrastructure on Erf 73, Klipheuwel.</p> <p>1. The Notice of Intent Form with cover letter dated 12 July 2018, received by this Department on the same date, refers.</p> <p>2. This Department notes that the development proposal entails the development of an approximately 25m high tree-type mast and associated infrastructure on Erf 73, Klipheuwel.</p> <p>3. Listed Activities: After considering the information provided in the Notice of Intent,</p>	<p>1. Noted</p> <p>2. Noted</p> <p>3. Noted</p>	EnviroAfrica

				<p>this Department notes that the proposed development constitutes a listed activity as defined in the terms of the EIA Regulations, 2014 (as mentioned), namely Item 3 of GN No. R. 983 (as mentioned).</p> <p>Item 3 of GN No. R.983 (as amended):</p> <p>The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower-</p> <p>(a) Is to be placed on a site not previously used for this purpose and</p> <p>(b) Will exceed 15 m in height – but excluding attachments to existing buildings and masts on rooftops.</p> <p>3.1 Western Cape</p> <p>(i) All areas outside urban areas:</p> <p>(ii) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas; or</p> <p>(iii) Areas zoned for use as public open space or equivalent zoning within urban areas.</p> <p>4. Process: A Basic Assessment Process must be followed in</p>	<p>4. Noted.</p>	
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				<p>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. Failure to include any applicable listed activity may invalidate the application.</p> <p>You are referred to Appendix 1 of GN No. R.982 (as amended) for the requirements with respect to the 'Basic Assessment Process'. You are advised that when undertaking the Basic Assessment Process you must take into account this Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as amended) as well as any other guidance provided by this Department. This Department's guidelines can be downloaded from the Department's website: www.westerncape.gov.za/eadp. In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:</p> <ul style="list-style-type: none">• Guideline for Environmental Management Plans (June 2005)• Guideline on Exemption Applications (March 2013)		
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				<ul style="list-style-type: none"> • Guideline on Public Participation (March 2013) • Guideline on Alternatives (March 2013) • Guideline on Need and Desirability (March 2013) <p>5. Request for a Specific Fee Reference: This Department reminds you that the “Request for a specific fee reference number” form must be completed and submitted to this Department prior to submission of the formal application for the abovementioned proposed development. This Department advises that the Request for a Specific Fee Reference Number Form be submitted to this Department approximately 30 days before the intended date for the submission of the Application Form for Environmental Authorisation. Upon receipt of the specific fee reference number, the reference number must be inserted into the Application Form for Environmental Authorisation and proof of payment of the applicable fee attached when the Application Form is submitted to this Department.</p> <p>6. Exemption: This Department notes that you do not intend to</p>	<p>5. Noted, fee reference number will be requested for submission of the Application and Post-Application BAR.</p> <p>6. Noted</p>	
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				<p>apply for Exemption in terms of the National Exemption Regulations, 2014 promulgated on 08 December 2014 from any of the requirements of the Public Participation Process as stipulated by Regulation 41 of the EIA Regulations, 2014 (as amended) any other provisions contained in the EIA Regulations, 2014 (as amended) the NEMA or any other notice issued under the NEMA. Please note that should you fail to meet a requirement of the EIA Regulations, 2014 (as amended) or the NEMA and if no exemption from that provision was applied for, your application for Environmental Authorisation may be refused by this Department.</p> <p>7. Alternatives: Be advised that in terms of the EIA Regulations, 2014 (as amended) and the NEMA, the investigation of alternatives is mandatory. All alternatives identified must therefore be investigated to determine if they are feasible and reasonable. In this regard it must be noted that this Department may grant authorisation for an alternative as if it has been applied for or may grant authorisation in respect of all or part of the</p>	<p>7. Alternatives are discussed in Section E, F & G of the BAR</p>	
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				<p>activity applied for a specified in Regulation 20 of GN No. R.982 (as amended). Alternatives are not limited to activity alternatives, but include layout alternatives, design, activity, operational and technology alternatives. You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (i.e., the “No-Go” option) in addition to other alternatives identified.</p> <p>Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed. If, however, after having identified and investigated alternatives, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof that the investigation was undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the “No-Go” option exist.</p> <p>8. Public Participation Process: A public participation process</p>	<p>Alternatives are discussed in Section E, F & G of the BAR</p>	
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				<p>(“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 (“EAP”) discretion whether the requirements of Regulation 41 are met, during 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 (“BAR”) and Environmental Management Programme (“EMPr”)</p> <p>9. Should a PPP which includes the circulation of the pre-application BAR for comment be undertaken prior to submission of an Application Form for Environmental Authorisation to this 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-</p>	<p>1. Noted. Please refer to Section C of the Pre-Application BAR (for comment September 2018) for an explanation of the initial public participation process followed. Please note that the Pre-App BAR for comment will be sent out to all registered I&APs and organs of state to provide their inputs for a commenting period of 30 days. Comment will be captured and attended to in the next round of public participation.</p> <p>9. Noted. This Pre-App BAR for comment will be sent out to all registered I&APs and organs of state to provide their inputs for a commenting period of 30 days. Comments will be captured and attended to in the next round of public participation.</p>	
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				<p>application BAR is submitted to the Department for commenting purposes.</p> <p>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 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. It is noted that, amongst others, the following State Departments and Organs of State must be consulted during the EIA process as part of the PPP:</p> <ul style="list-style-type: none"> • CapeNature • The Ward Councillor • The City of Cape Town • Heritage Western Cape • The Western Cape Government: Agriculture • The Western Cape Government: Health and • The South African Civil Aviation Authority. <p>In terms of good environmental practice you are encouraged to engage with State Departments and other Organs of State in the pre-application phase or early in the EIA process to solicit their inputs on any of their requirements to</p>		
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				<p>be addressed in the EIA process. Please note that this does replace the requirement of making the BAR available to State Departments as stipulated above.</p> <p>The person conducting the PPP must fulfil the requirements outlined in Chapter 6 of the EIA Regulations, 2014 (as amended) and must take into account any applicable Guidelines published in terms of Section 24J of the NEMA , this Department’s Circular EADP 0028/2014 on the “One Environmental Management System” and the EIA Regulations 2014 (as amended), as well as any other guidance provided by the Department. Note that the public participation requirements are applicable to all proposed site.</p> <p>10. Environmental Management Programme: In accordance with section 24N of the NEMA and Regulation 19, this Department hereby requires the submission of an EMPr. The contents of such an EMPr must meet the requirements outlined in Section 24N of the NEMA (as amended) and Regulation 19 of the EIA Regulations, 2014 (as amended). The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an</p>	<p>10. Noted refer to Appendix H for the Draft EMPr</p>	
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				<p>assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). The EMPr must be submitted together with the BAR. This Department would like to advise that in compiling the EMPr, this Department's Guideline for Environmental Management Plans (June 2005), available on this Department's website must be taken into account as well as Appendix 4 of the EIA Regulations, 2014 (as amended).</p> <p>11. Need and Desirability: In terms of the EIA Regulations, 2014 (as amended) when considering an application, this Department must take into account a number of specific considerations including, inter alia, the need for and desirability of any development proposal. As such, the need for and desirability of the development proposal must be considered and reported on in the BAR. The BAR must reflect how the strategic context of the site in relation to the broader surrounding area, has been considered in addressing need and desirability.</p> <p>12. The Department awaits the submission of the Application</p>	<p>11. Noted. Please see Appendix D of the BAR</p>	
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				<p>Form and/or pre-application BAR prescribed by the EIA Regulations, 2014 (as amended). Please note that two printed copies and one electronic copy (saved on CD/DVD) of the Application Form for Environmental Authorisation and/or pre-application BAR must be submitted.</p> <p>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.</p> <p>14. 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:</p> <ul style="list-style-type: none"> • That additional information or documents will not be requested, or • Of the outcome of the application. <p>15. In addition to the above, you must clearly show how the proposed development complies with the principles contained in Section 2 of the NEMA and must also show how the proposed development</p>	<p>12. Noted.</p> <p>13. Noted</p> <p>14. Noted</p> <p>15. Noted</p>	
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				<p>meets the requirements of Sustainable Development.</p> <p>16. It is prohibited in terms of Section 24F of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply in terms of the prohibition will result in the matter being referred to the Environmental Law Enforcement Directorate of this Department for possible prosecution. A person convicted of an offence in the terms of the above is liable for a fine not exceeding R5 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.</p> <p>17. Kindly quote the abovementioned reference in any future correspondence regarding this letter.</p> <p>18. The Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.</p>	<p>16. Noted</p> <p>17. Noted</p> <p>18. Noted</p>	
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4	2018-08-28	Ayesha Hamdulay The Board of Directors Atlas Towers	16/3/3/6/7/1/A5/88/2134/18	Appendix F1.3.1 Acknowledgement of receipt of the notice of intent 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): The proposed development of an approximately 25m high tree-type mast and associated infrastructure on Erf 73, Klipheuwel.		
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