

NO.	DATE	AFFILIATION	REFERENCE NUMBER	COMMENTS	RESPONSE	RESPONDENT
<b>Comments on Revised Post-App BAR November 2019</b>						
1.	25-11-2019	JJ Venter	<b>Refer to Appendix F1.11</b> (email communication)	Query as to where/whether project information is on EnviroAfrica’s website and when commencement and completion of the proposed development is planned	EAP (Inge Erasmus) responded via email in November 2019, that the revised Post-App BAR is available on EnviroAfrica’s website at <a href="https://enviroafrica.co.za/projects/for-public-participation/">https://enviroafrica.co.za/projects/for-public-participation/</a> (Prevised Post App BAR Hans Moes Kraal)  EAP further stated that the comment period closes on 12 December 2019 after which the FBAR would be submitted to the Department for decision.	EnviroAfrica
	02-12-2019	JJ Venter		Statement in support of the application from I&AP and query as to the project’s start and completion date.	EAP (Vivienne Thomson) responded via email in January 2020, that the actual start and completion dates will depend on whether the application is granted/authorised by DEADP and if so, the dates stipulated in the authorisation by when the applicant must commence construction. The applicant must commence construction within the prescribed timeframe.	EnviroAfrica
2	19-11-2019 (response 25-11-2019)	Inge Erasmus (EAP) and Land Owner Andre Van Niekerk	<b>Refer to Appendix F1.12</b> (email communication and CARA Demarcation Application) <b>and Appendix E3</b> (Cara Demarcation	Email from EAP (Inge Erasmus) to landowner stating that the CARA Demarcation Permit has been received. Further explanation that the permit/directive allows the retention of the existing pine trees on the property with the condition that they are	Email from Annemarie v Niekerk (for landowner) providing signed paperwork as requested by the EAP.	Landowner

			Directive and Application)	<p>controlled/managed so that no new trees are allowed to grow. EAP committed to sending landowner the management plan as submitted to the Department of Agriculture - new saplings which develop must be pulled out (can be removed by hand) and pine cones which are dropped must be regularly picked up/collected to prevent the spreading of seeds. Pine cones may be used as firewood.</p> <p>Request from EAP that the landowner and person renting the property/occupier of the land (Mr. Leon Williams) sign and return the document vis email (note that originally signed documents are not required).</p> <p>EAP also informed the landowner that the National Environmental Management: Biodiversity Act (NEMBA) also applies in terms of alien invasive species and that the ultimate decision of whether the pines trees may remain on the property and be managed, or must be removed/chopped down, lies with DEADP (George).</p>		
3.	14-11-2019	DEADP Steve Kleinhans	<b>Refer to Appendix F1.13</b> (DEADP Acknowledgement of Receipt of Revised DBAR - DEADP Ref. No.: 16/3/3/1/D2/19/001 5/19)	<p>1 &amp; 2. The abovementioned document dated November 2019 and received on 13 November 2019, refers.</p> <p>3. Note regarding prescribed 30-day public participation period and that Department will issue comment on the revised DBAR by 13 December 2019.</p> <p>4. Note regarding submission of final BAR (FBAR) within the prescribed 140-day period (i.e. by 07 January 2020) and</p>	1 to 7. Cognisance taken of content of Departmental letter.	EnviroAfrica

				<p>reminder that the application will lapse and the file closed, if the FBAR is not submitted within the prescribed timeframes.</p> <p>5. Request to quote reference number provided in future correspondence in respect of application.</p> <p>6. Note that the activity may not commence prior to an environmental authorisation being granted by the Department and that failure to comply is an offence.</p> <p>7. Reservation of the Department's right to withdraw initial comments or request further information based on any information received.</p>		
4.	11-12-2019	DEADP Steve Kleinhans	<p><b>Refer to Appendix F1.14</b> (DEADP comments on Revised DBAR - DEADP Ref. No.: 16/3/3/1/D2/19/001 5/19)</p>	<p>1 &amp; 2. Statement that the revised draft basic assessment report (RBAR) dated November 2019 refers and that the Directorate reviewed the RBAR and provided the following comments:</p> <p>2.1 <i>Visual Impact Assessment (VIA)</i></p> <p>2.1.1 Findings of the updated VIA have been noted. However, the updated VIA does not include a reasoned opinion as to whether the proposed activity should be approved, or which alternative should be authorised. This must be addressed and include in the final BAR (FBAR).</p> <p>2.2 <i>Impact Assessment (IA)</i></p> <p>2.2.1 Statement that the Department's previous comments regarding the IA (dated 26 August 2019), were not adequately addressed and that the</p>	<p>1 &amp; 2. Noted.</p> <p>1.1.1. EAP (Vivienne Thomson) requests the Department refer to Appendix G2.2 (VIA Opinion Statement) of this second RBAR, of which same will be included in the FBAR.</p>	EnviroAfrica

				<p>report is considered incomplete for the following reasons:</p> <p>(a) The IA included in Appendix J of the RBAR (referred to as 'Appendix J2' in the RBAR) identifies 'Aspect/Activity' associated with implementing the proposed development. The nature and description of the identified 'Aspect/Activity' are not all clearly related to the impacts which may be expected to be directly linked to the activity i.e. development of a telecommunication mast. The IA is found to be inadequate. Reminder of the focus of an impact and risk assessment process (which must include cumulative impacts) and ranking system to identify</p> <ul style="list-style-type: none"> <li>• preferred alternatives,</li> <li>• measures to avoid, manage or mitigate impacts and</li> <li>• residual risks requiring management or mitigation</li> </ul> <p>(b) Note that the electronic copy of Appendix J2 of the RBAR does not contain the IA tables, neither did the website copy of the RBAR. Uncertainty regarding availability of a hard copy of the RBAR to registered interested and affected parties (I&amp;APs). Statement that registered I&amp;APs probably did not have an opportunity to review the IA and reference to later point (2.5)</p>	<p>(a) The IA methodology (as per Appendix J1) looks at the entire project life cycle from the activities of transporting material to site; clearing the development footprint; construction, operation and maintenance and decommissioning/demolition. Many of these activities/aspects have <u>direct and indirect</u> impacts linked in the proposed development. Appendix J1 explains the general impact assessment methodology utilised for this project (Specialist assessment provide more detailed impact assessments, as required, and concur with EnviroAfrica's assessment. The impact assessment criteria accommodate for various sensitivities related to a site including cumulative impacts e.g. the extent or severity of a visual impact accounts for site specific to local, regional and wider potential impacts within the geographic context which is captured through assessing the receiving environment.</p> <p>(b) Appendix J2 was erroneously omitted from the original revised DBAR. Therefore, a second RBAR (RBAR 2) has been circulated for another round of public participation with registered I&amp;APs. This public participation process ends on 02 March 2020.</p>	
--	--	--	--	---	---	--

				<p>regarding public participation process requirements.</p> <p>(c) A comparative assessment of all reasonable and feasible alternatives has not been included in Appendix J2 of the RBAR.</p> <p>In addition, only the design detail for alternative 2a has been included in the RBAR. General design details for all reasonable and feasible alternatives must be included in the FBAR.</p> <p>(d) Note that the demarcation permit from DAFF effectively includes an operational aspect to the proposal since the regular alien clearing activities will need to be undertaken to comply with the permit. Statement that the EAP does not assess any operational impact in the RBAR and that the visual impact of the various alternatives during operational phase, have not been assessed in the RBAR. Note that the visual assessment must be informed by the VIA compiled by Ms. S. C. Lategan. Further note that the Applicant must provide proof of compliance with other relevant legislation governing the eradication of listed alien invasive plant species viz. NEMBA. Requirement that similar permits or exemptions should have been obtained from the CA and must be addressed in the FBAR.</p>	<p>(c) Please refer to Appendix J2 of RBAR 2 – specifically under D. Aspect/Activity: Operation and Maintenance, numbers 5 to 10 for a comparative assessment of all reasonable and feasible alternatives.</p> <p>(d) Please refer to Appendix J2 of RBAR 2 – specifically under D. Aspect/Activity: Operation and Maintenance, numbers 4 to 10. Item number 4 is the assessment of the operational aspect of routine alien tree management activities (implementation thereof, detailed in Appendix 12 of the EMPr attached to this RBAR).</p> <p>Items number 5 to 10 provide a visual assessment which concurs with the VIA opinion provided by the VIA specialist at the end of page 2 and top of page 3 of Appendix G2.2 - Ms. Lategan recommends a tree mast as the best option should the existing tall pine trees remain on site (correlating with the low post mitigation impact rating reflected in item 5 of Appendix J2, Section D). However, if the trees are removed in the future, then the specialist’s recommendation is for a lattice mast and not a tree mast. Therefore, the preferred alternative for the immediate and long term is a lattice mast (which concurs with the rating scores reflected in items 9 and 10 of Appendix J2, Section D).</p> <p>Please refer to Appendix F1.12 – re. EAP informing land-owner of NEMBA applicability.</p>	
--	--	--	--	---	---	--

				<p><i>2.3 Implementation Programme</i></p> <p>2.3.1 The Demarcation Permit issued by DAFF includes an operational aspect for the proposal. In addition, a period for which the environmental authorisation is required must be provided and must be informed by operational and non-operational aspects of the proposal. This must be clarified in the BAR.</p> <p><i>2.4 Environmental Management Programme</i></p> <p>2.4.1 A proposal for alien clearing and prevention of the spread of alien plants from the demarcated areas has not been included in the EMPr.</p> <p>2.4.2 The proposal must specify the intervals for monitoring and removal of new saplings.</p> <p>2.4.3 The EMPr contents must meet legislated requirements.</p> <p><i>2.5 Public Participation (PP)</i></p> <p>2.5.1 All registered I&amp;APs are entitled to comment, in writing, on all reports and plans submitted during a PP process.</p> <p>2.5.2 Any PP process must be conducted for a period of at least 30 days.</p> <p>2.5.3 Should any information have been omitted during the PP process, it may prejudice the application's outcome.</p> <p>2.5.4 The EAP is advised to address this matter before proceeding with the application.</p> <p><i>2.6 Legislative Requirements</i></p>	<p>2.3.1 The operation aspect of the proposed development is the expected lifespan of the telecommunications mast which is projected at approximately 30 years.</p> <p>2.4.1 &amp; 2.4.2 Please refer to Appendix 12 of the EMPr (Appendix H of this RBAR 2) - Alien Invasive Tree Control and Management Programme.</p> <p>2.4.3 Cognisance has been taken of the comment.</p> <p>2.5.1 to 2.5.4 Appendix J2 was erroneously omitted from the original revised DBAR. In addition, the VIA specialist opinion indicated a change in the preferred alternative based on the long-term uncertainty of the retention of the tall pine trees on site. The existing demarcation permit allows for screening and visual impact absorption irrespective of the type of mast erected. Therefore, a second RBAR (RBAR 2) has been circulated for another round of public participation with registered I&amp;APs. This</p>	
--	--	--	--	--	---	--

				<p>2.6.1 Obligation of the landowner, under CARA and NEMBA, to take steps to control and eradicate listed invasive species and prevent it from spreading.</p> <p>2.6.2 DEADP takes note that a demarcation permit has been obtained from DAFF and will consider the relevance thereof in the decision-making process.</p> <p>3. Note that the Department awaits submission of the FBAR as per legislated requirements.</p> <p>3.1 Information regarding extension of prescribed timeframes.</p> <p>3.2 Statement regarding consequence for not submitting the FBAR within the required timeframe.</p> <p>4. Requirement that only one printed copy and two electronic copies of the FBAR must be submitted.</p> <p>5. Request to quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>6. Note that the proposed activities may not commence prior to an EA being granted by the Department.</p>	<p>public participation process ends on 02 March 2020.</p> <p>2.6.1 Please refer to Appendix 12 of the EMPr (Appendix H of this RBAR 2) -Alien Invasive Tree Control and Management Programme. Also refer to Appendix E3 – signed documentation by land-owner and user.</p> <p>2.6.2 Thank you.</p> <p>3. Noted.</p> <p>4. Noted – thank you.</p> <p>5. Cognisance taken of request.</p> <p>6. Cognisance taken of comment.</p>	
--	--	--	--	---	---	--

				7. Department’s reservation of its right to revise or withdraw initial comments or request further information.	7. Cognisance taken of comment.	
<b>Comments on Post-App BAR July 2019</b>						
1.	25-07-2019	DEADP Steve Kleinhans	16/3/3/1/D2/19/001 5/19	<b>Appendix F1.8 DEADP Acknowledge Receipt of Revised Application Form for BAR</b>	Noted.	EnviroAfrica
2.	26-08-2019	DEADP Steve Kleinhans	16/3/3/1/D2/19/001 5/19	<p><b>Appendix F1.9 DEADP comments on Post-App BAR</b></p> <p>1. The abovementioned document dated July 2019 refers,</p> <p>2. The Environmental Impact Management Services component of this Directorate (hereinafter “this Directorate”) has reviewed the information contained within the Draft Basic Assessment Report (“DBAR) and provided the following comment:</p> <p>2.1 BAR Requirements The BAR must contain all the information outlined in Appendix 1 of GN No. R982 of 4 December 2014 and must also include the information requested in this letter. Omission of any of the said information may result in the application for EA being refused. In this regard, please note the following:</p> <ul style="list-style-type: none"> <li>• The DBAR does not contain the originally signed declarations of the applicant and appointed specialists.</li> </ul>	<p>1. Noted</p> <p>2. Noted.</p> <p>2.1 Noted.</p> <ul style="list-style-type: none"> <li>• Noted. The original declarations will be submitted with the FBAR.</li> </ul>	EnviroAfrica



				<p>The originally signed declarations must be included in the FBAR.</p> <p>Please note in accordance with Regulation 19 of GN No. R982 of 4 December 2014, the Department hereby stipulates that the BAR must be submitted to this Department for decision within 90 days from the date of receipt of the application by the Department. According to this Department's records the revised application was received on 25 July 2019. If however, significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify the Department that an additional 50-days (i.e. 140 days from the receipt of the application) would be required for the submission of the BAR. The additional 50 days must include a minimum of 30-day commenting period to allow registered I&amp;APs to comment on the revised report/ additional information.</p> <p>If the BAR is not submitted within 90 days or 140 days, where an extension is applicable, the application will lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of December 2014 and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application</p>	<p>Noted.</p>	
--	--	--	--	---	---------------	--

				<p>Form would have to be submitted and the prescribed application fee would have to be paid.</p> <p>2.2 Implementation programme Please note that, in accordance with the provisions of the EIA Regs 2-14, a period for which the environmental authorisation is required must be provided. This period must be informed by the operational aspects and the non-operational aspects of the proposed development. As such, the date on which the activity will be concluded and the post construction monitoring requirements finalised, must be determined.</p> <p>In this regards the table on page 10 of the DBAR does not indicated the period while which commencement must occur, while the table on page 86 indicates that the period within which commencement must occur is five years. This discrepancy must be corrected.</p> <p>2.3 Legislative requirements National Water Act (Act No. 36 of 1998) It is noted that the BGCMA indicated that the activity “will not impact on water resources/ wetlands and therefore will not tender any comments” However, BGCMA further states that’s that “should any activity impact on water resources/ wetlands</p>	<p>2.2 Noted and corrected in the BAR.</p> <p>2.3 Noted. Please refer to the comments from BGCMA Appendix F1.9.1 where it is stated that no authorisation will be required.</p> <p>The position of the mast is the same for the Pre-App and Post-App BAR.</p>	
--	--	--	--	---	---	--

				<p>only then will the BGCMA render further comments".</p> <p>The above comments may have been made based on the information made available to the BGCMA in the pre-application BAR which states that "proposed site does not fall within or near any wetlands/ watercourse on rivers". However, the information in the BAR (Appendix D) indicated that there is a natural wetland approximately 250m north of the proposed site. This wetland has been classified as an Aquatic Critical Biodiversity Area and Wetland National Freshwater Ecosystem Priority Area.</p> <p>It must be noted that the regulated area of a watercourse for section 21 (c) or (i) of the NWA Act 36 of 1998, includes a 500m radius from the delineated boundary (extent) of any wetland or pan. As such, water use authorisation in terms of section 21(c) and (i) may be required. The applicability of this must be confirmed with the BGCMA.</p> <p>Please be advised of the required synchronisation between the EIA process and the WULA process (if the latter is required). You are reminded that if these processes are not properly aligned, the lack of synchronisation; omission of any reports/information; or delay as a result thereof, may prejudice the success of this application for EA.</p>	<p>The BGCMA stated that they do not have a problem with this activity. The activity was discussed with the Freshwater Ecologists and that considering the impacts that the structure might have and the distance to the watercourse, no authorisation is required.</p>	
--	--	--	--	---	---	--

				<p>2.4 Public Participation Process                  It must be ensured that the PPP meets the requirements of Regulation 41 of the EIA Regs, 2014 (as amended). In this regard it is noted that there are a number of neighbouring landowners who have not been informed of the proposal. In this regard, according to Appendix F4 of the DBAR, the owners of the following properties have not been informed of the proposal:</p> <ul style="list-style-type: none"> <li>• Portion 114 of the Farm Hans Moes Kraal No. 202;</li> <li>• Portion 120 of the Farm Hans Moes Kraal No. 202</li> <li>• Portion 121 of the Farm Hans Moes Kraal No. 202</li> </ul> <p>Furthermore, according to Appendix F4 of the DBAR hand deliveries were undertaken to the following properties:</p> <ul style="list-style-type: none"> <li>• Portion 127 of the Farm Hans Moes Kraal No. 202</li> <li>• Portion 128 of the Farm Hans Moes Kraal No. 202</li> <li>• Portion 129 of the Farm Hans Moes Kraal No. 202</li> </ul> <p>However, apart from the list attached as Appendix F2 and photos taken of the entrances of these properties (Figure 7 &amp; 8 of Appendix F3), no proof that</p>	<p>2.4 Please refer to <b>Appendix F1.9.2</b> for the email with attachments as proof that direct neighbours were included in the public participation process.</p>	
--	--	--	--	---	---	--

				<p>landowners have indeed received the notification letters have been included.</p> <p>Please note: in terms of Regulation 41(2)(b)(ii) of the EIA Regs, 2014 (as amended) written notice must be given to owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken and to any alternative site where the activity is to be undertaken.</p> <p>The EAP must ensure that all adjacent property owners are informed of the proposal and afford them an opportunity to comment on the BAR. The EAP is advised to approach the Local Authority, George Municipality, for assistance in this regard. The BAR must be made available for a period of at least 30 days to all potential and registered I&amp;APs. Please note that failure to comply with Regulation 41 may prejudice the outcome of the application.</p> <p>2.5 Specialist reports It must be ensured that the specialist reports contain all information specified in Appendix 6 of the EIA Regs, 2014. It is noted that a Visual Assessment was undertaken and included in the DBAR. In this regard please ensure that the specialist report</p>	<p>2.5 Please refer to the updated VIA report, <b>Appendix G2.</b></p>	
--	--	--	--	--	--	--

				<p>contains the curriculum vitae of the appointed specialist.</p> <p>It is noted that the specialist report, under Section 10: mitigation measures, recommends that the stand of pine trees not be removed since the design of the mast coupled with the tree provide effective screening of the mast. This recommendation by the specialist has been included in the DBAR.</p> <p>The proposed camouflage and screenings of the proposed mast and the practicality and legality thereof is questioned. <i>Pinus sp</i> (pine) is an identified as an invasive alien specie and listed as such in terms of the CARA Act 43 of 1983 as well as the NEMA:BA Act 10 of 2004. The landowner <u>must</u> take steps to control and eradicate listed invasive species and to prevent it from spreading. As such, the proposed mitigation measure is fatally flawed ; therefore, cannot be considered for implementation.</p> <p>According to the specialist report, in the event where the trees are removed, the visual impact may increase to a moderate level; however, no assessment has been undertaken to substantiate this conclusion. An assessment of the visual impact of the telecommunication mast, where the</p>		
--	--	--	--	---	--	--

				<p>stand of trees (are removed?) must therefore be included in the report and the BAR accordingly revised. The revised DBAR with supporting documentation/ information must be made available for a period of 30 days to all potential and registered I&amp;APs.</p> <p>2.6 Alternatives It is noted that four design alternatives have been considered on the DBAR and it is assumed that all the alternatives, apart from Alternative 2: the 35m tree mast, is 25m tall.</p> <p>According to Section E.(c ) (table on page 34), the preferred alternative 1: 25m tree mast will have the least visual impact while Alternative 3 and 4 will have a higher visual impact due to their proximity to surrounding and nearby residential environment. However, this has not been substantiated in the visual impact assessment.</p> <p>As stated in point 2.5 above the invasive alien trees must be removed. This will create an environment in which all four alternatives will seem out of place., regardless of the type or height of design of the telecommunication mast.</p> <p>It must be noted that any of the alternatives assessed as part of the application can be authorised by this Department.</p>	<p>2.6 Noted. Alternatives were updated in the BAR as per the VIA findings.</p>	
--	--	--	--	--	---	--

				<p>2.7 Impact Assessment                  In the DBAR reference is made to a mast in "the residential area of Klipheuwel" (page 63) and "within an agricultural area of Aan de Doorns, Worcester" (page 71). As such this information in the impact assessment is incorrect and misleading since it is reasonably suspected that the assessment was copied from other reports. Your EAP is therefore advised to revise the impact assessment in the report.</p> <p>Furthermore, comment on the pre-application BAR dated March 2019, requested that a comparative assessment of all the reasonable and feasible alternatives be included in the BAR in order to assist this Department to make an informed decision. However, no comparative assessment has been included in the DBAR. This must be addressed by the EAP.</p> <p>2.8 Environmental Management Programme                  The contents of the EMP must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R 982 of 4 December 2014. The EMP must address the potential environmental impacts of the activity throughout the project life cycle, including an</p>	<p>2.7 The Impact assessment was updated, Appendix J and findings is summarised in the BAR.</p> <p>A comparative assessment was included in the risk rating and summarised in the BAR.</p> <p>2.8 Agreed.</p>	
--	--	--	--	--	---	--



				<p>assessment of the effectiveness of monitoring and management arrangements after implementation (auditing).</p> <p>The EMP as included and received by this Directorate does not meet all the requirements. The following aspects must also be amended and reflected in the final EMP that must be submitted to this Directorate with the FBAR.</p> <ul style="list-style-type: none"> <li>• Experience and Expertise of the Eco. According to the EMPr the ECO must be “an independent person with 5 or more years of environmental site management and able to ensure EMP compliance monitoring experience on construction project. The implication of this is that independent ECO’s with less than five years’ experience will be excluded from consideration for appointment as the independent ECO.</li> </ul> <p>In light of the above it is recommended that the EMP states that a suitably experienced independent ECO must be appointed to ensure EMP compliance monitoring experience on construction project.</p>	<ul style="list-style-type: none"> <li>• Thank you. This section in the EMPr was updated</li> </ul>	
--	--	--	--	---	---	--

				<ul style="list-style-type: none"> <li>• Reporting It is noted that the ECO must compile report for submission to the EnviroAfrica or the applicant/holder. Please note that hard copies of ECO monitoring reports must also be submitted to the relevant authorities, which includes this Directorate.  Furthermore, the purpose of the mechanism of submission of the ECO report to EnviroAfrica must be clarified in light of the fact that the appointment of the EAP concluded upon issuing of the environmental authorisation should the application be successful.</li> <li>• Amendment/ changes of the EMPr The process with regard to amendments to the EMPr must be correctly interpreted in terms of regulations. Kindly take note of Part 3: Auditing and amendment of environmental authorisation, environmental management programme and closure plan in the EIA Regs 2014 (GN No. R982 of 4 Dec 2014 as amended 7 April 2017).</li> <li>• Environmental Audit Report According to the EMP “an Environmental Audit Report by the ECO must be submitted by the</li> </ul>	<ul style="list-style-type: none"> <li>• Noted. This section was updated. The ECO to submit report to the Competent Authority (CA).</li> <li>• Noted and corrected.</li> <li>• An Auditing programme was included in the EMPr</li> </ul>	
--	--	--	--	--	--	--

				<p>Applicant to the satisfaction of the DEA&amp;DP, within six month after construction has been completed and also after the sites have been rehabilitated.</p> <p>Kindly note of the auditing requirements with regards to EA and EMPr's under Reg 34 of the EIA Regs, 2014 (as amended). In this regard, the EMPr must be amended to ensure compliance with the requirements. The content of the environmental audit report must comply with Appendix 7 of the EIA Reg and it is recommended that its must be submitted within 3 months of the date of completion of the construction activities.</p> <p>3. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p> <p>4. Please be advised that a person is guilty of an offence if that person (inter alia)-</p> <ul style="list-style-type: none"> <li>• Provides incorrect or misleading information in any form, including any document submitted in terms of these Regulations to a CA or omits information that may have an influence on the outcome of a decision of a CA;</li> </ul>	<p>3. Noted.</p> <p>4. Noted</p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul>	
--	--	--	--	---	---	--

				<ul style="list-style-type: none"> <li>Has commenced with a listed activity without any EA being granted by the CA</li> </ul> <p>Please note that the proposed activities may not commence prior to an EA being granted by the Department.</p> <p>5. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.</p>	<ul style="list-style-type: none"> <li>Noted</li> </ul> <p>5. Noted.</p>	
<b>Comments on Pre-App BAR Feb 2019</b>						
1	22-02-2019	DEADP Shireen Pullen	16/3/3/6/7/1/D2/19 /0222/18	<p><b>Appendix F1.2</b> Acknowledgement of receipt of the Pre-App BAR</p> <ol style="list-style-type: none"> <li>The abovementioned document received by this department on 13 February 2019 refers</li> <li>This letter serves as acknowledgment of receipt of the abovementioned document by the Directorate: Development Management (Region 3) hereinafter referred to as "this directorate".</li> <li>Please note that the information is currently being reviewed and this Directorate will respond to you in due course.</li> <li>Kindly quote the abovementioned reference of the application.</li> </ol>	<ol style="list-style-type: none"> <li>Noted</li> <li>Noted</li> <li>Noted.</li> <li>Noted.</li> <li>Noted.</li> </ol>	EnviroAfrica

				5. This Department reserves the right to revise initial comments and request further information from you based on any new or revised information received.		
2	25-02-2019	I&AP Jandri Vorster		<p><b>Appendix F1.3</b></p> <p>Hi, I am an owner of one of the stands with in the LE Grand estate I would like to confirm the location of the mast below: See map (App F1.3)</p>	<p><b>Appendix F1.3.1</b> for the response email.</p> <p>Good day</p> <p>Please refer to the EnviroAfrica website for information regarding the proposed mast. <a href="https://enviroafrica.co.za/projects/for-public-participation/">https://enviroafrica.co.za/projects/for-public-participation/</a> (Hans Moes Kraal)</p> <p>There you will find locality maps as well as site development plans. It is proposed that a tree mast be developed on the site.</p> <p>Please also note that a Visual Impact Assessment will still be conducted for this site and findings and recommendations will be included in the next report (Post-Application Basic Assessment Report) to go out for comment. I will register you as an Interested and Affected Party (I&amp;AP) and send you notification regarding new information on the proposed development.</p> <p>Please have a look on the website and if you require any more information you can send me a direct email.</p> <p>Kind regards</p>	EnviroAfrica

<p>3</p>	<p>25-02-2019</p>	<p>I&amp;AP JJ Venter</p>		<p><b>Appendix F1.4</b> (1)Dear Le Grand Homeowners and Residents Please find appended hereto documentation for your information. Kindly express your inquiries, comments and or concerns directly to admin@enviroafrica.co.za Regards JOEY BEUKES LE GRAND ESTATE</p> <p>(2) Good day Please TAKE NOTE THAT THIS WILL NEVER BE ALLOWED</p> <p>PLEASE LOOK ON THE INTERNET FOR ALL THE NEGATIVE POINTS AND YOU WILL FIND NO POSITIVE POINTS TO SUPPORT YOUR REQUEST</p> <p><a href="https://www.tigweb.org/youth-media/panorama/article.html?ContentID=31421">https://www.tigweb.org/youth-media/panorama/article.html?ContentID=31421</a></p> <p>No financial compensation will ever make this legal or viable to us as home owners or people living in this area even worse to be looked at!</p> <p>WILL NEVER BE ALLOWED AND PERMITTED!</p>	<p><b>Appendix F1.4.1</b> response email.</p> <p>Dear Mr Venter</p> <p>Please note that I am busy with the Environmental Impact Assessment process for the proposed development.</p> <p>Please refer to the EnviroAfrica website for more information regarding the proposed mast. <a href="https://enviroafrica.co.za/projects/for-public-participation/">https://enviroafrica.co.za/projects/for-public-participation/</a> (Hans Moes Kraal).</p> <p>I will register you as an Interested and Affected Party (I&amp;AP) to receive notifications for updated reports on the proposed development.</p> <p>Kind regards Inge</p>	<p>EnviroAfrica</p>
----------	-------------------	-------------------------------	--	--	--	---------------------

				<p>Please acknowledge this in writing so that WE can use this in future for in case you try to override this objection!?</p> <p>Baie dankie/ Many Thanks Groete/ Regards</p> <p>Johan Venter</p>		
4	04-03-2019	George Municipality Amour Stoffels		<p><b>Appendix F1.5</b> Good day Me. I Erasmus</p> <p>The above subject and your letter dated 8 February 2019 (copy attach) refers.</p> <p>Please note that the land owner/s also need to submit a land use application in terms of the applicable planning legislation to George Municipality for the establishment of Freestanding base telecommunication station. For any further information please contact the writer.</p>	<p><b>Appendix F1.5.1</b> response email. Good day</p> <p>It is noted that a Land Use Application will need to be submitted. This will be done after the obtainment of the Environmental Authorisation.</p> <p>George Municipality is included in the environmental assessment process to provide comment on the proposed mast location as well as the proposed mast type and height. Participation from the municipality in the early stages of the application should therefore aid the land use application.</p> <p>The municipality will be notified of the availability of the Post-Application BAR for comment.</p>	
5	25-03-2019	BGCMA Carlo Abrahams		<b>Appendix F1.6</b>		EnviroAfrica

				<p>Good day Please note that this activity will not impact on water resources/wetlands and therefor the BGCMA will not render any comments.</p> <p>Note that should any activity impact on water resources/wetlands only then will the BGCMA render further comments.</p>	Noted. Thank you.	
6	25-03-2019	DEADP Shireen Pullen	16/3/3/6/7/1/D2/19 /0222/18	<p><b>Appendix F1.7 Comment on Pre-App BAR</b></p> <ol style="list-style-type: none"> <li>1. The above-mentioned document received by this Department on 13 Feb 2019 refers.</li> <li>2. This Department has reviewed the document and comment as follows:                     <ol style="list-style-type: none"> <li>2.1 It is noted from the title of the abovementioned report as well as from comments and responses report that the proposal is now for a 25m high mast and no longer for a 35-meter high mast. However, inconsistencies are noted in the document where there is still reference to a 35-meter high mast in the document. Please ensure that the correct information is circulated to prevent any confusion amongst the I&amp;APs.</li> <li>2.2 Furthermore, please indicate on what basis the proposal was revised</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Noted.                     <ol style="list-style-type: none"> <li>2.1 Agreed. Please note that the preferred mast is a 25m tree mast. A 35m mast was initially considered and the public participation advert and posters were advertised for a proposed 35m mast as a worst case scenario. However, to reduce the visual impact on the receiving environment a 25m tree mast is considered the preferred alternative.</li> </ol> </li> </ol>	EnviroAfrica



				<p>and whether the 35-metre option represents an alternative, which is at this stage is no longer the preferred alternative.</p> <p>2.3 The BAR to be submitted to this Department must include a comparative assessment of all reasonable and feasible alternatives considered in the process in order to assist this Department to make an informed decision on the application.</p> <p>3. This Department further encourage the sharing of masts by different service providers and co-locating on existing communication structures or tall structures. This Department supports the attachment of telecommunication broadcasting structures/ maar in order to minimise visual impact, the BAR to be submitted to this department must take into account this Department's guideline on telecommunication structures/ networks and mast sharing.</p> <p>4. Notice is taken of the fact that you do not request consultation in terms of Regulation 8 of the EIA Regulations. However, this Department remains available for</p>	<p>2.2 A 25m mast will have a lower visual impact and is therefore more preferred.</p> <p>2.3 Noted and included in the BAR.</p> <p>3. Noted and agreed. Please also refer tot Atlas Tower Need &amp; Desirability Document, Appendix K.</p>	
--	--	--	--	---	--	--

				<p>any form of consultation and advice.</p> <p>5. Kindly quote the above mentioned reference number in any future correspondence in respect to the pre-application.</p> <p>6. This Department reserves the right to revise initial comments and request further information from you based on any new or revised information received.</p>	<p>4. Noted. Thank you very much.</p> <p>5. Noted.</p> <p>6. Noted.</p>	
Comments on NOI						
1	24-01-2019	DEADP Shireen Pullen	16/3/3/6/7/1/D2/19 /0222/18	<p><b>Appendix F1.1</b> Notice of intent to apply for Environmental Authorisation: Atlas Towers (PTY) Ltd: Proposed new 35m High Tree Telecommunication Mast, Portion 112 of the Farm Hans Moes Kraal No. 202, George, Western Cape.</p> <p>1. The abovementioned document received by this Department on 6 December 2018 refers.</p> <p>2. This letter serves as acknowledgement of receipt of the abovementioned document by the Directorate: Development Management (Region 3) hereinafter referred to as "this Directorate".</p> <p>3. This Directorate has reviewed the abovementioned document and comment as follows:</p> <p>3.1 It is noted that the proposal entails the construction of a 35-meter high</p>	<p>1. Noted</p> <p>2. Noted</p> <p>3.</p>	

				<p>tree mast and associated infrastructure on the above-mentioned property.</p> <p>4. It is also noted that no specific fee reference number was requested. Please note that this 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> <p>5. You are advised that when undertaking the Basic Assessment process, you must take into account all applicable guidelines, including the guidelines developed by the Department. These can be downloaded from the Department's website (<a href="http://eadp-westerncape.kznsshf.gov.za/your-resource-library/policies-guidelines">http://eadp-westerncape.kznsshf.gov.za/your-resource-library/policies-guidelines</a>)                  In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:</p> <ul style="list-style-type: none"> <li>• Circular EADP 0028/2014: One Environmental Management System.</li> <li>• Guideline for the Review of Specialist Input in the EIA process (June 2005)</li> <li>• Guideline for Environmental Management Plans (June 2005)</li> </ul>	<p>3.1 Please note that a 25m mast is now being considered.</p> <p>4. The EAP is not aware of this specific fee reference number request and will request this number when the application form is ready.</p> <p>5. Noted.</p>	
--	--	--	--	--	--	--

				<ul style="list-style-type: none"> <li>• Guideline on Alternatives (March 2013)</li> <li>• Guideline on Need and Desirability (March 2013)</li> </ul> <p>6. Please ensure the Basic Assessment Report (BAR) and Environmental Management Programme (EMPr) comply with all information requirements outlined in Appendices 1 and respectively of GN R. 982.</p> <p>7. <u>Public Participation</u></p> <p>7.1 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 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>7.2 Should a public participation process, which includes the circulation of the pre-application BAR for comment, be</p>	<p>6. Noted.</p> <p>7. Noted.</p> <p>7.1 Noted and agreed. All potential I&amp;APs were notified of the proposed development and invited to register as I&amp;APs. All potential I&amp;APs were notified of the availability of the Pre-App BAR for comment on the Enviro Africa website which will be available for 30 days</p> <p>7.2 Noted</p>	
--	--	--	--	---	---	--



				<p>copy and one electronic copy (saved on CD/DVD) of the Application Form must be submitted</p> <p>9. <u>Needs and Desirability</u>                  In terms of the NEMA EIA Regulations, when considering an application, the Department must take into account a number of specific considerations including inter alia, the need for and desirability of any proposed development. As such, the need for and desirability of the proposed activity 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. Refer to the Department’s Guideline on Need and Desirability (March 2013).</p> <p>10. <u>Pre-Application Consultation</u></p> <p>10.1 The Department avails itself for a pre-application meeting engagement to provide further guidance and advice in terms of Regulation 8 on the process requirements and the administration of your application.</p> <p>10.2 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>9. Noted.</p> <p>10. Pre-Application consultation not requested.</p> <p>10.1 Noted.</p> <p>10.2 Noted</p>	
--	--	--	--	---	--	--

				<p>10.3 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"> <li>• That additional information or documents will not be requested</li> <li>• Of the outcome of the application</li> </ul> <p>11. 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>12. Kindly quote the abovementioned reference number in any future correspondence in respect of this Notice of Intent.</p> <p>13. This Department reserves the right to revise initial comments and request further information from you based</p>	<p>10.3 Noted.</p> <p>11. Noted.</p> <p>12. Noted.</p> <p>13. Noted.</p>	
--	--	--	--	--	--	--

				on any new or revised information received.		