

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

ENQUIRIES: Marianne Lesch

DATE OF ISSUE: 0.5 F

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 68m²;
 - 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://eadpwesterncape.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 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 (preapplication) 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 preapplication 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)

(1) Environmed de (LAF)

Fax: 086 512 0154

(2) The Municipal Manager (Oudtshoorn Municipality)

E-mail: suerhete@oudtmun.gov.za

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



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: 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, 4th Floor, York Park Building, George, 6530

Tel: (044) 805 8631 Fax: (044) 805 8650

E-mail: floresca.julius@westerncape.gov.za Website: www.westerncape.gov.za/eadp



BETTER TOGETHER.

Be 110% Green, Read from the screen.

From: Floresca Julius

Sent: 06 February 2019 07:09 AM

To: 'suerhete@oudtmun.gov.za' <<u>suerhete@oudtmun.gov.za</u>>

Cc: Marianne Lesch < Marianne.Lesch@westerncape.gov.za>; Malcolm Fredericks

< 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

Kind Regards

Floresca Julius

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

93 York Street, 4th Floor, York Park Building, George, 6530

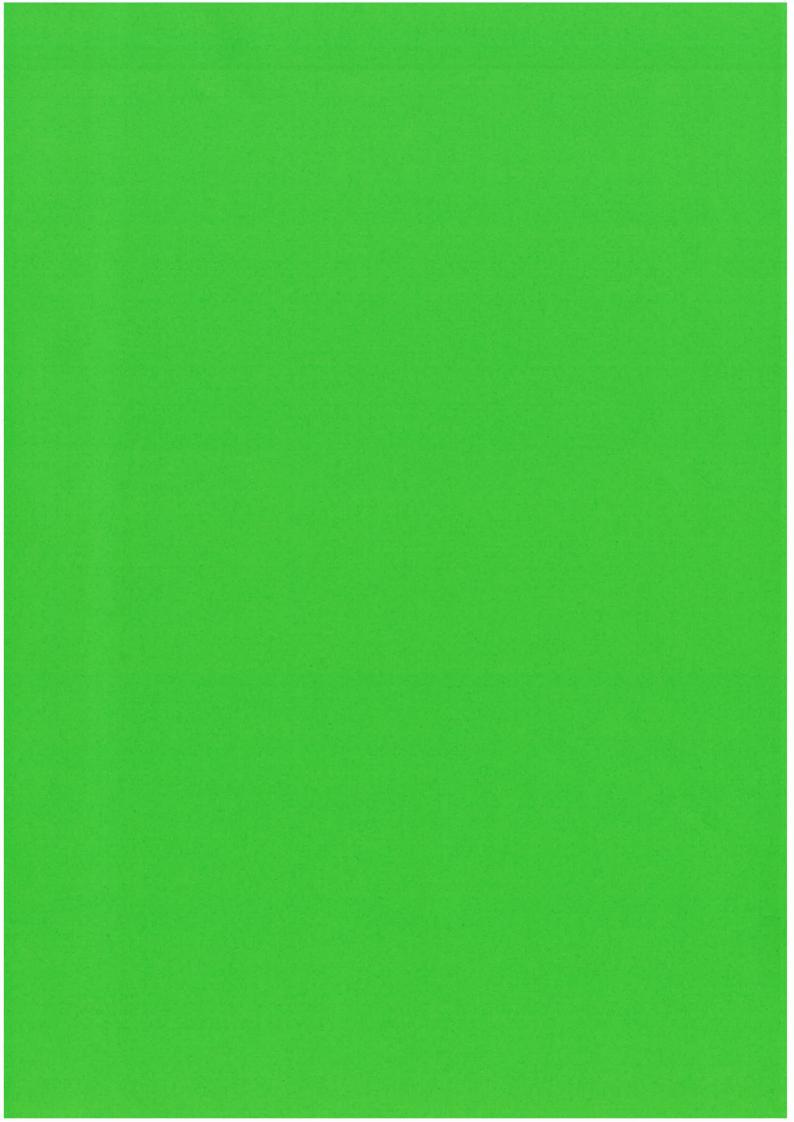
Tel: (044) 805 8631 Fax: (044) 805 8650 E-mail: floresca.julius@westerncape.gov.za Website: www.westerncape.gov.za/eadp



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From:

Emile Esquire <emile@enviroafrica.co.za>

Sent:

Thursday, 14 February 2019 9:11 AM

To:

'Alice le Roux'

Cc:

'willem@willemburger.co.za'

Subject:

RE: Telecommunications Mast on Erf 90, Bond Street, De Hoop, Oudtshoorn

Tracking:

Recipient

Read

'Alice le Roux'

'willem@willemburger.co.za'

Alice le Roux

Read: 2019/02/14 9:23 AM

Dear Alice,

I hereby acknowledge receipt of your email.

Your comment is noted.

Kind regards,

Emile Esquire



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: Alice le Roux <alice@aliceleroux.co.za>
Sent: Thursday, 14 February 2019 8:47 AM
To: 'Emile Esquire' <emile@enviroafrica.co.za>

Cc: willem@willemburger.co.za

Subject: RE: Telecommunications Mast on Erf 90, Bond Street, De Hoop, Oudtshoorn

Dear Emile

Thank you so much for your email. I have downloaded all the documents and we are in the process of formalising our dissaproval of the application.

Kind regards

Alice le Roux-Burger

on behalf of the WP Burger Beleggingstrust (Erf 12,13,14,15 & 16 - De Hoop - Oudtshoorn)

Alice le Roux

Direkteur / Director



ALICE LE ROUX INCORPORATED - CHARTERED ACCOUNTANT AND REGISTERED AUDITOR

T: +27 44 272 8351 | F: +27 44 272 8591 | C: +27 82 804 5932 | e: <u>alice@aliceleroux.co.za</u> Kerkstraat 135 Church Street, Oudtshoorn, 6625, South Africa Posbus 788 PO Box, Oudtshoorn, 6620, South Africa

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From: Emile Esquire < emile@enviroafrica.co.za>

Sent: 14 February 2019 08:29 AM

To: alice@aliceleroux.co.za
Cc: willem@willemburger.co.za

Subject: RE: Telecommunications Mast on Erf 90, Bond Street, De Hoop, Oudtshoorn

Dear Alice,

I hereby acknowledge receipt of your email dated 11 February 2019.

Kindly note that your name will be placed on the list of registered Interested and Affected Parties (I&APs).

Please note that the Pre-App BAR is uploaded onto our website, and can accessed at the following link: https://enviroafrica.co.za/projects/for-public-participation/

Kind regards,

Emile Esquire



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: Alice le Roux <alice@aliceleroux.co.za>

Sent: February 11, 2019 4:40 PM
To: admin@enviroafrica.co.za
Cc: willem@willemburger.co.za

Subject: Telecommunications Mast on Erf 90, Bond Street, De Hoop, Oudtshoorn

To whom it may concern

We have received notification that the Pre-App BAR will be available on your website from 8 February 2019. I am unable to locate the documents.

Please advise on when they will be loaded.

I will appreciate it if you could acknowledge receipt of this email.

Kind regards Alice le Roux

Alice le Roux **Direkteur / Director**

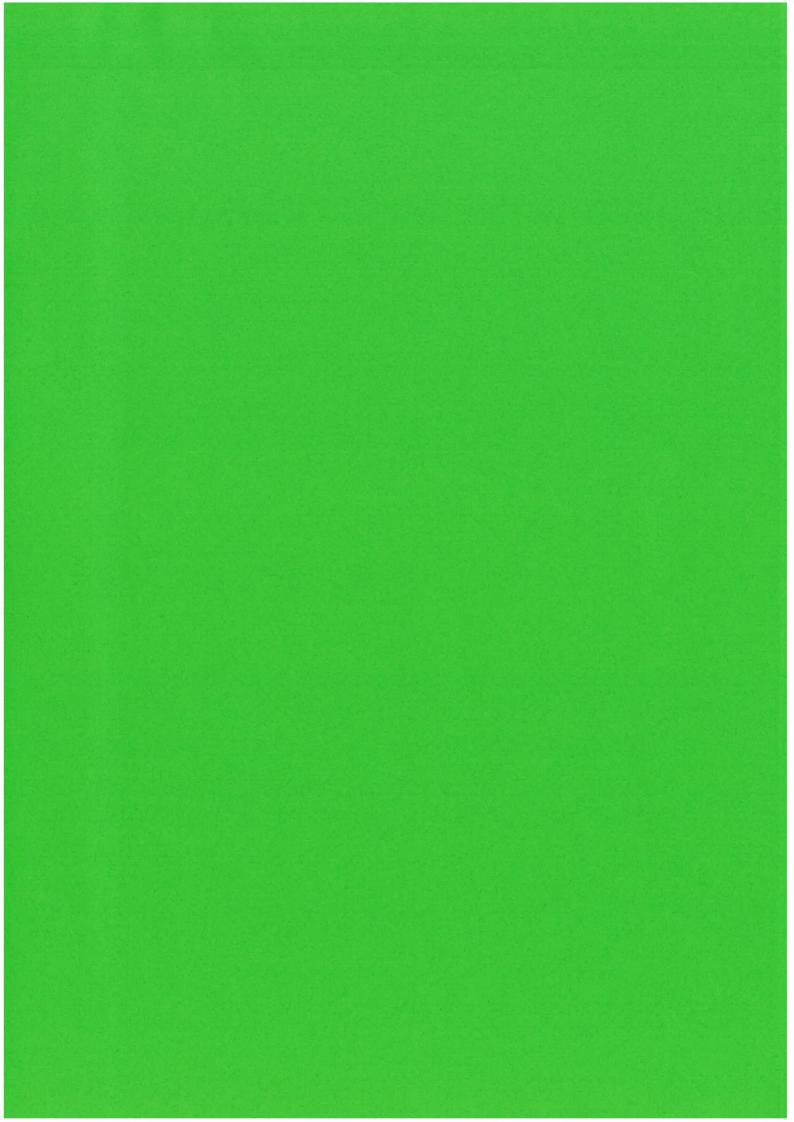


ALICE LE ROUX INCORPORATED - CHARTERED ACCOUNTANT AND REGISTERED AUDITOR

T: +27 44 272 8351 | F: +27 44 272 8591 | C: +27 82 804 5932 | e: <u>alice@aliceleroux.co.za</u> Kerkstraat 135 Church Street, Oudtshoorn, 6625, South Africa Posbus 788 PO Box, Oudtshoorn, 6620, South Africa

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From:

Emile Esquire <emile@enviroafrica.co.za>

Sent:

Thursday, 14 March 2019 9:11 AM

To:

'willem@willemburger.co.za'

Subject:

RE: Public Participation De Hoop

Dear Mr. Willem Burger,

Your comment dated 13 March 2019, refers.

Please note that you are now a registered Interested and Affected Party (I&AP) and your name will be placed on the list of registered I&APs.

Your comment is noted.

Kind regards,

Emile Esquire



Environmental Consultant

EnviroAfrica cc

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

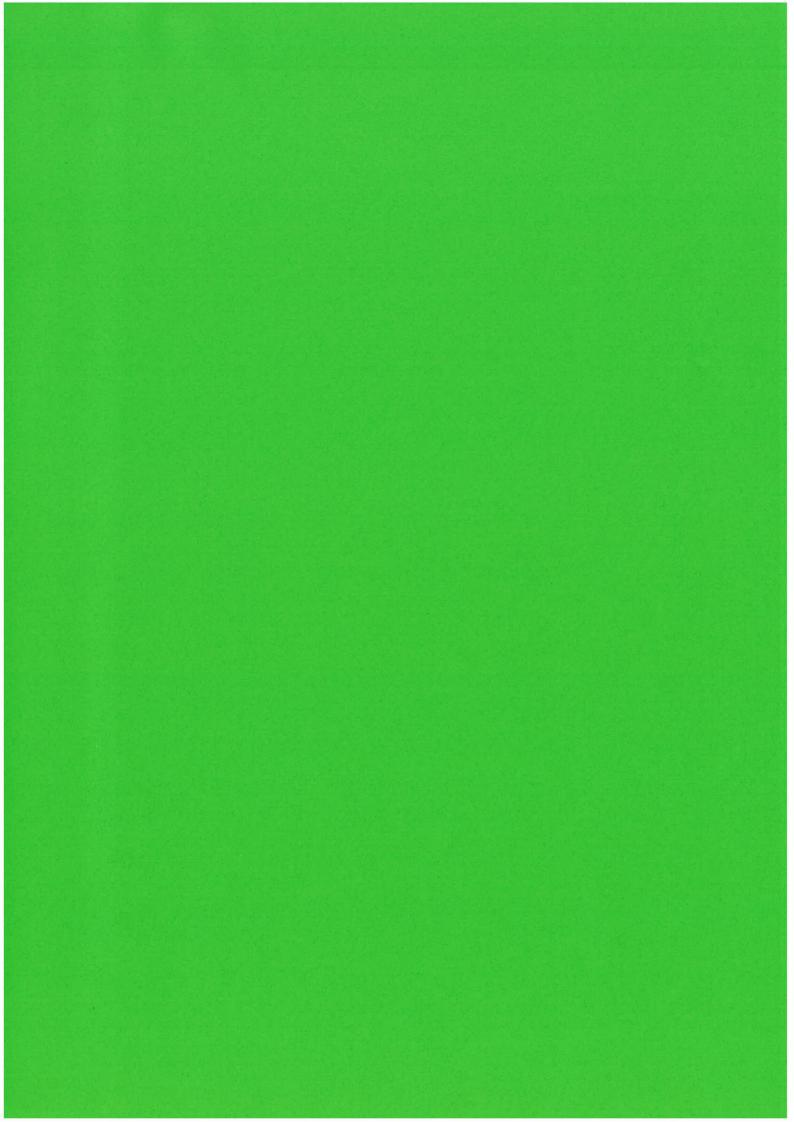
From: EnviroAfrica <a dmin@enviroafrica.co.za>

Sent: March 13, 2019 3:40 PM
To: admin@enviroafrica.co.za
Subject: Public Participation

Public Participation

Registration & Response Form for Interested Parties

Date:	03/13/2019
Project Name:	De Hoop
	I do not support the Application
:	Company
Company Name /*if applicable:	
Name:	Willem
Surname:	Burger
Contact Nr:	0825705710
Fax:	
Email:	willem@willemburger.co.za
Physical Address:	13Hoop str De Hoop Oudtshoorn 6620 South Africa
Postal Address / *if different:	Box 788 Oudtshoorn 6620 South Africa
Preferred method of communication:	Email
:	 Skyline disturbance Aesthetic disturbance of historical buildings Health hazards associated with emitted waves and magnetic fields created in close proximity of tower.





Directorate: Development Management (Region 3)

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

ENQUIRIES: Marianne Lesch
DATE OF ISSUE: 1 5 MAR 2019

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

Attention: Mr Cornelis Wessels Tel.: (021) 870 1302

Fax: (086) 537 9187

E-mail: cwessels@atlastowers.com

Dear Sir

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT (BAR) FOR AN APPLICATION IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED DEVELOPMENT OF A 35M HIGH TELECOMMUNICATIONS MAST ON ERF 90, DE HOOP, OUDSTHOORN

- 1. The abovementioned document received by this Department on 13 February 2018, refers.
- 2. Following review of the Pre-Application BAR this Department confirms that the proposal entails the following:
 - 2.1. The proposal entails the development of a 35m high telecommunication mast with antennae attached to it, as well as a base station;
 - 2.2. The total area to be cleared to accommodate the development will be 68m² and access will be obtained via an existing access road.
- 3. This Department would like to re-iterate the previous comment issued on 05 February 2019, which still applies to the content of the abovementioned document.
- 4. 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. In addition, this Department further notes from the aforementioned BAR that the proposed site is covered with patches of natural vegetation and some alien vegetation and is in a degraded state. According to the vegetation map from SANBI BGIS, the vegetation that is present on the site is Muscadel Riviere. This type of vegetation is classified as Critically Endangered in the Western Cape in terms of NEMBA National list of Ecosystems that are threatened.

However, from the site photos the area seems to be transformed and disturbed due to previous developments and the site does not fall within a Critical Biodiversity Area (CBA) or Ecological Support Area (ESA).

6. Despite the aforementioned (paragraph 5) you are respectfully reminded of your general duty of care towards the environment in terms of Section 28(1) of NEMA which states:

"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

- 7. This Department further confirms that the following specialist studies need to be conducted:
 - 7.1 Visual Impact Assessment (VIA)
 - 7.2 Heritage Impact Assessment (HIA)
 - 7.3 Any other specialist assessment identified during the public participation process and which is considered relevant by this Department.
- 8. 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://eadpwesterncape.kznsshf.gov.za/your-resource-library/policies-guidelines). In particular, the Guideline on Telecommunication Structures/Networks, 2005.
- 9. Please ensure the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contain all information requirements outlined in Appendices 1 and 4 respectively of GN R. 982.

Public Participation

10. Public participation process ("PPP")
To meet the requirements of the EIA Regulations, 2014 you are advised to undertaken the public participation as stated in Regulation 41 of the EIA Regulations, 2014. Furthermore,

the process as explained in the communication dated 05 February 2019 should be adhered to.

11. 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 relevant contact person for CapeNature is Mr Collin Fordham and no longer Mr Benjamin Walton, as indicated in the BAR.

- 12. The Department awaits the submission of the Application Form 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.
- 13. Please note that the Department encourages the sharing of masts by different service providers and co-locating on existing communication structures or tall structures. This Department furthermore, supports the attachment of telecommunication broadcasting structures to existing structures/ masts in order to minimise visual impact. The proponent is encouraged to consider the option of camouflaging masts as church steeple to minimise the potential visual impact.
- 14. Please note that the pre-application consultation is an advisory process and will ensure that the success of the application is not jeopardised.
- 15. 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)

Fax: 086 512 0154

(2) The Municipal Manager (Oudtshoorn Municipality)

E-mail: suerhete@oudtmun.gov.za

From:

Emile Esquire <emile@enviroafrica.co.za>

Sent:

Wednesday, 20 March 2019 8:24 AM

To:

'Marianne Lesch' 'Floresca Julius'

Cc: Subject:

RE: Comment Pre-App BAR De Hoop

Dear Marianne,

The Department's comment dated 15 March 2019 and my email correspondence dated 18 March 2019, refers.

Please find attached Record of Decision (ROD) from Heritage Western Cape dated 27 February 2019.

In the aforementioned correspondence it was confirmed that there is no reason to believe that the proposed establishment of a 35m high telecommunication mast on Erf 90, Bond Street, De Hoop, Oudtshoorn, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

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

Kind regards,

Emile Esquire



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: Emile Esquire <emile@enviroafrica.co.za>

Sent: Monday, 18 March 2019 10:56 AM

To: 'Marianne Lesch' <Marianne.Lesch@westerncape.gov.za> **Cc:** 'Floresca Julius' <Floresca.Julius@westerncape.gov.za>

Subject: RE: Comment Pre-App BAR De Hoop

Dear Marianne,

Your Department's comment dated 15 March 2019, refers.

Please see the responses to your points raised below:

- 2. Noted.
- 3. Noted.

- 4. Noted.
- 5. Noted.
- 6. Noted.
- 7.1. Noted. Please be advised that a Visual Impact Assessment (VIA) is currently undertaken by an Independent Visual Impact Assessment Specialist and will be included in the Draft Basic Assessment Report (BAR) that will go out for public comment in due course.
- 7.2. Noted. However, I am still awaiting comment from Heritage Western Cape. In addition, a Heritage Screener was conducted for the proposed site and found that due to the location and nature of the proposed development, it is unlikely that significant heritage resources will be physically impacted by the development and as such, it is recommended that no further archaeological/paleontological studies are required. However in terms of the impact to the sense of place associated with the declared sites, it is recommended that this impact be further assessed in a Heritage Impact Assessment.
- 7.3. Noted.
- 8. Noted. Guidelines were taken into consideration while compiling the draft BAR.
- 9. Noted. All information requirements will be adhered to.
- 10. Noted. All PPP requirements will be adhered to.
- 11. Noted. The relevant amendment will be made in the DBAR and Interested and Affected Parties (I&APs) list.
- 12. Noted.
- 13. Noted.
- 14. Noted.
- 15. Noted.

Thank you for providing comment on the Pre-Application BAR for the aforementioned proposed development.

Kind regards,

Emile Esquire



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: Marianne Lesch < Marianne.Lesch@westerncape.gov.za >

Sent: Friday, 15 March 2019 4:04 PM

To: cwessels@atlastowers.com; suerhete@oudtmun.gov.za; <a href="mailto:emilto:e

Cc: Floresca Julius <Floresca.Julius@westerncape.gov.za>

Subject: Comment Pre-App BAR De Hoop

Good Day,

Please find attached the comment regarding the aforementioned subject.

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

Kind Regards

Marianne Lesch

Environmental Impact Management Service
Directorate Development Management (Region 3)
Department of Environmental Affairs & Development Planning
Western Cape Government

4th Floor, York Park Building, 93 York Street, George

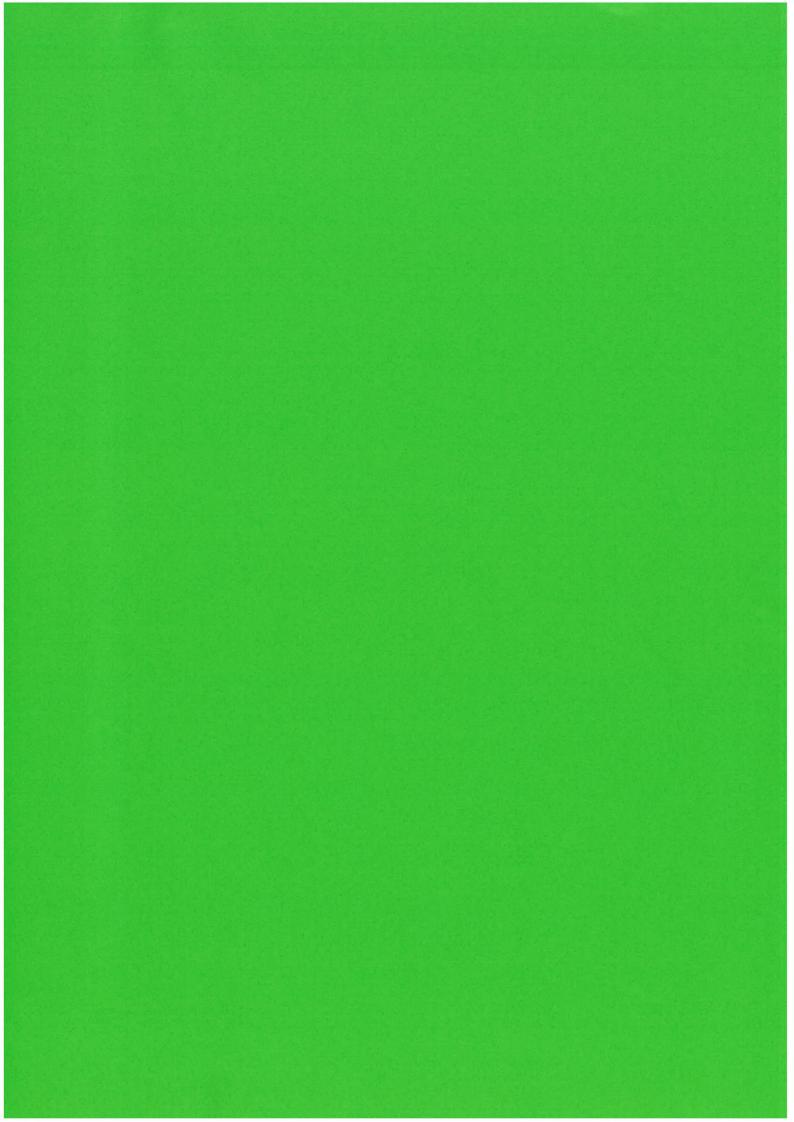
Tel: 044 805 8612 Fax: 044 805 8650

E-mail: <u>Marianne.Lesch@westerncape.gov.za</u> Website: <u>www.westerncape.gov.za/eadp</u>



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From:

Emile Esquire <emile@enviroafrica.co.za>

Sent:

Thursday, 25 April 2019 9:19 AM

To:

'willem@willemburger.co.za'

Subject:

RE: Terugvoering - De Hoop. Oudtshoorn

Goeie more Alice,

Ek is tans besig om die kommentare aan te spreek wat ontvang was gedurende die eerste ronde publieke deelname proses.

Ons is nou besig met die ondersoek van ander alternatiewe vir die voorgestelde ontwikkeling.

Ek sal jou laat weet wanneer die volgende ronde publieke deelname begind.

Beste groete,

Emile Esquire



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: Alice le Roux <alice@aliceleroux.co.za>

Sent: April 25, 2019 8:30 AM
To: admin@enviroafrica.co.za
Cc: willem@willemburger.co.za

Subject: Terugvoering - De Hoop. Oudtshoorn

Vir wie dit mag aangaan

Kan u dalk vir my teruvoering gee oor die projek en die vordering van die aansoek?

Groete

Alice le Roux

Alice le Roux

Direkteur / Director

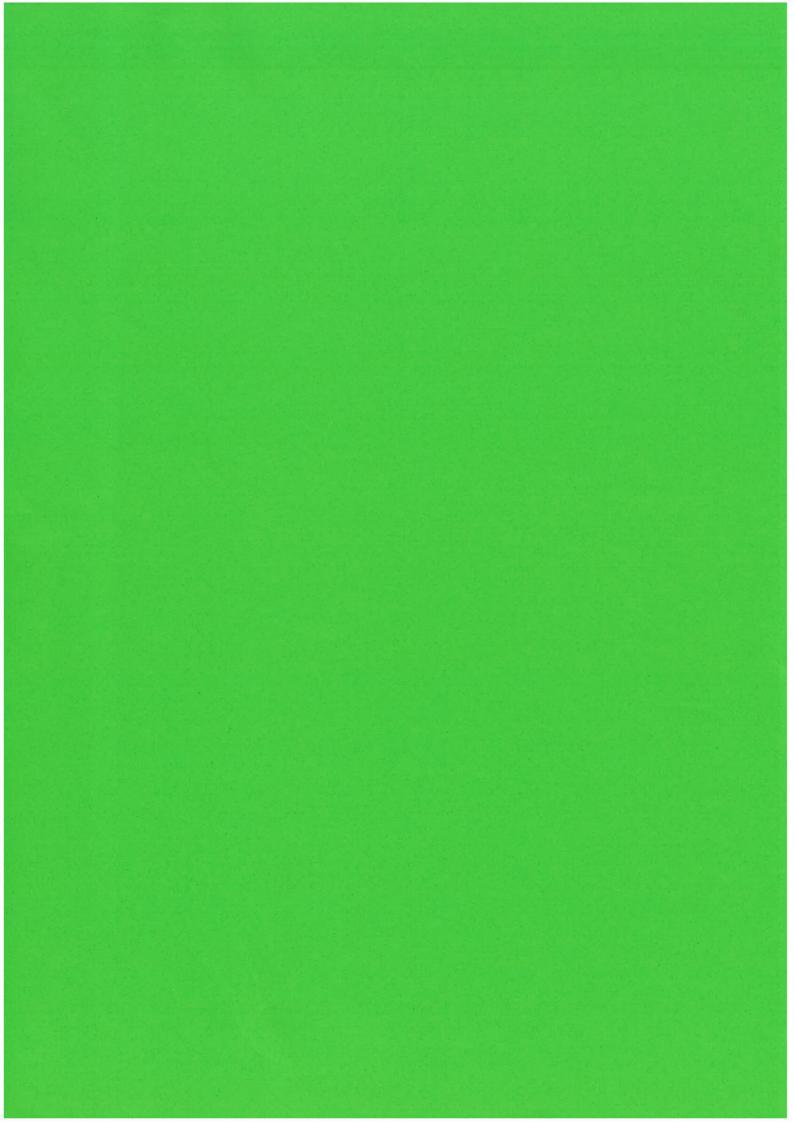


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From:

Emile Esquire <emile@enviroafrica.co.za>

Sent:

Tuesday, 30 April 2019 10:35 AM

To:

'cfordham@capenature.co.za'

Cc:

'Marianne Lesch'

Subject:

FW: Comment Pre-App BAR for the proposed development of a 35m high

telecommunication mast on Erf 90, De Hoop, Oudtshoorn, Western Cape (DEA&DP

Pre-App Ref: 16/3/3/6/7/1/D7/3/0223/18)

Attachments:

Comment pre-app BAR.pdf

Dear Mr. Colin Fordham,

Please find attached comment from DEA&DP dated 15 March 2019.

It was requested that comment be obtained from you for the proposed development of a 35m high telecommunication mast on Erf 90, De Hoop, Oudtshoorn, Western Cape.

Kindly note that a copy of the Pre-Application Basic Assessment Report is available on our website at https://enviroafrica.co.za/projects/current/

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

Kind regards,

Emile Esquire



Environmental Consultant

EnviroAfrica cc

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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: Marianne Lesch < Marianne.Lesch@westerncape.gov.za>

Sent: Friday, 15 March 2019 4:04 PM

To: cwessels@atlastowers.com; suerhete@oudtmun.gov.za; emile@enviroafrica.co.za

Cc: Floresca Julius <Floresca.Julius@westerncape.gov.za>

Subject: Comment Pre-App BAR De Hoop

Good Day,

Please find attached the comment regarding the aforementioned subject.

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

Kind Regards

Marianne Lesch

Environmental Impact Management Service Directorate Development Management (Region 3) Department of Environmental Affairs & Development Planning Western Cape Government

4th Floor, York Park Building, 93 York Street, George

Tel: 044 805 8612 Fax: 044 805 8650

E-mail: <u>Marianne.Lesch@westerncape.gov.za</u> Website: www.westerncape.gov.za/eadp



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Directorate: Development Management

(Region 3)

REFERENCE:

16/3/3/6/7/1/D7/3/0223/18

ENQUIRIES:

Marianne Lesch

DATE OF ISSUE:

1 5 MAR 2019

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

Attention: Mr Cornelis Wessels

Tel.: (021) 870 1302

Fax: (086) 537 9187

E-mail: cwessels@atlastowers.com

Dear Sir

COMMENT ON THE PRE-APPLICATION BASIC ASSESSMENT REPORT (BAR) FOR AN APPLICATION IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED DEVELOPMENT OF A 35M HIGH TELECOMMUNICATIONS MAST ON ERF 90, DE HOOP, OUDSTHOORN

- 1. The abovementioned document received by this Department on 13 February 2018, refers.
- 2. Following review of the Pre-Application BAR this Department confirms that the proposal entails the following:
 - 2.1. The proposal entails the development of a 35m high telecommunication mast with antennae attached to it, as well as a base station;
 - 2.2. The total area to be cleared to accommodate the development will be 68m² and access will be obtained via an existing access road.
- 3. This Department would like to re-iterate the previous comment issued on 05 February 2019, which still applies to the content of the abovementioned document.
- 4. 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. In addition, this Department further notes from the aforementioned BAR that the proposed site is covered with patches of natural vegetation and some alien vegetation and is in a degraded state. According to the vegetation map from SANBI BGIS, the vegetation that is present on the site is Muscadel Riviere. This type of vegetation is classified as Critically Endangered in the Western Cape in terms of NEMBA National list of Ecosystems that are threatened.

However, from the site photos the area seems to be transformed and disturbed due to previous developments and the site does not fall within a Critical Biodiversity Area (CBA) or Ecological Support Area (ESA).

6. Despite the aforementioned (paragraph 5) you are respectfully reminded of your general duty of care towards the environment in terms of Section 28(1) of NEMA which states:

"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

- 7. This Department further confirms that the following specialist studies need to be conducted:
 - 7.1 Visual Impact Assessment (VIA)
 - 7.2 Heritage Impact Assessment (HIA)
 - 7.3 Any other specialist assessment identified during the public participation process and which is considered relevant by this Department.
- 8. 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://eadpwesterncape.kznsshf.gov.za/your-resource-library/policies-guidelines). In particular, the Guideline on Telecommunication Structures/Networks, 2005.
- 9. Please ensure the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contain all information requirements outlined in Appendices 1 and 4 respectively of GN R. 982.

Public Participation

10. Public participation process ("PPP")

To meet the requirements of the EIA Regulations, 2014 you are advised to undertaken the public participation as stated in Regulation 41 of the EIA Regulations, 2014. Furthermore,

the process as explained in the communication dated 05 February 2019 should be adhered to.

11. 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 relevant contact person for CapeNature is Mr Collin Fordham and no longer Mr Benjamin Walton, as indicated in the BAR.

- 12. The Department awaits the submission of the Application Form 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.
- 13. Please note that the Department encourages the sharing of masts by different service providers and co-locating on existing communication structures or tall structures. This Department furthermore, supports the attachment of telecommunication broadcasting structures to existing structures/ masts in order to minimise visual impact. The proponent is encouraged to consider the option of camouflaging masts as church steeple to minimise the potential visual impact.
- 14. Please note that the pre-application consultation is an advisory process and will ensure that the success of the application is not jeopardised.
- 15. 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)

Fax: 086 512 0154

(2) The Municipal Manager (Oudtshoorn Municipality)

E-mail: suerhete@oudtmun.gov.za