

DIRECTORATE: DEVELOPMENT MANAGEMENT REGION 1

EIA REFERENCE:

16/3/3/1/F1/11/2015/20

ENQUIRIES:

AYESHA HAMDULAY

DATE:

2020 -03- 2 6

The Board of Directors
Eagle Towers SA (Pty) Ltd
Suite No. 35
Private Bag X4
DIE BOORD
7613

Attention: Mr Avril van der Rheede

Tel.: (021) 880 0914 Fax: (086) 726 2626

Dear Sir

ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FORM FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED INSTALLATION OF AN APPROXIMATELY 30M HIGH LATTICE TYPE TELECOMMUNICATIONS MAST AND ASSOCIATED INFRASTRUCTURE ON PORTION 28 OF THE FARM NO. 71, EENDEKUIL, PIKETBERG

- 1. The abovementioned document and cover letter dated 20 March 2020, received by this Department on 23 March 2020, refers.
- 2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.
- 3. From a review of the information submitted, this Department notes that the proposed installation of an approximately 30m high lattice type telecommunications mast and associated infrastructure on Portion 28 of the Farm No. 71, Eendekuil, Piketberg entails the following: The proposed development entails the installation of an approximately 30m high telecommunication mast and associated infrastructure on Portion 28 of the Farm No. 71, Eendekuil, Piketberg with a development footprint of approximately 64m². The telecommunication base station will include an equipment room to house the operator equipment and generator as well as equipment containers to accommodate other service providers. The mast will be constructed on a cement plinth and will be surrounded by a 2.4m high palisade fence.

An existing access road will be utilised to gain access to the proposed site. Electricity will be sourced from the land owner.

07th Floor, 1 Dorp Street, Cape Town, 8001 Tel.: +27 21 483 0756/3185 Fax: +27 21 483 4372 E-mail: <u>Ayesha.Hamdulay@westerncape.gov.za</u> Private Bag X9086, Cape Town, 8000 www.westerncape.gov.za/eadp

Nhojane

4. The following listed activity is indicated as applicable to the development proposal, in the Application Form for Environmental Authorisation:

item 3 of GN No. R.983 (as amended):

"The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower—

- (a) is to be placed on a site not previously used for this purpose; and
- (b) will exceed 15 metres in height but excluding attachments to existing buildings and masts on rooftops.

i. Western Cape

- i. All areas outside urban areas;
- ii. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas; or
- iii. Areas zoned for use as public open space or equivalent zoning within urban areas."

You are reminded that only the listed activity applied for will be considered for Environmental Authorisation. The onus is on the applicant to ensure that all the applicable listed activities are assessed as part of the Environmental Impact Assessment ("EIA") process.

- Specialist Input/ Assessment Required
 Please ensure that specialist reports contain all information specified in Appendix 6 of the EIA Regulations, 2014 (as amended). Note that the specialist report/inputs must be appended to the Basic Assessment Report ("BAR").
- The following requirements must be met regarding all applications for Environmental Authorisation in terms of the NEMA and the EIA Regulations, 2014 (as amended):
 - 6.1. Exemption

This Department notes that you do not intend to apply for exemption in terms of the National Exemption Regulations, 2014 promulgated on 08 December 2014 from any of the requirements of the Public Participation Process ("PPP") as stipulated in Regulation 41 of the EIA Regulations, 2014 (as amended) and that you do not intend to apply for exemption from any other provisions contained in the EIA Regulations, 2014 (as amended), the NEMA or any notice issued under the NEMA. Please note that should you fail to meet a requirement of the EIA Regulations, 2014 (as amended) or the NEMA and if no exemption from that provision was applied for and granted, your application for Environmental Authorisation may be refused by this Department.

6.2. Alternatives

Please be advised that in terms of the NEMA and EIA Regulations, 2014 (as amended), the investigation of alternatives is mandatory. All alternatives identified must be determined to be feasible and reasonable. In this regard it must be noted that this Department may grant Environmental Authorisation for an alternative as if the alternative had been applied for or may grant Environmental Authorisation for the proposed project in respect of all or part of the activities applied for in the application as specified in Regulation 20 of GN No. R.982 (as amended). Alternatives are not limited to activity alternatives, but include layout alternatives, design, operational and technology alternatives.

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You are hereby reminded that it is mandatory to investigate and assess the option of not proceeding with the proposed activity (i.e., the "No-Go" option) in addition to other alternatives identified. Every EIA process must therefore identify and investigate alternatives, with feasible and reasonable alternatives to be comparatively assessed. If, however, after identified alternatives have been investigated, no feasible and reasonable alternatives were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternative and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof of the investigations undertaken, and motivation for there being no reasonable or feasible alternatives other than the preferred option and the "No-Go" option, Refer to this Department's Guideline on Alternatives available on this Department's website: http://www.westerncape.gov.za/eadp).

6.3. Public Participation

The BAR must be subjected to a PPP that complies with Chapter 6 of the EIA Regulations, 2014 (as amended) and must take into account any applicable Guidelines published in terms of Section 24J of the NEMA, this Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as amended), as well as any other guidelines developed by this Department. Note that the public participation requirements are applicable to all proposed sites.

In addition to the above, the Environmental Assessment Practitioner ("EAP") must submit one printed copy and one CD copy of the BAR to this Department for a minimum commenting period of 30 days. The BAR must be made available to all relevant State Departments/Organs of State that administer laws relating to a matter affecting the environment, for a minimum commenting period of 30 days. The EAP must notify this Department in writing of the date the BAR was submitted to the relevant State Departments/Organs of State and clearly indicate whether or not such State Departments/Organs of State were notified of the commenting period in terms of Section 24O of the NEMA. It is imperative that State Departments/Organs of State be in possession of the Reports when the EAP issues them with the notice in terms of Section 24O of the NEMA. Please note that the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments/Organs of State in terms of Section 24O(2) and (3) of the NEMA in the BAR, where appropriate.

In terms of good environmental practice you are encouraged to engage with State Departments and other Organs of State early in the EIA process to solicit their inputs on any of their requirements to be addressed in the EIA process. Please note that this does not replace the requirement of making the BAR available to State Departments/Organs of State as stipulated above. The following State Departments/Organs of State must be consulted during the EIA process as part of the PPP:

- CapeNature;
- Heritage Western Cape;
- The Bergrivier Municipality;
- West Coast District Municipality;
- The Western Cape Government: Health;
- The Western Cape Government: Agriculture;
- The Civil Aviation Authority of South Africa; and
- The National Department of Water and Sanitation.

16/3/3/1/F1/11/2015/20 Thejane A register of Interested and Affected Parties ("I&APs") must be opened and maintained. The said register must be submitted to this Department. The EAP must record and respond to all comments received. The comments and responses must be captured in a Comments and Responses Report and must include a description of the PPP followed. This report must be included in the public participation information attached to the BAR to be submitted for a decision.

6.4. Environmental Management Programme ("EMPr")

In accordance with Section 24N of the NEMA and Regulation 19 of GN No. R.982 (as amended), this Department hereby requires the submission of an Environmental Management Programme ("EMPr"). The contents of such an EMPr must meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN No. R.982 (as amended). The EMPr must address the potential environmental impacts of the activity throughout the project life cycle, including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). The EMPr must be submitted together with the BAR. When compiling the EMPr, this Department's Guideline for Environmental Management Plans (June 2005), available on the Department's website must be taken into account as well as Appendix 4 of the EIA Regulations, 2014 (as amended).

6.5. Guidelines

You are referred to Appendix 1 of GN No. R.982 (as amended) for the requirements with respect to the 'Content of basic assessment reports'. You are advised that when undertaking the Basic Assessment process you must take into account the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as amended) as well as any other guidelines developed by this Department. This Department's guidelines can be downloaded from this Department's website. In particular, the guidelines that may be applicable to the proposed project include, inter alia, the following:

- 6.5.1. Circular EADP 0028/2014: One Environmental Management System
- 6.5.2. Guideline for Determining the Scope of Specialists Involvement in the EIA Process (June 2005)
- 6.5.3. Guideline for Environmental Management Plans (June 2005)
- 6.5.4. Guideline on Exemption Applications (March 2013)
- 6.5.5. Guideline on Public Participation (March 2013)
- 6.5.6. Guideline on Alternatives (March 2013)
- 6.5.7. Guideline on Need and Desirability (March 2013)

6.6. Need & Desirability

In terms of the NEMA and the EIA Regulations, 2014 (as amended), when considering an application, this Department must take into account a number of specific considerations including, inter alia, the need for and desirability of any proposed project. 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 this Department's Guideline on Need and Desirability (March 2013).

6.7. NEMA Principles

In addition to the above, you must clearly show how the proposed project complies with the principles contained in Section 2 of the NEMA and must show how the proposed project meets the requirements of sustainable development.

16/3/3/1/F1/11/2015/20 Thefane

6.8. Water Crisis

Your attention is drawn to the fact that the Western Cape has recently experienced a severe drought. In light of the above, water must be used wisely during all phases of any development. No potable water must be used as far as possible and alternative methods to save water must be implemented.

6.9. Social and Gender Considerations

You are reminded that the social context of the proposed development must always be considered. This includes the impact that the development proposal may have on the prevalence of HIV/AIDS, sexually transmitted infections (STI) and Tuberculosis (TB), as well as equity and gender related concerns.

6.10. BAR Requirements

The BAR must contain all the information outlined in Appendix 1 of GN No. R.982 (as amended) and must include the information requested in this letter. Failure to submit any information prescribed in Appendix 1 of GN No. R.982 (as amended) may result in Environmental Authorisation being refused.

This Department awaits the submission of the BAR as prescribed by Regulation 19 of the EIA Regulations, GN No. R.982 (as amended). In accordance with Regulation 19 of GN No. R.982 (as amended), this Department hereby stipulates that the BAR must be submitted to this Department for decision-making within 90 days from the date of receipt of the application by this Department, calculated from 23 March 2020.

If, however, significant changes have been made or significant new information has been added to the BAR, the applicant/EAP must notify this Department that an additional 50 days (i.e., 140 days from receipt of the application) will be required for the submission of the BAR. The additional 50 days must include a minimum commenting period of 30 days to allow registered I&APs to comment on the revised report/additional information.

If the BAR is not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of GN No. R.982 (as amended) and your case file will be closed for administrative purposes. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form for Environmental Authorisation would have to be submitted with proof of having again paid the prescribed application fee.

7. General

- 7.1. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
- 7.2. Please note that the activity must not be commenced with prior to an Environmental Authorisation being granted by this Department. It is prohibited in terms of Section 24F of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply in terms of this prohibition will result in the matter being referred to the Environmental Law Enforcement Directorate of this Department for possible prosecution. A person convicted of an offence in terms of the above is liable for a fine not exceeding R5 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

Thejane

7.3. This Department reserves the right to revise or withdraw comments and request further information from you based on any information received.

Yours faithfully

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: Mr Emile Esquire

(EnviroAfrica cc)

Fax: (086) 512 0154

Emile Esquire

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

Sent: Friday, 03 April 2020 10:41 AM

To: 'Ayesha Hamdulay'
Cc: 'Jackie | Enviro Africa'

Subject: Re: DEA&DP Ack of Receipt of NEMA App Form - Proposed development of a 30m

high telecommunications mast and base station on Portion 28 of Farm No. 71,

Eendekuil, Piketberg (DEA&DP Ref. No.: 16/3/3/1/F1/11/2015/20)

Tracking: Recipient Read

'Ayesha Hamdulay' 'Jackie | Enviro Africa'

Jackie | Enviro Africa Read: 2020/04/06 12:34 PM

Dear Ayesha Humdulay,

The Department's correspondence dated 26 March 2020, regarding the acknowledgement of receipt of the NEMA Application Form for the aforementioned proposal, refers.

The aforementioned correspondence dated 26 March 2020 is duly noted.

Please see responses to the points raised in the aforementioned correspondence below:

- 1. Noted.
- 2. Noted.
- 3. Noted.
- 4. Noted. The listed activity was inserted into the NEMA App Form & draft BAR.
- 5. Noted. However, no specialists studies were undertaken for the proposal.
- 6.1. Noted. The applicant did not apply for any exemptions.
- 6.2. Noted. Alternatives will be investigated in the draft BAR.
- 6.3. Noted. Two printed copies and one CD copy of the draft BAR was submitted to the Department on 23 March 2020.
- 6.4. Noted. The EMPr was submitted as Appendix H to the draft BAR that was submitted to the Department on 23 March 2020.
- 6.5. Noted. The applicable guidelines were consulted while compiling the draft BAR.
- 6.6. Noted. Need & Desirability will be considered in the draft BAR.
- 6.7. Noted.
- 6.8. Noted. Water will be used wisely during construction. The activity does not use water during its operational phase.
- 6.9. Noted. Social issues will be considered in the draft BAR.
- 6.10. Noted. The BAR for decision-making will be submitted before the lapsing of the 90 days.
- 7.1. Noted. The aforementioned reference number will be used in all future correspondence regarding this application.
- 7.2. Noted. No activity will commence unless an Environmental Authorisation has been granted by the Competent Authority.
- 7.3. Noted.

Thank you for providing guidance and comment on the aforementioned proposal.

Kind regards,

Emile Esquire



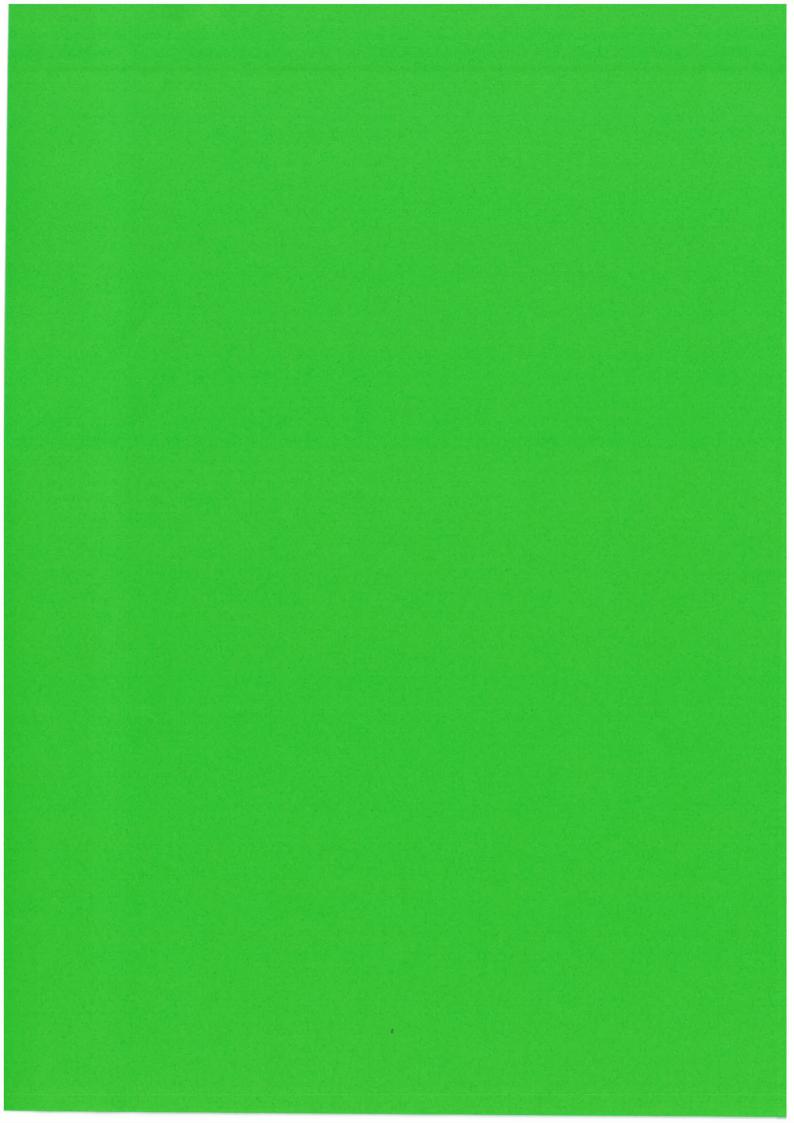
Environmental Consultant

EnviroAfrica cc

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





DIRECTORATE: DEVELOPMENT MANAGEMENT **REGION 1**

EIA REFERENCE:

16/3/3/1/F1/11/2015/20

ENQUIRIES:

AYESHA HAMDULAY

DATE OF ISSUE:

2020 -03- 2 6

The Board of Directors Eagle Towers (Pty) Ltd Suite No. 35 Private Bag X4 DIE BOORD 7613

Attention: Mr Avril van der Rheede

Dear Sir

Tel.: (021) 880 0914 Fax: (086) 726 2626

COMMENT ON THE CONSULTATION BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED INSTALLATION OF AN APPROXIMATELY 30M HIGH LATTICE TYPE TELECOMMUNICATIONS MAST AND ASSOCIATED INFRASTRUCTURE ON PORTION 28 OF THE FARM NO. 71, EENDEKUIL, PIKETBERG

- The abovementioned document with cover letter dated 20 March 2020, received by this Department on 23 March 2020, refers.
- Following a review of the information submitted to this Department, the following is noted: 2.
 - The proposed development entails the installation of an approximately 30m high lattive type telecommunication mast and associated infrastructure on Portion 28 of the Farm No. 71, Eendekuil, Piketberg with a development footprint of approximately 64m². The telecommunication base station will include an equipment room to house the operator equipment and generator as well as equipment containers to accommodate other service providers. The mast will be constructed on a cement plinth and will be surrounded by a 2.4m high palisade fence.
 - 2.2. An existing access road will be utilised to gain access to the proposed site.
 - 2.3. Electricity will be sourced from the land owner.
 - 2.4. The development proposal will not require water, solid waste removal, storm water or sewerage services from the City of Cape Town.

07th Floor, 1 Dorp Street, Cape Town, 8001 Tel.: +27 21 483 0756/3185 Fax: +27 21 483 4372 E-mail: Avesha.Hamdulay@westerncape.gov.za

Private Bag X9086, Cape Town, 8000 www.westerncape.gov.za/eadp

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3. Listed Activity(ies)

3.1. The following listed activity is applicable to the development proposal:

Item 3 of GN No. R.983 (as amended):

"The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower—

- (a) is to be placed on a site not previously used for this purpose; and
- (b) will exceed 15 metres in height but excluding attachments to existing buildings and masts on rooftops.

i. Western Cape

- i. All areas outside urban areas;
- ii. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas; or
- iii. Areas zoned for use as public open space or equivalent zoning within urban areas."

4. EIA Requirements

4.1. Please ensure that the minimum requirements of the EIA process stipulated in the Appendices to the EIA Regulations, 2014 (as amended), i.e., Appendices 1 and 4, are met.

5. General

- 5.1. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
- 5.2. Please note that the activity must not be commenced with prior to an Environmental Authorisation being granted by this Department. It is prohibited in terms of Section 24F of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply in terms of this prohibition will result in the matter being referred to the Environmental Law Enforcement Directorate of this Department for possible prosecution. A person convicted of an offence in terms of the above is liable for a fine not exceeding R5 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
- 5.3. This Department reserves the right to revise or withdraw comments and request further information from you based on any new or revised information received.

Yours faithfully

HEAD OF COMPONENT

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: Mr Emile Esquire

(EnviroAfrica)

Fax: (086) 512 0154

Emile Esquire

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

Sent: Friday, 03 April 2020 10:50 AM

To: 'Ayesha Hamdulay'
Cc: 'Jackie | Enviro Africa'

Subject: Re: DEA&DP Comment on the draft BAR - Proposed development of a 30m high

telecommunications mast and base station on Portion 28 of Farm No. 71, Eendekuil,

Piketberg (DEA&DP Ref. No.: 16/3/3/1/F1/11/2015/20)

Tracking: Recipient Read

'Ayesha Hamdulay' 'Jackie | Enviro Africa'

Jackie | Enviro Africa Read: 2020/04/06 12:34 PM

Dear Ayesha Humdulay,

The Department's comment dated 26 March 2020, regarding the draft BAR, refers.

The aforementioned comment dated 26 March 2020 is duly noted.

Please see responses to the points raised in the aforementioned correspondence below:

- 1. Noted.
- 2.1. Noted.
- 2.2. Noted.
- 2.3. Noted.
- 2.4. Noted. However, the site is located within the jurisdiction of the Bergrivier Municipality.
- 3.1. Noted. The applicable listed activity was included in the NEMA App Form the draft BAR.
- 4.1. Noted. The minimum requirements of the EIA process were met.
- 5.1. Noted. The aforementioned reference number will be used in all future correspondence regarding this application.
- 5.2. Noted. No activity will commence unless an Environmental Authorisation has been granted by the Competent Authority.
- 5.3. Noted.

Thank you for providing comment on the aforementioned proposal.

Kind regards,

Emile Esquire



Environmental Consultant

EnviroAfrica cc

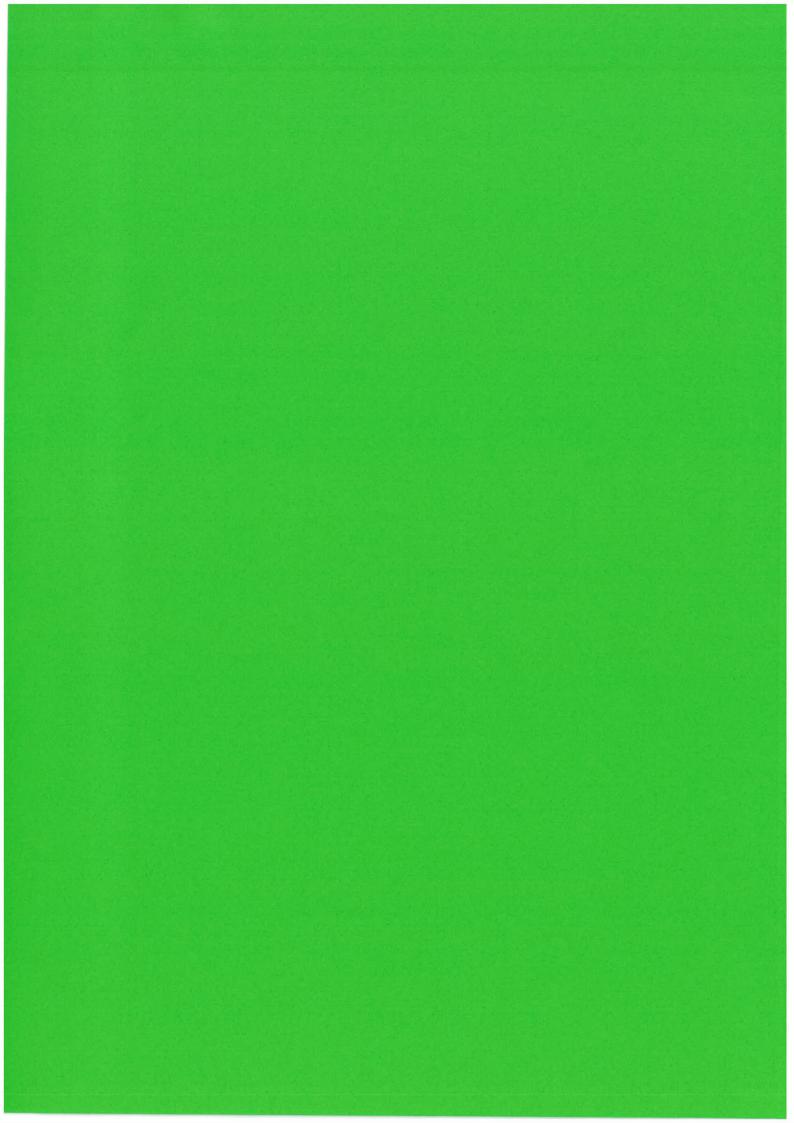
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w: www.enviroafrica.co.za e: emile@enviroafrica.co.za



Emile Esquire

From:

Emile Esquire <emile@enviroafrica.co.za>

Sent:

Monday, 11 May 2020 3:06 PM

To:

'Doretha Kotze'

Cc:

'Collaborate Mailbox'; 'WCDM Correnspondence'

Subject:

RE: DRAFT BASIC ASSESSMENT REPORT FOR COMMENT - PROPOSED

DEVELOPMENT OF A 30M HIGH TELECOMMUNICATION MAST ON PORTION 28 OF

FARM NO. 71, EENDEKUIL, PIKETBERG, WESTERN CAPE

Attachments:

Appendix K10 - Consent Use Approval - 27 July 2018.pdf

Dear Doretha,

Your email correspondence of earlier today with the attached comment dated 07 January 2020, refers.

Thank you for confirming that the District Municipality has no further comment other than the comment dated 07 January 2020.

Kindly find attached copy of the Consent Use Approval from Bergrivier Municipality dated 27 July 2018.

Please note that all concerns raised in your comment dated 07 January 2020 has been addressed in the Basic Assessment Report (BAR) and Environmental Management Programme (EMPr).

I would like to thank you for providing comment on the aforementioned proposal.

Kind regards,

Emile Esquire



Environmental Consultant

EnviroAfrica cc

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

From: Doretha Kotze <dkotze@wcdm.co.za> Sent: Monday, 11 May 2020 12:19 PM

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

Cc: Collaborate Mailbox <westcoastdm@wcdm.co.za>; WCDM Correnspondence <mun@wcdm.co.za> **Subject:** RE: DRAFT BASIC ASSESSMENT REPORT FOR COMMENT - PROPOSED DEVELOPMENT OF A 30M HIGH TELECOMMUNICATION MAST ON PORTION 28 OF FARM NO. 71, EENDEKUIL, PIKETBERG, WESTERN CAPE

Ref: 13/2/12/5/1

Sir

The West Coast District Municipality does not wish to offer any additional comments on this application and stands by the comments provided in the letter dated 7 January 2020 – see attached.

Regards

Doretha Kotze Stads- en Streekbeplanner/Town and Regional Planner Weskus Distriksmunisipaliteit Langstraat 58 Long Street Posbus 242 PO Box MOORREESBURG 7310

Tel: 022 433 8523 West Coast District Municipality



From: Emile Esquire [mailto:emile@enviroafrica.co.za]

Sent: 24 March 2020 10:26 AM

To: Doretha Kotze

Cc: 'Jackie | Enviro Africa'; 'Ayesha Hamdulay'

Subject: RE: DRAFT BASIC ASSESSMENT REPORT FOR COMMENT - PROPOSED DEVELOPMENT OF A 30M HIGH TELECOMMUNICATION MAST ON PORTION 28 OF FARM NO. 71, EENDEKUIL, PIKETBERG, WESTERN CAPE

Dear Ms Doretha Kotze.

My email correspondence dated 23 March 2019, refers.

Please note that the correct height of the proposed mast is 30m in height.

The project description should be "the proposed development of a 30m high telecommunication mast on Portion 28 of the Farm No. 71, Eendekuil, Piketberg, Western Cape".

I would like to reiterate that the commenting period on the draft BAR ends on 29 April 2020.

Sorry for any inconvenience caused.

Thank you.

Kind regards,

Emile Esquire



Environmental Consultant

EnviroAfrica cc

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

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

Sent: Monday, 23 March 2020 9:11 AM

To: 'dkotze@wcdm.co.za' <<u>dkotze@wcdm.co.za</u>>
Cc: 'Jackie | Enviro Africa' <<u>info@enviroafrica.co.za</u>>

Subject: DRAFT BASIC ASSESSMENT REPORT FOR COMMENT - PROPOSED DEVELOPMENT OF A 25M HIGH TELECOMMUNICATION MAST ON PORTION 28 OF FARM NO. 71, EENDEKUIL, PIKETBERG, WESTERN CAPE

Dear Ms Doretha Kotze.

Your department has 30 days to comment on the Draft BAR for comment (as per DEADP requirement). Should comments not be received within the prescribed timeframes, it would be assumed that no comments are forthcoming and DEADP will continue to process the application in the absence of your department's comments. Please note that the Draft BAR can be accessed on website: https://enviroafrica.co.za/projects/for-public-participation/. Please note that the commenting period ends on 29 April 2020.

Comments are to be submitted to the:

Department of Environmental Affairs and Development Planning (DEADP)

Directorate: Development Management (Region 1)

Attention: Ms Ayesha Humdulay

Private Bag X9086

Cape Town

8000

Tel: 021 483 0756 / Fax: 021 483 4372 / Ayesha.Humdulay@westerncape.gov.za

All comments are to be copied to the Environmental Assessment Practitioner – see details below:

EnviroAfrica CC ATT: Emile Esquire P.O. Box 5367 Helderberg 7135

Fax: 086 512 0154 / Tel: 021 851 1616 / E-mail: info@enviroafrica.co.za / emile@enviroafrica.co.za

Should you have any further queries, please do not hesitate to contact us.

Yours sincerely,

Emile Esquire



Environmental Consultant

EnviroAfrica cc

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MUNISIPALITEIT BERGRIVIER MUNICIPALITY

Rig alle korrespondensie aan: Die Munisipale Bestuurder

Address all correspondence to: The Municipal Manager



P O Box 60 PIKETBERG 7320

Phone/Tel.: (022) 91 36000 Fax/Faks: (022) 91 31406

E-pos / E-mail: bergmun@telkomsa.net

Verwysing/Reference

Farm no. 71/28

Navrae/Enquiries

K. Abrahams

27 July 2018

REGISTERED MAIL

Ms A Botha/Mr G Goosen Aurecon SA PTY LTD P.O.Box 494 CAPE TOWN 8000

DECISION LETTER TO APPLICANT

APPLICATION FOR CONSENT USE: PORTION 28 OF THE FARM EENDEKUIL NO.71, DIVISION PIKETBERG

Your application in abovementioned regard received 13 February 2018, refers.

Bergrivier Municipality's Authorised Official, on 26 July 2018, considered your application for consent use in terms of section 60 of Bergrivier Municipal By-law relating to Municipal land Use Planning via decision number AON002/07/2018. The decision reads as follow:

"AON002/07/2018 APPLICATION FOR CONSENT USE: PORTION 28 OF FARM EENDEKUIL NO. 71, DIVISION PIKETBERG 15/3/5; FARM NO. 71/28

The Authorised Official evaluated the abovementioned application.

RESOLUTIONS: APPROVED IN PART CONDITIONALLY

- 1. That the application for consent use in order to allow the erection of a 55 meter freestanding telecommunication base station and associated infrastructure on a portion (±100m² in extent) along the southern boundary of Portion 28 of the Farm Eendekuil No. 71, division Piketberg be refused, in terms of section 60 of Bergrivier Municipal By-law relating to Municipal Land Use Planning for the reasons provided in the reasons for recommendation.
- 2. That consent use in order to allow the erection of a 30 meter freestanding telecommunication base station and associated infrastructure on a portion (±100m² in extent) along the southern boundary of Portion 28 of the Farm Eendekuil No. 71, division Piketberg **be approved** in accordance with the site plan with project no 500202, Drawing no. 003 OF 006 in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to;
 - a) The telecommunication mast must be limited to a maximum height not exceeding 30m;
 - b) The telecommunication base station and mast must allow for co-location of other service providers;
 - The base station must be securely fenced off and access must be restricted;
 - d) Should it be proven that there are negative health effects from the base station (in accordance with acceptable standards), it must be rectified, or if it fails to comply, be decommissioned.
 - e) Compliance with the conditions provided in ESKOM's letter of comment on the application dated 24 April 2018;
 - f) Building plan must be submitted at this municipality for consideration in terms of the National Building Regulations and Building Standards Act, 1977 as amended; and
 - g) The structure and associated infrastructure be removed on developer's cost if it falls into disuse.

REASONS FOR RESOLUTIONS

Section 59 (3) (a) requires that land development should optimise the use of existing resources, infrastructure, land and facilities. The development would allow for co-location of other network operators using the same telecommunication base station site and mast, thus reducing the need for additional base stations and masts in the area. The proposal is located in ESKOM's electricity supply area, and has no impact on municipal services.

The erection of a freestanding telecommunication base station and mast with a height of 55m, will have a negative impact on the character of Eendekuil and surrounding rural landscape by dominating the skyline of this rural area. Existing mature trees as mitigation feature to reduce the visual impact is not regarded sufficient to mitigate the potential impact of a 55meter high mast in the area concerned. Lower mast options to carry transmitters should have been considered rather than a 55meter high obtrusive tower that are not sensitive to the rural character of Eendekuil area. The proposed height is therefore reduced to maximum 30meters, to be more sensitive to the surrounding rural area.

One of the strategies as provided in Bergrivier Municipality Spatial Development Framework 2012-2017, is to strengthen mobility and economic links, to promote communication corridors and zones as well as strengthen communication networks. The proposal of the Bergrivier Municipal Spatial Development Framework is to create access to information for farm and rural dwellers..., i.e. telephone and internet services. The consent use is considered consistent and in line with directives of BMSDF 2012-2017."

You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.

The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Municipal Manager, Bergrivier Municipality, 13 Church Street or P.O.Box 60, Piketberg, 7320; Fax no. 022 913 1406 or email: bergmun@telkomsa.net, within 21 days of notification of this decision.

No activities, including the preparation of ground, may take place within the 21 day appeal period. The decision will be suspended, if an appeal is received within the 21 day period, until the outcome of the appeal is known.

Regards

MR. J.W.A. KOTZEE (VIVIAN)

DIRECTOR: CORPORATE SÉRVICES

Cc: Angela.Botha@aurecongroup.com

MUNISIPALITEIT BERGRIVIER MUNICIPALITY

Rig alle korrespondensie aan: Die Munisipale Bestuurder

Address all correspondence to: The Municipal Manager



P O Box 60 PIKETBERG 7320

Phone/Tel.: (022) 91 36000 Fax/Faks: (022) 91 31406 E-pos / E-mail: bergrivier@telkomsa.net

APPEAL FORM

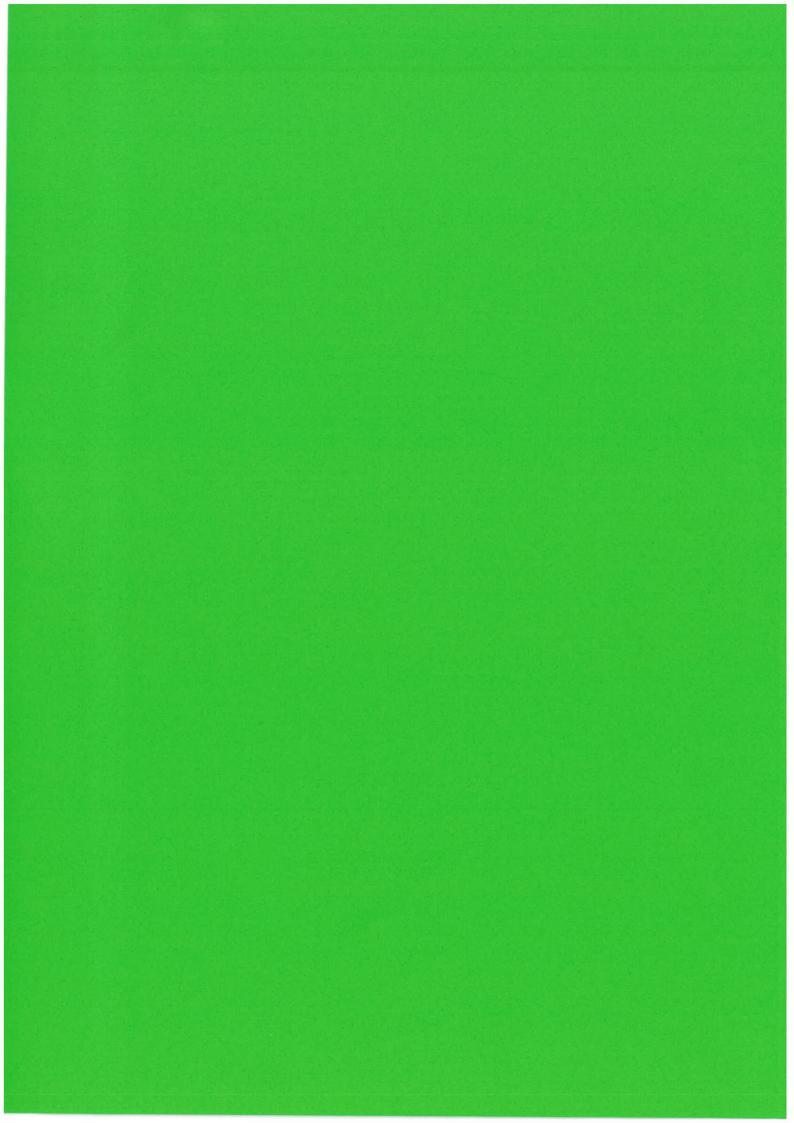
(Section 79 of the By-law on Municipal Land Use Planning)

KINDLY NOTE: Please complete this form using BLOCK capitals and ticking the appropriate boxes. Append this form to your letter of appeal which must comply with section 80 of the By-law on Municipal Land Use Planning.

	PART A: APPEAL								
Are you appealing against the decision made by the authorised employee or Tribunal?			Y	N	If Yes, indicate in Part E if the appeal lodged against the whole decision part thereof. If the latter applies proving a description of the part.			or	
Are you appealing in respect of the failure of the authorised employee or Tribunal to make a decision within the period contemplated in section 57(1) or (2)?				Y	N	If Yes, provide facts that prove the failu in Part E.		re	
Are you appealing against the condition(s) of approval imposed by the authorised employee or Tribunal?			Y	N	If Yes, list relevant condition(s) and provide a description in Part E.		nd		
Is your appeal based on and primarily concerned with the process followed prior to the authorised employee or Tribunal decision?			Y	N	If Yes, specify in Part E.				
Is your appeal based on and primarily concerned with the merits of the land development or land use application on which it is believed that the authorised employee or Tribunal erred in coming to the conclusion?			Y	N	If Yes, specify in Part E.				
	Date of decision			Date	receivin	g notic	e of decision	1	
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PART E: APPEAL MO	TIVATION AND	REASONS*				
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PART F: APPEAL FEE	Management of the same of the					
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Y	N	Proof of payment of appeal fees (applicant)	Y	N	Proof of serving notice of appeal (applicant)
Υ	N	Copy of decision and proof of notification	Y	N	Copy of conditions of approval
Y	N	Motivation and reasons for appeal	Y	N	Other (specify)
SECT	ION H	DECLARATION			
I he	Tha	rish to confirm the following: If the information contained in this appeal for	orm and	acco	mpanying documentation is complete and
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DIRECTORATE: DEVELOPMENT MANAGEMENT REGION 1

REFERENCE: 16/3/3/6/7/1/F1/11/2186/19

ENQUIRIES: Maboee Nthejane

DATE: 29 June 2020

The Board of Directors Eagle Towers (Pty) Ltd. Suite No. 35 Private Bag X4 **DIE BOORD** 7613

Attention: Avril van der Rheede

Tel.: (021) 880 0194 Fax: (086) 726 2626

Dear Sir or Madam

THE PUBLIC PARTICIPATION PROCESS ("PPP") PLAN IN TERMS OF CIRCULAR: DEA&DP NO 0012/2020 FOR THE PROPOSED DEVELOPMENT OF A DAM ON PORTION 28 OF THE FARM KLEINVLEI NO. 209, CERES

- 1. The above-mentioned electronic correspondence that was received by this Department from Enviro Africa cc on 12 June 2020, refers.
- 2. This Department hereby approves the measures highlighted in your PPP Plan dated 12 June 2020, submitted in terms of the Circular of this Department (CIRCULAR: DEA&DP No. 0012/2020). All of the measures highlighted in the PPP Plan must be implemented to meet the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) as well as the Directions regarding measures to address, prevent and combat the spread of COVID -19 relating to National Environmental Management Permits and Licences of 05 June 2020 (as amended). However, the date of 19 June 2020 on which you proposed to commence with the PPP Plan has passed and so the measures contained in the PPP Plan can only be commenced with on the date of issue of this letter or thereafter. In light of this, please notify this Department in writing of a new date on which you will commence with the measures contained in the PPP Plan and adjust all the other dates in the PPP Plan accordingly.
- 3. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
- 4. Kindly quote the abovementioned reference number in any future correspondence concerning the proposed development.

7th Floor, 1 Dorp Street, Cape Town, 8001 Tel.: +27 21 483 2986 Fax: +27 21 483 4372 Electronic Mail: maboee.nthejane@westerncape.gov.za 5. This Department reserves the right to revise or withdraw its comments and request further information based on any information received.

Yours faithfully

pp HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

Copied to: E. Esquire

(EnviroAfrica cc)

E-mail: emile@enviroafrica.co.za

Emile Esquire

From:

Emile Esquire <emile@enviroafrica.co.za>

Sent:

Monday, 29 June 2020 12:49 PM

To:

'Maboee Ntheiane'

Cc:

'info@enviroafrica.co.za'

Subject:

RE: Letter responding to PPP Plan (DEA&DP Ref. No.: 16/3/3/6/7/1/F1/11/2186/19)

Attachments:

PPP Plan for DBAR - Laastedrift Boerdery Mast - 29 Jun 2020.pdf

Tracking:

Recipient

Read

'Maboee Nthejane'

'info@enviroafrica.co.za'

Jackie | Enviro Africa

Read: 2020/06/29 1:08 PM

Dear Maboee,

I hereby acknowledge receipt of the attached correspondence from the Department dated 29 June 2020.

Please find attached updated public participation plan for the Draft Basic Assessment Report (BAR).

I would like to send out the Draft BAR to registered I&APs by latest 10 July 2020.

The commenting period on the Draft BAR will end on 11 September 2020.

Your urgent response would be highly appreciated.

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: Maboee Nthejane < Maboee. Nthejane@westerncape.gov.za>

Sent: Monday, 29 June 2020 11:28 AM

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

Subject: Letter responding to PPP Plan

Hi Emile.

Please find attached hereto, a copy of the letter issued by this Department in response to the PPP Plan that you submitted for the above-mentioned development proposal.

I was unable to obtain the electronic mail address of Avril van der Rheede and so I kindly request that you forward this correspondence to Avril.

Kind regards,

Maboee

"All views or opinions expressed in this electronic message and its attachments are the view of the sender and do not necessarily reflect the views and opinions of the Western Cape Government (the WCG). No employee of the WCG is entitled to conclude a binding contract on behalf of the WCG unless he/she is an accounting officer of the WCG, or his or her authorised representative. The information contained in this message and its attachments may be confidential or privileged and is for the use of the named recipient only, except where the sender specifically states otherwise.

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



29 June 2020

Department of Environmental Affairs and Development Planning

Directorate: Development Management (Region 1)
Private Bag X9086
CAPE TOWN
8000

PUBLIC PARTICIPATION PLAN IN TERMS OF CIRCULAR: DEA&DP NO 0012/2020

PROPOSED DEVELOPMENT OF A 35M HIGH TELECOMMUNICATION MAST ON PORTION 1 OF FARM UITKOMST NO. 343, LAASTEDRIF BOERDERY, CERES, WESTERN CAPE

(DEA&DP Ref. No.: 16/3/3/6/7/1/F1/11/2186/19)

The aim of the Public Participation Plan ("PPP") is to ensure reasonable notice is given to potential and registered interested and affected parties (I&APs). Therefore, the following PPP has been collated as per Regulation 41 of the EIA Regulations relative to the published Circular: DEA&DP No 0012/2020 dated 14 May 2020 and the Directions issued by National Department of Environment, Forestry and Fisheries on 05 June 2020.

		Stage of Project:	Pre-Application	on BAR	
Public Participation Process ¹		Implementation Start of commenting period		End of	Comment
1.	(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of— (i) the site where the activity to which the application or proposed application relates is or is to be undertaken; and (ii) any alternative site;	A site notice	13/02/2020	27/03/2020	All registered I&APs were given adequate time to provide comment on the initial notification letter and preapplication BAR.
2.	(b) giving written notice, in any of the manners provided for in section 47D of the Act, to— (i) the occupiers of the site and, if the	All adjacent landowners, ward councilor, relevant municipality, organs of state, and other	13/02/2020	27/03/2020	All registered I&APs were given adequate time to provide comment on the initial notification letter and pre-

¹ As per **Regulation 41 of the EIA Regulations, 41 (1)** This regulation only applies in instances where adherence to the provisions of this regulation is specifically required; **(2)** The person conducting a public participation process must take into account any relevant guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of an application or proposed application which is subjected to public participation by—

					LiviloAji
	proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken and to any alternative site where the activity is to be undertaken; (ii) 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; (iii) the municipal councillor of the ward in which the site and alternative site is situated and any organisation of ratepayers that represent the community in the area; (iv)the municipality which has jurisdiction in the area; (v) any organ of state having jurisdiction in respect of any aspect of the activity; and (vi) any other party as required by the competent authority;	were notified via the post and email of the proposed development on 12 February 2020.			application BAR.
3.	(c) placing an advertisement in— (i) one local newspaper; or (ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	An advert was placed in the Witzenberg Herald on 14 February 2020.	14/02/2020	23/03/2020	All registered I&APs were given adequate time to provide comment on the initial notification letter and preapplication BAR.

	Stage	e of Project: I	Draft BAR for	Comment	Service Control of
Public Participation Process ²		Start of Commenting Period End of the Commenting Period		Amount of PPP Days (excl. public holidays)	Comment
1.	 1.1. Notification letters informing I&APs of the availability of the draft BAR will be emailed to registered I&APs. 1.2. The draft BAR will be made available on our website for public viewing. 1.3. All registered I&APs will be provided with a WeTransfer link to access the draft BAR via WeTransfer. 	10/07/2020	11/09/2020	64	As per the Directions issued by National Department of Environment, Forestry and Fisheries on 05 June 2020 and Circular: DEA&DP No 0012/2020 dated 14 May 2020, the proposed commenting period is considered reasonable and sufficient.

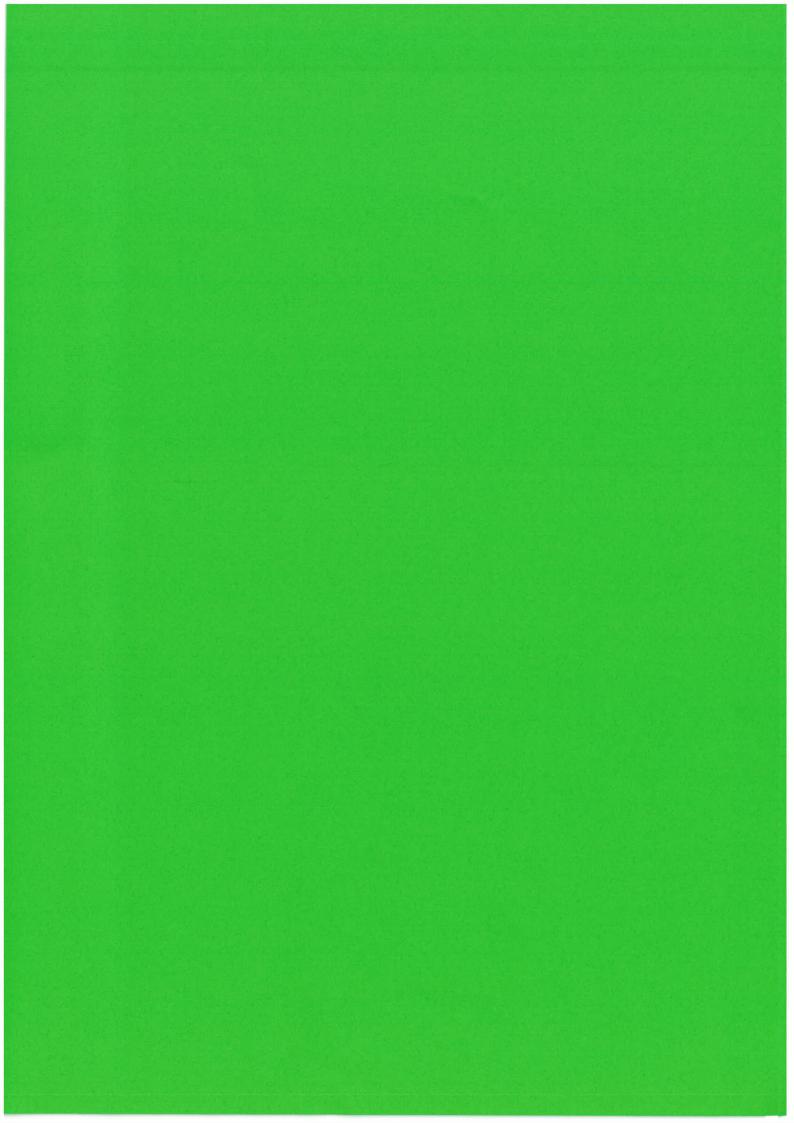
Please don't hesitate to contact me should you require any additional information regarding the aforementioned.

Yours faithfully

Emile Esquire

Environmental Consultant

EnviroAfrica cc





DIRECTORATE: DEVELOPMENT MANAGEMENT REGION 1

REFERENCE: 16/3/3/6/7/1/F1/11/2186/19

ENQUIRIES: Maboee Nthejane

DATE: 04 July 2020

The Board of Directors Eagle Towers (Pty) Ltd. Suite No. 35 Private Bag X4 **DIE BOORD** 7613

Attention: Avril van der Rheede

Tel.: (021) 880 0194

E-Mail: avril@eagletowerssa.com

Dear Sir or Madam

THE REVISED PUBLIC PARTICIPATION PROCESS ("PPP") PLAN FOR THE PROPOSED DEVELOPMENT OF AN APPROXIMATELY 30M HIGH TELECOMMUNICATION MAST AND ASSOCIATED INFRASTRUCTURE ON PORTION 28 OF THE FARM NO. 71 EENDIKUIL, PIKETBERG

- 1. The above-mentioned electronic correspondence that was received by this Department from Enviro Africa cc on 29 June 2020, refers.
- 2. This Department hereby approves the measures highlighted in your PPP Plan dated 29 June 2020, submitted in terms of the Circular of this Department (CIRCULAR: DEA&DP No. 0012/2020). All of the measures highlighted in the PPP Plan must be implemented to meet the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) as well as the Directions regarding measures to address, prevent and combat the spread of COVID -19 relating to National Environmental Management Permits and Licences of 05 June 2020 (as amended).
- 3. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.

- 4. Kindly quote the abovementioned reference number in any future correspondence concerning the proposed development an approximately 30m high telecommunication mast on Portion 28 of the Farm Eendikuil No. 71, Piketberg.
- 5. This Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Yours faithfully

Majane

PP HEAD OF COMPONENT ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

Copied to: Emile Esquire

(EnviroAfrica cc)

E-mail: emile@enviroafrica.co.za

Emile Esquire

From:

Emile Esquire <emile@enviroafrica.co.za>

Sent:

Monday, 06 July 2020 3:40 PM

To:

'Maboee Nthejane'

Cc:

'info@enviroafrica.co.za'

Subject:

RE: Letter responding to revised PPP Plan (DEA&DP Ref. No.:

16/3/3/6/7/1/F1/11/2186/19)

Dear Maboee.

I hereby acknowledge receipt of the attached correspondence from the Department dated 04 July 2020.

All the measures highlighted in the PPP Plan dated 29 June 2020 will be implemented.

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

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: Maboee Nthejane < Maboee. Nthejane@westerncape.gov.za>

Sent: Saturday, 04 July 2020 10:09 PM

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

Cc: info@enviroafrica.co.za

Subject: RE: Letter responding to revised PPP Plan (DEA&DP Ref. No.: 16/3/3/6/7/1/F1/11/2186/19)

Hallo Emile,

Please find attached hereto, the letter in which this Department responds to the revised Public Participation Process Plan that was submitted on 29 June 2020 for the above-mentioned development proposal.

Kind regards,

Maboee

From: Emile Esquire [mailto:emile@enviroafrica.co.za]

Sent: 29 June 2020 12:49 PM

To: Maboee Nthejane **Cc:** <u>info@enviroafrica.co.za</u>

Subject: RE: Letter responding to PPP Plan (DEA&DP Ref. No.: 16/3/3/6/7/1/F1/11/2186/19)

Dear Maboee,

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Kind regards,

Emile Esquire



Environmental Consultant

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p: +27 21 851 1616 f: +27 86 512 0154

a: Unit 7, Pastorie Park, Reitz St, Somerset West, 7130

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

From: Maboee Nthejane < Maboee. Nthejane@westerncape.gov.za>

Sent: Monday, 29 June 2020 11:28 AM

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

Subject: Letter responding to PPP Plan

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Maboee

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