

INITIAL PUBLIC PARTICIPATION COMMENTS RECEIVED - PROPOSED DEVELOPMENT OF A 35M HIGH TELECOMMUNICATION MAST ON ERF 90, DE HOOP, OUDTSHOORN, WESTERN CAPE

A. INITIAL COMMENTS RECEIVED FOR THE PROPOSED DEVELOPMENT OF A 35M HIGH TELECOMMUNICATION MAST ON ERF 90, DE HOOP, OUDTSHOORN, WESTERN CAPE

Date	Comment	I&AP	Project	Response	Respondent
05/02/2017	<p>1. The aforementioned document dated 29 November 2018 and received by this Department on 06 December 2018 refers.</p> <p>2. Following a review of the information submitted to this Department, the following is noted:</p> <p>2.1. The proposal entails the development of a 35m high monopole telecommunication mast with antennas attached to it;</p> <p>2.2. The total area to be cleared is 68m²;</p> <p>2.3. Existing access will be utilised.</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	<p>I hereby acknowledge receipt of the Department's comment dated 05 February 2019.</p> <p>Please see the responses to your points raised below:</p> <p>Noted.</p>	EnviroAfrica
"	<p><u>Process</u></p> <p>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 (as amended 7 April 2017).</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	<p>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.</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	<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 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.</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	<p>6. You are advised to 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://www.westerncape.gov.za.eadp/your-resources-library) or provided on request. In particular, the guidelines that may be 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 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 structures/networks,2005 	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	<p>7. Please ensure the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contains all information requirements outlined in Appendix 1 and 4 respectively of GN R. 982.</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	<p><u>Public Participation</u></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 the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed (pre-application) process or formal application process; however, it is advised to comply with this requirement in the pre-application process. You are reminded that a period of at least 30-dys must be provided to all potential or registered interested and affected parties to submit comment on the BAR and EMPr.</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica

"	9. Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to the submission of an Application Form to the Department, in terms of Regulation 40, the pre-application BAR must 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.	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	10. In terms of Section 24O (2) and (3) of NEMA and Regulation 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 also to append the proof to the BAR, where appropriate.	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	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) on the Application Form must be submitted.	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	General 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 both such fine and imprisonment.	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	13. Please note that a 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. 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; or * the outcome of the application.	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
"	14. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.	DEA&DP: Region 3	De Hoop Telecommunication Mast	Noted.	EnviroAfrica
11/02/2019	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 Incorporated	De Hoop Telecommunication Mast	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,	EnviroAfrica

14/02/2019	<p>Dear Emile</p> <p>Thank you so much for your email. I have downloaded all the documents and we are in the process of formalising our disapproval of the application.</p> <p>Kind regards Alice le Roux-Burger on behalf of the WP Burger Beleggingstrust (Erf 12,13,14,15 & 16 – De Hoop - Oudtshoorn)</p> <p>Alice le Roux</p>	Alice le Roux Incorporated	De Hoop Telecommunication Mast	<p>Dear Alice,</p> <p>I hereby acknowledge receipt of your email.</p> <p>Your comment is noted.</p> <p>Kind regards,</p>	EnviroAfrica
13/03/2019	<p>I do not support the Application.</p> <ol style="list-style-type: none"> 1. Skyline disturbance 2. Aesthetic disturbance of historical buildings 3. Health hazards associated with emitted waves and magnetic fields created in close proximity of tower. 	Willem Burger	De Hoop Telecommunication Mast	<p>Dear Mr. Willem Burger,</p> <p>Your comment dated 13 March 2019, refers.</p> <p>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.</p> <p>Your comment is noted.</p> <p>Kind regards,</p>	EnviroAfrica
15/03/2019	<ol style="list-style-type: none"> 1. The abovementioned document received by this Department on 13 February 2019, refers. 2. Following review of the Pre-Application BAR this Department confirms that the proposal entails the following: <ol style="list-style-type: none"> 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. 	DEA&DP: Region 3	De Hoop Telecommunication Mast	<p>Dear Marianne,</p> <p>Your Department's comment dated 15 March 2019, refers.</p> <p>Please see the responses to your points raised below:</p> <ol style="list-style-type: none"> 2.1. Noted. 2.2. Noted. 	EnviroAfrica
"	<ol style="list-style-type: none"> 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 applicable listed activities 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 is Muscadel Riviere. This type of vegetation is classified as Critically Endangered in terms of NEMBA list of Ecosystems that are threatened. <p>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).</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	<ol style="list-style-type: none"> 3. Noted. 4. Noted. 5. Noted. 	EnviroAfrica

"	<p>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 the NEMA which states: <i>"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."</i></p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	6. Noted.	EnviroAfrica
"	<p>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.</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	<p>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.</p> <p>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.</p> <p>7.3. Noted.</p>	EnviroAfrica
"	<p>8. You are advised that when undertaking the Basic Assessment process, you must take into account applicable 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 Guideline on Telecommunication Structures/Networks, 2005.</p> <p>9. Please ensure that the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr") contain all information requirements outlined in Appendix 1 and 4 respectively of GN R. 982.</p> <p><u>Public Participation</u></p> <p>10. Public Participation Process ("PPP") To meet the requirements of the EIA Regulations, 2014 you are advised to undertake 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.</p> <p>11. In terms of Section 240 (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law to a matter affecting the environment relevant to the application must be requested to comment within 30 days.</p> <p>Please note that the relevant contact person for CapeNAture is Mr Collin Fordham and no longer Mr Benjamin Walton, as indicated in the BAR.</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	<p>8. Noted. Guidelines were taken into consideration while compiling the draft BAR.</p> <p>9. Noted. All information requirements will be adhered to.</p> <p>10. Noted. All PPP requirements will be adhered to.</p> <p>11. Noted. The relevant amendment will be made in the DBAR and Interested and Affected Parties (I&APs) list.</p>	EnviroAfrica

"	<p>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.</p> <p>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 the visual impact. The proponent is encouraged to consider the option of camouflaging masts as church steeple to minimise the potential visual impact.</p> <p>14. Please note that the pre-application consultation is an advisory process and will ensure that the success of the application is not jeopardised.</p> <p>15. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.</p>	DEA&DP: Region 3	De Hoop Telecommunication Mast	<p>12. Noted.</p> <p>13. Noted.</p> <p>14. Noted.</p> <p>15. Noted.</p> <p>Thank you for providing comment on the Pre-Application BAR for the aforementioned proposed development.</p> <p>Kind regards,</p>	EnviroAfrica
30/03/2019		DEA&DP: Region 3	De Hoop Telecommunication Mast	<p>The Department's comment dated 15 March 2019 and my email correspondence dated 18 March 2019, refers.</p> <p>Please find attached Record of Decision (ROD) from Heritage Western Cape dated 27 February 2019.</p> <p>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.</p> <p>Please don't hesitate to contact me should you require any additional information.</p> <p>Kind regards,</p>	EnviroAfrica
20/03/2019		DEA&DP: Region 3	De Hoop Telecommunication Mast	<p>Dear Marianne,</p> <p>The Department's comment dated 15 March 2019 and my email correspondence dated 18 March 2019, refers.</p> <p>Please find attached Record of Decision (ROD) from Heritage Western Cape dated 27 February 2019.</p> <p>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.</p> <p>Please don't hesitate to contact me should you require any additional information.</p> <p>Kind regards,</p>	EnviroAfrica

25/04/2019	<p>Vir wie dit mag aangaan</p> <p>Kan u dalk vir my teruvoering gee oor die projek en die vordering van die aansoek?</p> <p>Groete Alice le Roux</p>	Alice le Roux Incorporated	De Hoop Telecommunication Mast	<p>Goeie more Alice,</p> <p>Ek is tans besig om die kommentare aan te spreek wat ontvang was gedurende die eerste ronde publieke deelname proses.</p> <p>Ons is nou besig met die ondersoek van ander alternatiewe vir die voorgestelde ontwikkeling.</p> <p>Ek sal jou laat weet wanneer die volgende ronde publieke deelname begin.</p> <p>Beste groete,</p>	EnviroAfrica
30/04/2019		CapeNature	De Hoop Telecommunication Mast	<p>Dear Mr. Colin Fordham,</p> <p>Please find attached comment from DEA&DP dated 15 March 2019.</p> <p>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.</p> <p>Kindly note that a copy of the Pre-Application Basic Assessment Report is available on our website at https://enviroafrica.co.za/projects/current/</p> <p>Please don't hesitate to contact me should you require any additional information.</p> <p>Kind regards</p>	EnviroAfrica