

NO.	DATE	AFFILIATION	REFERENCE NUMBER	COMMENTS	RESPONSE	RESPONDENT
Comments on the Pre-App BAR (February 2019)						
1.	12-02-2109	Swellendam Local Municipality Ron Brunings		<p>Appendix F1.2</p> <p>Thank you. Our comment is as follows:</p> <ul style="list-style-type: none"> • The applicant property is zoned Agricultural Zone in terms of the Swellendam Integrated Zoning Scheme Regulations (IZS). An antennae Structure, which includes a cellular communication base station, is denoted a Consent Use in terms of the IZS. An application for Consent Use has already been lodged with our office for consideration, and is in process. • The applicant property is located adjacent to the N2, accordingly input from SANRAL may also be required for your purposes. 	<ul style="list-style-type: none"> • Noted • Comment from SANRAL was obtained. SANRAL has no objection to the proposed development. Please refer to email correspondence with SANRAL Appendix F1.5.1 as well as the letter from SANRAL Appendix F1.5.2 	EnviroAfrica

				<ul style="list-style-type: none"> Given its location adjacent to the N2, we would like to see that the mast be shifted to outside of the line-of-sight of motorists, preferably to a location in the north west or north east corner of the property - where the overall visual impact is minimized. It should then also be placed on previously disturbed / cultivated land. All efforts to be made to blend into the landscape, it may therefore also be preferable to erect a monopole structure, rather than a lattice mast - this would have to be given consideration by your office. Cognisance must be taken of the placement of existing masts in the area, together with an argument as to how the placement of this 	<ul style="list-style-type: none"> Noted. Due to these comments and comments from DEADP the proposed mast location was reconsidered. Please refer to the Appendix A for the updated locality maps. Alternative B is the preferred alternative. The mast is still proposed on previously disturbed/ cultivated land Noted. Comments from the local and district municipality was considered. Based on these comments, it was decided that a monopole mast would be the preferred mast structure. Please refer to Appendix B for the revised site plan. Noted. Please refer the Atlas Towers Need and Desirability 	
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				particular mast will augment / fit-into the existing / planned communication network for the area - this must be appropriately illustrated on a plan for consideration.	document (Appendix K).	
2.	14-02-2019	SANRAL Rene De Kock		<p>Appendix F1.3 Please provide me with the following information:</p> <ul style="list-style-type: none"> • How far from the road reserve fence will the mast be situated. Please include this on the site plan. • Where will access be from. No direct access from the N2 will be allowed. 	<ul style="list-style-type: none"> • Please refer to Appendix F1.5.1 for email correspondence with SANRAL. SANRAL has no objection to the proposed mast development. Please refer to Appendix F1.5.2 for the letter. 	EnviroAfrica
3.	05-03-2019	Overberg District Municipality	18/5/5/a	<p>Appendix F1.4 The Overberg District Municipality's department of Environmental Management Services values the opportunity to give input on the Pre-Application BAR.</p> <ul style="list-style-type: none"> • It is noted that the proposed development is situated in agricultural land and therefore has no impact on any ecosystems listed under Section 52 of the NEMBA (Act 10 of 2004). • The use of a lattice mast instead of a monopole or tree mast could have a more negative visual impact on the immediate surrounding. The proposed mast is situated quite close to the N2 road and may have a negative visual 	<ul style="list-style-type: none"> • Noted and agreed. • Noted. Comments from the local and district municipality was considered. Based on these comments, it was 	EnviroAfrica

				<p>impact on motorists. It is therefore requested that alternative sites within the property boundary be investigated which is further away from the N2 to mitigate the impact.</p> <ul style="list-style-type: none"> It is acknowledge that the proposed development for improved network coverage will have a positive social impact. 	<p>decided that a monopole mast would be the preferred mast structure. Please refer to Appendix B for the revised site plan.</p> <ul style="list-style-type: none"> Noted. 	
4.	07-03-2019	SANRAL Nicole Abrahams		<p>Appendix F1.5 The above listed project bears reference.</p> <p>The South African National Roads Agency received information regarding this project.</p> <ul style="list-style-type: none"> Could you perhaps indicate how far the telecommunication mast is located from the nearest National road. If telecommunication mast falls within 500m radius of an intersection, SANRAL need to provide comment. 	<p>Please refer to Appendix F1.5.1 for email correspondence with SANRAL. SANRAL has no objection to the proposed mast development. Please refer to Appendix F1.5.2 for the letter.</p>	EnviroAfrica
5.	11-03-2019	DEADP Bernadette Osborne	16/3/3/6/7/1/E3/14/1447/18	<p>Appendix F1.6 Comment on the Pre-Application Draft BAR</p> <ol style="list-style-type: none"> The Pre-App BAR and letter dated 8 February 2019, as received by this Department and the Swellendam Municipality, refer. 	<ol style="list-style-type: none"> Noted. 	EnviroAfrica

				<p>2. This letter serves as acknowledgement of receipt and provisional comment on the aforementioned document by this Department.</p> <p>3. According to the information submitted to this Department, the following is noted:</p> <ul style="list-style-type: none"> • The proposal entails the development of a 30m high lattice mast on Farm No. 161, Swellendam Road, Buffeljagsrivier. • The proposed telecommunication base station will have a development footprint of approximately 100m² and will be surrounded by a 2.4m high palisade fence. • Historically the site contained Cape Lowland Alluvial vegetation which is classified as critically endangered, but the site is transformed with no indigenous vegetation remaining on site. 	<p>2. Noted.</p> <p>3.</p> <ul style="list-style-type: none"> • Please note that a monopole mast is now proposed and that the location as slightly changed to reduce the visual impact on the area. Please refer to updated maps and drawing (Appendix A & B) • Correct • Correct 	
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				<ul style="list-style-type: none"> • A non-perennial river is present on the site but the proposed development will not be located within 32m of the watercourse. • The site is zoned for agriculture and is located outside the urban area of Buffeljagsrivier. <p>4. This department’s comments are as follows:</p> <p>4.1 During a meeting with officials from the Swellendam Municipality it was highlighted that the location of the proposed mast was amended based on their comment on the consent use application. This does not correspond with the Site Development Plan included in the DBAR. Please clarify whether the revised development proposal as accepted by Swellendam Municipality is no longer preferred.</p> <p>4.2 A site development plan must be included in the BAR which states the distance between the proposal and the watercourse as proof that the proposal is not located within a 32m of the watercourse present on site.</p>	<ul style="list-style-type: none"> • Correct. • Correct. <p>4.</p> <p>4.1 Noted. Please refer to the Appendix A for the updated locality maps. Alternative B is the preferred alternative. Please also refer to Appendix B for revised site plans.</p> <p>4.2 Please refer to the revised site plans Appendix B. Please refer to the locality maps, Appendix A for a map indicating that the proposed mast location will not be located within 32m of the non-perennial river on</p>	
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				<p>4.3 Since power will be supplied by Eskom, written confirmation that they have sufficient capacity for the proposal must be include in the BAR.</p> <p>4.4 Since the site is zones for Agriculture use, comment from the Department of Agriculture must be included in the BAR</p> <p>4.5 Proof of notification to the municipality and ward councillor and the various organs of state having jurisdiction in respect of any aspects of the proposed development must be included in the BAR.</p> <p>4.6 It was noted that proof of an advertisement in the newspaper was</p>	<p>site. The preferred mast alternative will be situated more than 100m from the non-perennial river.</p> <p>4.3 Power will be from the municipality. Letter requested.</p> <p>4.4 Please refer to Appendix F.7 for proof that the Pre-App BAR was sent to Department of Agriculture for comment. No comments received. The Dept of Agriculture will have another opportunity to comment on the Post-App BAR.</p> <p>4.5 Please refer to Appendix F.7 for proof.</p> <p>4.6 Please refer to Appendix F6.</p>	
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				<p>not included in the BAR. Please be advised that a cut-out of the advert in the newspaper must be included in the BAR.</p> <p>4.7 The PPP must comply with the requirements of Reg 41 of the EIA Regs 2014, and proof of compliance with all the steps undertaken must be included in the BAR.</p> <p>4.8 A Site Development Plan of the proposal must be included in the EMPr as required by the Regs 1 (c) of Appendix 4 of the NEAM EIA Regs 2014.</p> <p>4.9 Omission of any required information in terms of Appendices 1 and 4 of EIA Regs 2014, with regards to the final submission of the BAR and the EMPr respectively to the Department may result in the application for EA being refused.</p> <p>4.10 Be advised that an original signed and dated applicant declaration is required to be submitted with the FBAR to this Department for decision-making. It is important to note that by signing this declaration, the applicant is confirming that they are aware and have taken cognisance of the contents of the report submitted for decision-making. Furthermore, through signing</p>	<p>4.7 Noted and agreed.</p> <p>4.8 Noted and included.</p> <p>4.9 Noted.</p> <p>4.10 Noted. An original signed and dated application declaration will be included in the FBAR.</p>	
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				<p>this declaration, the applicant is making a commitment that they are willing and able to implement the necessary mitigation, management and monitoring measures recommended within the report with respect to this application.</p> <p>4.11 In addition to the above please make sure that the original signed and dated EAP declaration is also submitted with the FBAR for decision making.</p> <p>5. Kindly quote the above mentioned reference number in any further correspondence in respect of the application.</p> <p>6. 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 CA has granted an EA for the undertaking of the activity Failure to comply with the requirements of Section 24F 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 both such fine and imprisonment.</p> <p>7. This department reserves the right to revise or withdraw any comments or</p>	<p>4.11 Noted. To be included.</p> <p>5. Noted.</p> <p>6. Noted.</p> <p>7. Noted.</p>	
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				request further information from you based on any information received.		
6.	07-01-2019	Cape Nature	SSD14/2/5/1/7/3/162-0_cons_mast_Buffeljagsrivier	<p>Appendix F1.7</p> <p>I've attached CapeNature's comment to the town planning application for this development. Please let me know if you need a separate letter instead. Kind regards Chanel</p> <p>Appendix F1.7.1 Application for consent use to erect 30 m telecommunications mast on FA 161/0, Buffeljagsrivier (Swellendam Municipality ref: 15/2/3/BJ154)</p> <ul style="list-style-type: none"> • CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity-related impacts and not to the overall desirability of the application. • The application is for the consent use to erect a 30 m telecommunications mast on FA 161/0, Buffeljagsrivier, contained within a 100 m2 fence. • According to the Western Cape Biodiversity Spatial Plan (CapeNature 2017), the proposed site is adjacent to an Ecological Support Area with restoration potential (ESA2), which is associated with a non-perennial 	<ul style="list-style-type: none"> • Noted • Please take note of the adjusted site location (Alternative B in the Maps). The proposed site now 	

				<p>tributary of the Buffeljags River. This watercourse is approximately 70 m east of the proposed footprint. While critically endangered Cape Lowland Alluvial Vegetation would have occurred here naturally, the site has been completely transformed and no natural vegetation remains. Given that the site is sufficiently buffered from the watercourse and ESA2, and does not contain natural vegetation, the proposed development will likely have no significant impacts on biodiversity.</p> <ul style="list-style-type: none"> • The National Environmental Management Act Listing Notice 3, Activity 3 (i) will be triggered for the development of telecommunication masts exceeding 15 metres in height. Environmental authorisation is being sought from the Department of Environmental Affairs and Development Planning, to which CapeNature may provide further comment. • In conclusion, no significant biodiversity impacts are foreseen; therefore, CapeNature does not object to the application. However, CapeNature will be providing further comments on the application for environmental authorisation where necessary. • CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received. 	<p>situated more than 100m away from the non-perennial stream.</p> <ul style="list-style-type: none"> • Correct • Noted. • Noted. 	
7.	27-03-2019	BGCMA N. Feni		Appendix F1.8		

				<p>BGCMA has reviewed the information provided to the BGCMA. The BGCMA support the proposed development with the following conditions:</p> <ul style="list-style-type: none"> • All relevant section and regulations of the NWA 36 of 1998 regarding water use must be adhered to; • All relevant sections and regulations of the NEMA:WA Act 59 of 2008 regarding the disposal of solid waste must be adhered to. Solid waste may only be disposed of onto an authorised solid waste facility in terms of the abovementioned legislation; • No permanent structures may be constructed within the 100-year flood line of any watercourse (seasonal or permanent river, stream etc); • A buffer area for the execution of a water use contemplated in Section 21(c), (i) and (j) of the NWA 36 of 1998 must be applied to any wetland or any water resource within a distance of 500m upstream or downstream from the boundary of any wetland. • No permanent structures may be constructed within the 50-year flood line of any watercourse (seasonal or permanent river, steam, etc). • No pollution of surface water or ground water resources may occur due to any activity on the property. 	<p>Please refer to email correspondence to BGCMA (Appendix F1.8.1) explaining that the site will be located more than 100m from the non-perennial river located on the eastern boundary. Please note that the development of the mast does not require any water use. Relevant conditions will be included in the BAR and EMPr.</p>	
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Comments on the NOI (28-11-2018)						
1.	10-12-2018	DEADP Bernadette Osborne	16/3/3/6/7/1E3/14/1447/18	<p>Notice of Intent (NoI) to submit an application in terms of the NEMA (Act 107 of 1998) and the 2014 Environmental EIA regs for the proposed 30m high mast n Farm 161 Swelendam Road, Buffeljagsrivier</p> <ol style="list-style-type: none"> 1. Your document and letter dated 29 November 2018, as received by the Department on the same day, refer. 2. The following review of the information submitted to this Department, the following is noted: <ul style="list-style-type: none"> • The proposed entails the development of a 30m high lattice mast on Farm 161 Swellendam Road, Buffeljagsrivier. • The proposed telecommunications base station will have a development footprint of approx. 100m2 and will be surrounded by a 2.4m high palisade fence. • No indigenous vegetation is present on the site. • The site is zoned for agricultural use and is located outside the urban area of Buffeljagsrivier. <p>Process</p> <ol style="list-style-type: none"> 3. Having considered the information contained in the NoI, the Department concurs that the proposed development constitutes a listed 	<ol style="list-style-type: none"> 1. Noted 2. Correct 3. Noted and agreed. 	EnviroAfrica

				<p>activity as defined in terms of the NEMA EIA Regulations, 2014.</p> <p>4. In light of the activities 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 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.</p> <p>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.</p> <p>6. You are advised that when undertaking the Basic Assessment process, you must 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</p>	<p>4. Noted and agreed.</p> <p>5. Noted.</p> <p>6. Noted.</p>	
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				<p>applicable to the proposed development include, inter alia, the following</p> <ul style="list-style-type: none"> • 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) • Other (as applicable) <p>7. Please ensure that the Basic Assessment Report (BAR) and Environmental Management Programme (EMPr) contain all the information requirements outlined in the EIA Regulations, 2014.</p> <p>Public Participation</p> <p>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 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 that a</p>	<p>7. Noted.</p> <p>8. Noted and agreed. All potential I&APs were notified of the proposed development and invited to register as I&APs. All potential I&APs were notified of the availability of the Pre-App BAR for comment on the</p>	
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				<p>period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the BAR.</p> <p>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 <u>two</u> printed copies of the pre-application BAR is submitted to the Department for commenting purposes.</p> <p>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 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.</p> <p>11. The Department awaits the submission of the Application Form and/or pre-</p>	<p>Enviro Africa website which will be available for 30 days.</p> <p>9. Noted.</p> <p>10. Noted.</p>	
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				<p>application BAR prescribed by the EIA Regulations, 2014. Please note that one printed copy and one electronic copy (saved on CD/DVD) of Application Form must be submitted.</p> <p>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.</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>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>	<p>11. Noted.</p> <p>12. Noted.</p> <p>13. Noted.</p>	
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				<ul style="list-style-type: none"> • That additional information or documents will not be requested • Of the outcome of the application <p>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.</p>	14. Noted.	
Comments on Initial Public Participation & Pre-App BAR (Feb 2019)						