



**REFERENCE:** 16/3/3/6/7/1/D7/3/0223/18

**ENQUIRIES:** Marianne Lesch

**DATE OF ISSUE:** 05 FEB 2019

The Manager  
Atlas Towers (Pty) Ltd  
Cecilia Square  
100 Cecilia Street  
**PAARL**  
7646

**Attention: Cornelis Wessels**

Tel.: (021) 870 1302

Fax: (086) 537 9187

Dear Sir

**COMMENT ON THE NOTICE OF INTENT TO SUBMIT AN APPLICATION IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED NEW 35M HIGH MONOPOLE TELECOMMUNICATION MAST, ERF 90, DE HOOP, OUDSTHOORN, WESTERN CAPE**

1. The abovementioned document dated 29 November 2018 and received by this Department on 06 December 2018, refers.
2. Following a review of the information submitted to this Department, the following is noted:
  - 2.1.1. The proposal entails the development of a 35m high monopole telecommunication mast with antennae attached to it;
  - 2.2. The total area to be cleared is 68m<sup>2</sup>;
  - 2.3. Existing access will be utilised.

Process

3. Following consideration of the information provided in the Notice of Intent the Department concurs that the proposed development constitutes (a) listed activity as defined in terms of the NEMA EIA Regulations, 2014, namely Activity 3 of GN No. R. 985 of 4 December 2014.

4. A Basic Assessment process must be followed 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. 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 environmental authorisation. The specific fee reference number 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 applicable guidelines, including the guidelines developed by the Department. These can be downloaded from the Department's website, (<http://eadp-westerncape.kznshf.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 Environmental Management Plans (June 2005).
  - Guideline on Alternatives (March 2013).
  - Guideline on Need and Desirability (March 2013).
  - Guideline for environmental management plans, June 2005.
  - Guideline on telecommunication structure/networks, 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 R. 982.

#### Public Participation

8. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 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 and EMPr.
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.

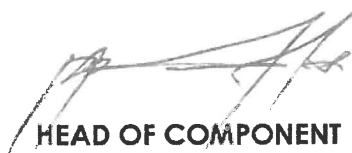
10. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. **Please note that the Environmental Assessment Practitioner (“EAP”) is responsible for such consultation.** Therefore, it is requested that upon submission of the draft report to those relevant State Departments, the EAP must submit proof to this Department of such notification in terms of Section 24O (2) and (3) of NEMA to the relevant State Departments and to also append the proof to 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. 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 preempt 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 information received.

Yours faithfully



**HEAD OF COMPONENT**  
**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) EnviroAfrica cc (EAP)  
(2) The Municipal Manager (Oudtshoorn Municipality)

Fax: 086 512 0154  
E-mail: [suerhete@oudtmun.gov.za](mailto:suerhete@oudtmun.gov.za)

## Emile Esquire

---

**From:** Emile Esquire <emile@enviroafrica.co.za>  
**Sent:** Wednesday, 06 February 2019 11:23 AM  
**To:** 'Marianne Lesch'  
**Cc:** 'Floresca.Julius@westerncape.gov.za'  
**Subject:** RE: DEA&DP Ref: 16/3/3/6/7/1/D7/3/0223/18 - Comment on Notice of Intent: Proposed New 35m High Monopole Telecommunication Mast, Erf 90, De Hoop, Oudtshoorn, Western Cape

Dear Marianne,

I hereby acknowledge receipt of the Department's comment dated 05 February 2019.

Please see the responses to your points raised below:

3. Noted.
4. Noted.
5. Noted.
6. Noted.
7. Noted.
8. Noted.
9. Noted.
10. Noted.
11. Noted.
12. Noted.
13. Noted.
14. Noted.

Thank you for providing comment on the NOI submitted on 29 November 2019.

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](http://www.enviroafrica.co.za) e: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)

**From:** Floresca Julius <Floresca.Julius@westerncape.gov.za>

**Sent:** Wednesday, 06 February 2019 10:30 AM

**To:** emile@enviroafrica.co.za

**Subject:** FW: DEA&DP Ref: 16/3/3/6/7/1/D7/3/0223/18 - Comment on Notice of Intent: Proposed New 35m High Monopole Telecommunication Mast, Erf 90, De Hoop, Oudtshoorn, Western Cape

Hi

Please see attached.

Regards

**Floresca Julius**

Regional Operations Support  
Development Management :Region 3  
Department of Environmental Affairs and Development Planning  
Western Cape Government

93 York Street, 4<sup>th</sup> Floor, York Park Building, George, 6530

Tel: (044) 805 8631

Fax: (044) 805 8650

E-mail: [floresca.julius@westerncape.gov.za](mailto:floresca.julius@westerncape.gov.za)

Website: [www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)



Be 110% Green. Read from the screen.

**From:** Floresca Julius

**Sent:** 06 February 2019 07:09 AM

**To:** 'suerhete@oudtmun.gov.za' <[suerhete@oudtmun.gov.za](mailto:suerhete@oudtmun.gov.za)>

**Cc:** Marianne Lesch <[Marianne.Lesch@westerncape.gov.za](mailto:Marianne.Lesch@westerncape.gov.za)>; Malcolm Fredericks <[Malcolm.Fredericks@westerncape.gov.za](mailto:Malcolm.Fredericks@westerncape.gov.za)>

**Subject:** DEA&DP Ref: 16/3/3/6/7/1/D7/3/0223/18 - Comment on Notice of Intent: Proposed New 35m High Monopole Telecommunication Mast, Erf 90, De Hoop, Oudtshoorn, Western Cape

Good Day,

Please find attached the comment from Ms. Marianne Lesch regarding the aforementioned subject.

For enquiries please contact Ms. Marianne Lesch on 044 – 805 8612 or using:  
[Marianne.Lesch@westerncape.gov.za](mailto:Marianne.Lesch@westerncape.gov.za)

Kind Regards

**Floresca Julius**

Regional Operations Support  
Development Management :Region 3  
Department of Environmental Affairs and Development Planning  
Western Cape Government

93 York Street, 4<sup>th</sup> Floor, York Park Building, George, 6530

Tel: (044) 805 8631

Fax: (044) 805 8650

E-mail: [floresca.julius@westerncape.gov.za](mailto:floresca.julius@westerncape.gov.za)

Website: [www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)

---



Western Cape  
Government

**BETTER TOGETHER.**

Be 110% Green. Read from the screen.

"All views or opinions expressed in this electronic message and its attachments are the view of the sender and do not necessarily reflect the views and opinions of the Western Cape Government (the WCG). No employee of the WCG is entitled to conclude a binding contract on behalf of the WCG unless he/she is an accounting officer of the WCG, or his or her authorised representative. The information contained in this message and its attachments may be confidential or privileged and is for the use of the named recipient only, except where the sender specifically states otherwise.  
If you are not the intended recipient you may not copy or deliver this message to anyone."