



REFERENCE: 16/3/3/1/D2/19/0015/19
ENQUIRIES: Steve Kleinhans
DATE OF ISSUE: 2019-12-13

The Managing Director
ATLAS TOWER (PTY) LTD
Cecelia Square
100 Cecelia Street
Paarl
7646

Attention: Mr. C. Wessels

Tel: (021) 870 1302 / 1368
Fax: 086 537 9187
E-mail: cwessels@atlastowers.com

Dear Sir

ACKNOWLEDGEMENT OF RECEIPT OF THE REQUEST FOR EXTENSION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS (GN NO. R. 982 OF 4 DECEMBER 2014) FOR THE PROPOSED DEVELOPMENT OF A 25 METRE HIGH TELECOMMUNICATIONS TREE MAST ON PORTION 112 OF THE FARM HANS MOES KRAAL NO. 202, GEORGE

1. The letter from your appointed Environmental Assessment Practitioner ("EAP"), EnviroAfrica cc, regarding the request for extension of the lapsing period, received on 12 December 2019, refers.
2. This letter serves as acknowledgement of receipt of the request by this Department.
3. This Department notes your request to extend the lapsing period contemplated in terms of Regulation 3(7) of the Government Notice ("GN") No. R.982 of 4 December 2014 (as amended).
4. Please be reminded that the date for submission of the final Basic Assessment Report ("BAR") was 7 January 2020. However, after considering the motivation, this Department hereby grants your request in accordance with Regulation 3(7) and it is agreed that the prescribed timeframe be extended as set out below:
 - ❖ The final Basic Assessment Report must be submitted to this Department by no later **Monday, 9 March 2020.**
5. In light of the EAP's motivation and accordance with the provisions of the Environmental Impact Assessment Regulations, 2014, your EAP must:

- 5.1. Amend the Revised Draft Basic Assessment Report (dated November 2019) to address the scope of work and identified outstanding information.

The EAP must ensure that all the shortcomings highlighted in this Directorate's letter, dated 11 December 2019, are addressed in the amended report (i.e. Second Revised Basic Assessment Report).

- 5.2. Subject the amended report to a public participation process of at least 30-days within the extended period.

In this regard, all the registered interested and affected parties (including organs of state which have jurisdiction in respect of any aspect of the relevant activity and the competent authority) must be notified of the availability of the amended report and be provided an opportunity to comment, in writing, on the reports or plans submitted during the public participation process.

6. In the event that the Basic Assessment Report is not received within the specified timeframe, the application will lapse in terms of Regulation 45 of GN No. R.982 of 4 December 2014 (as amended) and the file will be closed. Should you wish to pursue the proposed development, a new application process will have to be initiated and a new application for environmental authorisation submitted to Department for consideration. Please note that should an application fee be applicable, this must be paid again prior to submission of the application for environmental authorisation.
7. Please note that **one** printed copy as well as one electronic copy (saved on CD/DVD) of the Second Revised Basic Assessment Report must be submitted to the Department.
8. Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
9. Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department. It is an offence in terms of Section 49A of the NEMA for a person to commence with a listed activity unless the Department has granted an environmental authorisation for the undertaking of the activity. Failure to comply with the requirements of Section 24F and 49A of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department for prosecution.
10. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully



**DIRECTOR DEVELOPMENT MANAGEMENT REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

DATE: 13/12/2019
Ref.: 16/3/3/1/D2/19/0015/19

Copied to: EAP: EnviroAfrica

Ms. Inge Erasmus

E-mail: inge@enviroafrica.co.za

Inge Erasmus

From: Inge Erasmus <inge@enviroafrica.co.za>
Sent: Friday, 13 December 2019 1:08 PM
To: 'Steve Kleinhans'
Subject: RE: DEA&DP Ref: 16/3/3/1/D2/19/0015/19 Acknowledgement of receipt of the request for extension for the proposed development of a 25 metre high telecommunications tree mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George

Thank you very much!

Kind regards
Inge

Inge Erasmus



Environmental Consultant

EnviroAfrica cc

p: +27 21 851 1616 m: +27 83 417 0800
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: inge@enviroafrica.co.za

From: Steve Kleinhans <Steve.Kleinhans@westerncape.gov.za>
Sent: Friday, 13 December 2019 12:43 PM
To: cwessels@atlastowers.com; Inge Erasmus <inge@enviroafrica.co.za>
Cc: Francois Naude <Francois.Naude@westerncape.gov.za>; Meryll Fredericks <Meryll.Fredericks@westerncape.gov.za>; Floresca Julius <Floresca.Julius@westerncape.gov.za>
Subject: DEA&DP Ref: 16/3/3/1/D2/19/0015/19 Acknowledgement of receipt of the request for extension for the proposed development of a 25 metre high telecommunications tree mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George

Dear Inge Erasmus

Attached herewith please find a letter regarding the above application for your attention.

Feel free to contact me if you have any further queries.

Regards

Steve Kleinhans

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

3rd Floor, Rentzburghof Building, 42 Courtenay Street, George

Postal Address: Private Bag X6509, GEORGE, 6530

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If you are not the intended recipient you may not copy or deliver this message to anyone."

Inge Erasmus

From: Inge Erasmus <inge@enviroafrica.co.za>
Sent: Thursday, 12 December 2019 4:25 PM
To: 'Steve Kleinhans'
Cc: 'Francois Naude'
Subject: RE: DEA&DP Ref: 16/3/3/1/D2/19/0015/19 - Comment on Revised Draft BAR for the proposed development of a 25 metre high telecommunications tree mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George

Importance: High

Dear Mr Kleinhans

The notification of a **60 day** extension period is to enable this office to address issues as raised by the Department, as well as circulate Appendix J2 for public scrutiny. The RBAR (rev. 1) with all relevant appendices, (including but not limited to an updated comments and response report, as well as any shortcomings in the original RBAR (rev. 0) which are addressed, will be circulated during the public participation process.

The content of the RBAR will be changing since, based on the recently updated visual impact assessment specialist's report, the preferred alternative will differ to that which was previously proposed. The RBAR (rev. 1) will also contain significant updates to the EMPr.

EnviroAfrica eagerly awaits the Department's agreement or disagreement to the extension time period suggested.

Kind regards
Inge

Inge Erasmus



Environmental Consultant

EnviroAfrica cc

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From: Steve Kleinhans <Steve.Kleinhans@westerncape.gov.za>
Sent: Thursday, 12 December 2019 2:19 PM
To: Inge Erasmus <inge@enviroafrica.co.za>
Cc: Francois Naude <Francois.Naude@westerncape.gov.za>
Subject: RE: DEA&DP Ref: 16/3/3/1/D2/19/0015/19 - Comment on Revised Draft BAR for the proposed development of a 25 metre high telecommunications tree mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George

Dear Inge

I hereby confirm receipt of your letter and note the content thereof.

Based on the content of your letter it appears that only the omission of Appendix J2 (Impact Assessment Ratings) from the RBAR will be addressed. However, this Directorate's previous letter also highlighted other shortcomings which need to be addressed.

Kindly confirm whether these other shortcomings will also be addressed during the process that will be followed during the further extension that has been requested and whether you regard these shortcomings as significant changes or new information to the Revised BAR.

The Department will consider the request and issue a formal response in this regard. Please refrain from proceeding with any public participation process until such time that a formal response has been issued by this Department.

Regards

Steve Kleinhans

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

3rd Floor, Rentzburghof Building, 42 Courtenay Street, George

Postal Address: Private Bag X6509, GEORGE, 6530

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E-mail: steve.kleinhans@westerncape.gov.za

Website: www.westerncape.gov.za/eadp



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From: Inge Erasmus [mailto:inge@enviroafrica.co.za]

Sent: Thursday, 12 December 2019 11:15

To: Steve Kleinhans <Steve.Kleinhans@westerncape.gov.za>

Cc: Francois Naude <Francois.Naude@westerncape.gov.za>

Subject: RE: DEA&DP Ref: 16/3/3/1/D2/19/0015/19 - Comment on Revised Draft BAR for the proposed development of a 25 metre high telecommunications tree mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George

Importance: High

Dear Mr Kleinhans

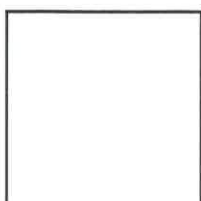
Thank you for the comments received with the email below. Cognisance has been taken of the issues raised. Please urgently see the attached letter relevant to the same.

I await your timely response.

Thank you,

Inge

Inge Erasmus



12 December 2019

Department of Environmental Affairs & Development Planning (DEA&DP)
Directorate: Development Management (Region 3)
3rd Floor, Rentzburghof Building
42 Courtenay Street
George

DEADP Ref: 16/3/3/1/D2/19/0015/19

Dear Mr. Kleinhans

re. Notification of extension of a further (requested) 60 days to the 140 day period granted by the Department for the Proposed Development of a 25m High Telecommunications Mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George.

Thank you for the Department's comments received dated 11 December 2019. I acknowledge that an error was made as mentioned in point 2.2 (b) of the Department's comment i.e.

"..., the electronic copy of Appendix J2 of the RBAR does not contain the impact assessment tables. This is also the case for the electronic copy of the document on the EnviroAfrica webpage. It is unclear whether a hard copy of the RBAR was made available to all registered interested and affected parties ("I&APs"). Is it therefore reasonable to expect that registered I&APs did not have an opportunity to review the impact assessment. Please refer to comment below regarding public participation."

I sincerely apologise for this omission and in line with point 2.5 of the Department's comment i.e.

"Public Participation

Please be reminded that all registered interested and affected parties (including organs of state and the competent authority) are entitled to comment, in writing, on all reports or plans submitted during the public participation process. Any public participation process must be conducted for a period of at least 30 days.

Should any information have been omitted from any of the documents, reports or plans during the public participation process, this may prejudice the outcome of the application.

Your EAP is advised to address this matter before proceeding with the application."

To correct this error, EnviroAfrica on behalf of the Applicant, will undertake an additional public participation process ensuring that all registered I&APs have the opportunity to comment in writing, on Appendix J2 (Impact Assessment Ratings) of the RBAR.

To this end and due to this exceptional circumstance, an extension of the relevant prescribed timeframe by **60 days**, as per Regulation 3(7) of the NEMA EIA Regulation 2014 (GN No. R982 of 4 December 2014, as amended 7 April 2017) is suggested.

Please confirm in writing if the Department agrees to this extension.

Yours sincerely,



Inge Erasmus
EnviroAfrica

Environmental Consultant

EnviroAfrica cc

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

From: Steve Kleinhans <Steve.Kleinhans@westerncape.gov.za>

Sent: Wednesday, 11 December 2019 3:24 PM

To: Inge Erasmus <inge@enviroafrica.co.za>

Cc: Francois Naude <Francois.Naude@westerncape.gov.za>

Subject: RE: DEA&DP Ref: 16/3/3/1/D2/19/0015/19 - Comment on Revised Draft BAR for the proposed development of a 25 metre high telecommunications tree mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George

Dear Inge Erasmus

Your email correspondence below refers.

The onus is on the EAP to make the determination whether the scope of work must be expanded based on the outcome of the assessment i.e. if significant new information has been added to the Basic Assessment Report. In accordance with Regulation 3(7) of the EIA Regulations, 2014 (as amended) the competent authority may, prior to the lapsing of the relevant prescribed timeframe, in writing, extend the relevant prescribed timeframe and agree the length of such extension. In such an event the EAP must notify the Department to seek such extension and obtain such extension prior to the timeframe lapsing.

Kindly note that this Department has relocated recently (address below) and that the telephone lines are not yet functional. Apologies for the inconvenience this has caused.

Regards

Steve Kleinhans

Environmental Impact Management Service

Directorate Development Management (Region 3)

Department of Environmental Affairs & Development Planning

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From: Inge Erasmus [<mailto:inge@enviroafrica.co.za>]

Sent: Wednesday, 11 December 2019 14:37

To: Steve Kleinhans <Steve.Kleinhans@westerncape.gov.za>

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

Subject: FW: DEA&DP Ref: 16/3/3/1/D2/19/0015/19 - Comment on Revised Draft BAR for the proposed

development of a 25 metre high telecommunications tree mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George

Dear Mr Kleinhans

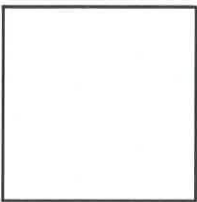
I am urgently trying to get hold of you.

Based on your comments received today, specifically point 2.2. (a) and (b) please verify if the Department requires an additional round of public participation.

I urgently await your response.

Kind regards
Inge

Inge Erasmus



Environmental Consultant

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

Sent: Wednesday, 11 December 2019 1:46 PM

To: cwessels@atlastowers.com; Inge Erasmus <inge@enviroafrica.co.za>

Cc: Steve Kleinhans <Steve.Kleinhans@westerncape.gov.za>; Francois Naude

<Francois.Naude@westerncape.gov.za>; Meryll Fredericks <Meryll.Fredericks@westerncape.gov.za>

Subject: DEA&DP Ref: 16/3/3/1/D2/19/0015/19 - Comment on Revised Draft BAR for the proposed development of a 25 metre high telecommunications tree mast on Portion 112 of the Farm Hans Moes Kraal No. 202, George

Good Day,

Please find attached the comment from Mr. Steve Kleinhans regarding the aforementioned subject.

For enquiries please contact Mr. Steve Kleinhans on 044 – 805 8632 or using:
Steve.Kleinhans@westerncape.gov.za

Kind Regards

Floresca Julius

Regional Operations Support

Development Management – Region 3

Department Environmental Affairs and Development Planning

Western Cape Government

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