	FINAL BAR STAGE - PUBLIC PARTICIPATION COMMENTS AND RESPONSES REPORT RECIEVED: PROPOSED DEVELOPMENT OF A 30M HIGH TELECOMMUNICATION MAST ON PORTION 28 OF FARM NO. 71, EENDEKUIL, PIKETBERG, WESTERN CAPE_SEPTEMBER 2020						
	C. DRAFT BAR COMMENTS ON PORTION 28 OF FARM NO. 71, EENDEKUIL, PIKETBERG, WESTERN CAPE (DEA&OP Ref. No.: 16/3/3/1/F1/11/2015/20)						
Date	Comment	I&AP comments received on Pre-Applic	Project	Response	Respondent		
26/03/2020	1. The abovementioned document and cover letter dated 20 March 2020, received by this Department on 23 March 2020,	DEA&DP: Region 1	Eendekuil Telecommunication	Dear Ayesha Humdulay,	EnviroAfrica		
	refers.		Mast	The Department's correspondence dated 26 March 2020, regarding the acknowledgement of receipt of the			
	2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.			NEMA Application Form for the aforementioned proposal, refers.			
	3. From the review of the information submitted, this Department notes that the proposed installation of an approximately 30m high lattice type telecommunication mast and associated infrastructure on Portion 28 of the Farm No.			The aforementioned correspondence dated 26 March 2020 is duly noted.			
	71, Eendekuil, Piketberg entails the following: The proposed development entails the installation of an approximately 30m high lattice type tellecommunication mast on			Please see responses to the points raised in the aforementioned correspondence below:			
	Portion 28 of the Farm No. 71, Eendekuil, Piketberg with a development footprint of 64m². The telecommunication base station will include an equipment room to house the operator equipment and generator as well as equipment containers			1. Noted.			
	to accommodate other service providers. The mast will be constructed on a cement plinth and will be surrounded by a			2. Noted.			
	2.4m high palisade fence.			3. Noted.			
	An existing access road will be utilised to gain access to the proposed site. Electricity will be sourced from the land owner.						
"	4. The following listed activity is indicated as applicable to the development proposal, in the Application Form for	DEA&DP: Region 1	Eendekuil Telecommunication Mast	4. Noted. The listed activity was inserted into the NEMA App Form & draft BAR.	EnviroAfrica		
	Environmental Authorisation: Item 3 of GN No. R. 983 (as amended):		Mast				
	"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						
	ii. Areas aesignatea 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 activities 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.						
	5. Specialist Input / Assessment Required	DEA&DP: Region 1	Eendekuil Telecommunication	5. Noted. However, no specialists studies were undertaken for the proposal.	EnviroAfrica		
	Please ensure that specialist reports contain all the 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").		Mast				
	The following requirements must be met regarding all applications for Environmental Authorisation in terms of the NEMA and the EIA Regulations, 2014 (as ameded):						
	6.1. Exemptions						
	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 ameded) 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 other notice issued						
I	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 this provision was applied for and granted, your application for Environmental			6.1. Noted. The applicant did not apply for any exemptions.			
	Authorisation may be refused by this Department.						
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6.2. Alternatives	DEA&DP: Region 1	Eendekuil Telecommunication	6.2. Noted. Alternatives will be investigated in the draft BAR.	EnviroAfrica
Please be advised that in terms of the NEMA and the 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 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. 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 we were, after identified alternatives have been investigated, no feasible or reasonable were found, no comparative assessment of alternatives, beyond the comparative assessment of the preferred alternatives and the option of not proceeding, is required during the assessment. What would, however, be required in this instance is proof of the investigation undertaken, and motivation for there being no feasible or reasonable alternatives other than the preferred option and the "No-Go" option. Refer to this Department's Guideline on Alternatives available on this Departme's website: (http://www.westerncape.gov.za/eadp).	DEA&DP: Region 1	Eendekuil Telecommunication Mast	6.2. Noted. Alternatives will be investigated in the draft BAR.	EnviroAfrica
6.3. Public Participation The BAR must be subjected to a PPP that meets the requirements of 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.	DEA&DP: Region 1	Eendekuil Telecommunication Mast		EnviroAfrica
In addition to the above, the Environmental Assessment Praititioner ("EAP") must submit one printed copy and one CD copy of the BAR to this Department for a minimum 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 writting of the date the BAR was submitted to the relevant State Department/ Organs of State and clearly indicate whether or not such State Department/Organs of State were notified of the commenting period in terms of Section 240 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 240 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 240(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; * Western Cape Government: Health; * Western Cape Government: Health; * Western Cape Government: Agriculture; * Civil Avaition Authority of South Africa; and * The National Department of Water and Sanitation;	DEA&DP: Region 1	Eendekuil Telecommunication Mast	6.3. Noted. Two printed copies and one CD copy of the draft BAR was submitted to the Department on 23 March 2020.	EnviroAfrica
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.				

In accordan requires the meet the re (as amende cycle, incluc (auditing). T for Environr	mental Management Programme ("EMPr") ice with Section 24N of the NEMA and Regulation 19 of GN. No. R. 982 (as amended), this Department hereby e submission of an Environmental Management Programme ("EMPr"). The contents of such an EMPr must quirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of GN. No. R. 982 d). The EMPr must address the potential environmental impacts of the activity throughout the project life ding an assessment of the effectiveness of monitoring and management arrangements after implementation fhe EMPr must be submitted together with the BAR. When compiling the EMPr, this Department's Guideline mental Management Plans (June 2005), available on the Department's website must be taken into account as endix 4 of the EIA Regulations, 2014 (as amended).	DEA&DP: Region 1	Eendekuil Telecommunication Mast	6.4. Noted. The EMPr was submitted as Appendix H to the draft BAR that was submitted to the Department on 23 March 2020.	EnviroAfrica
assessment Department amended) a downlaodee inter alia, th 6.5.1. Circul 6.5.2. Guide 6.5.3. Guide 6.5.4. Guide 6.5.5. Guide 6.5.5. Guide	nes erred to Appendix 1 of GN. No. R. 982 (as amended) for the requirements with respect to the 'Content of basic report'. You are advised that when undertaking the Basic Assessment process you must take into account the 'Scircular 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 (as as well as any other guidelines developed by this Department. This Department's guidelines can be of from this Department's website. In particular, the guidelines that may be applicable to the proposed project, he following: lar 0028/2014: One Environmental Management System; leline for Determining the Scope of Specialists Involvement in the EIA Process (June 2005); leline for Environmental Management Plans (June 2005); leline on Exemption Applications (March 2013); leline on Public Participation (March 2013); leline on Alternatives (March 2013); and leline on Need and Desirability (March 2013).	DEA&DP: Region 1	Eendekuil Telecommunication Mast	6.5. Noted. The applicable guidelines were consulted while compiling the draft BAR.	EnviroAfrica
In terms of must take ir project. As s The BAR mu	nd Desirability the NEMA and the EIA Regulations, 2014 (as amended), when considering an application, this Department nto account a number of specific considerations including, inter alia, the need and desirability of any proposed such, the need for and desirability of the proposed activity must be considered and reported on in the BAR. ust reflect how the strategic context of the the site in relation to the broader surrounding area, has been in addressing need and desirability. Refer to this Department's Guideline on Need and Desirability (March	DEA&DP: Region 1	Eendekuil Telecommunication Mast	6.6. Noted. Need & Desirability will be considered in the draft BAR.	EnviroAfrica
Section 2 of 6.8. Water (Your attenti water must and alterna 6.9. Social a	to the above, you must clearly show how the proposed project complies with the principles contained in if the NEMA and must show how the proposed project meets the requirements of sustainable development. Crises ion is drawn to the fact that the Western Cape has recently experienced a sever drought. In light of the above, be used wisely during all phases of any development. No potable water must be used for as far as possible tive methods to save water must be implemented.			6.7. Noted. 6.8. Noted. Water will be used wisely during construction. The activity does not use water during its operational phase.	
impact that	ninded that the social context of the proposed development must always be considered. This includes the the development proposal may have on the prevalence of HIV/AIDS, sexually transmitted infections (STI) and is (TB), as well as equity and gender related concerns.			6.9. Noted. Social issues will be considered in the draft BAR.	

**	6.10. BAR Requirements The BAR must contain all the information outlined in Appendix 1 of GN No. R. 981 (as amended) and must include the information as requested in this letter. Failure to submit any information prescribed in Appendix 1 of GN No. R. 982 (as amended) may result in the Environmental Authorisation being refused. This Department awaits the submission of the BAr as prescribed Regulation 19 of the EIA Regulations, GN R. No. 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, howevr, 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 reports/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 form for Environmental Authorisation would have to be submitted with proof of having paid the prescribed application fee.	DEA&DP: Region 1	Eendekuil Telecommunication Mast	6.10. Noted. The BAR for decision-making will be submitted before the lapsing of the 90 days.	EnviroAfrica
25	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 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 to a fine not exceeding RS 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment. 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 Head of Component	DEA&DP: Region 1	Eendekuil Telecommunication Mast	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,	EnviroAfrica
26/03/2020	Dear Sir COMMENT ON THE CONSULTATATION BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMEDED): THE PROPOSED INSTALLATION OF AN APPROXIMATELY 30M HIGH LATTICE TYPE TELECOMMUNICATION MAST AND ASSOCIATED INFRASTRUCTURE ON PORTION 28 OF THE FARM NO. 71, EENDEKUIL, PIKETBERG 1. The abovementioned document with cover letter dated 20 March 2020, received by this Department on 23 March 2020, refers. 2. Following a review of the information submitted to this Department, the following is notes: 2.1. The proposed development entails the installation of an approximately 30m high lattice type tellecommunication mast on Portion 28 of the Farm No. 71, Eendekuil, Piketberg with a development footprint of 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 acces 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 does not require water, solid waste removal, storm water or sewerage services from the Bergrivier Municipality.	DEA&DP: Region 1	Eendekuil Telecommunication Mast	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.	EnviroAfrica

Listed Activity(ies) The following listed activity is indicated as applicable to the development proposal, in the Application Form for Environmental Authorisation:	DEA&DP: Region 1	Eendekuil Telecommunication Mast	3.1. Noted. The applicable listed activity was included in the NEMA App Form the draft BAR.	EnviroAfrica
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 appared for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas; or iii. Areas szoned 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 of the EIA Regulations, 2014 (as amended), i.e., Appendices 1 and 4, are met.			4.1. Noted. The minimum requirements of the EIA process were met.	
Genral In Each of the abovementioned reference number in any future correspondence in respect of the application.	DEA&DP: Region 1	Eendekuil Telecommunication Mast	5.1. Noted. The aforementioned reference number will be used in all future correspondence regarding this application.	EnviroAfrica
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 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 to a fine not exceeding R5 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.			5.2. Noted. No activity will commence unless an Environmental Authorisation has been granted by the Competent Authority.	
5.3. This Department reserves the right to revise or withdraw comments and request further information from you based on any information received.			5.3. Noted.	
Yours faithfully Head of Component			Thank you for providing comment on the aforementioned proposal.	
			Kind regards,	
Ref: 13/2/12/5/1 Sir The West Coast District Municipalty 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.	EnviroAfrica	Mast	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.	EnviroAfrica
Regards Doretha Kotze			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,	

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	Comments received on Draft BAR					
29/07/2020	Meneer,	Eendekuil Landbouvereniging	Eendekuil Telecommunication Mast	Dear Mr Anton Mouton,	EnviroAfrica	
	Die oprigting van die selfoontoring is absoluut noodsaaklik vir hierdie gebied omdat ons nou van selfone afhanklik is vir plaasveiligheid vir		IVIASE	I hereby acknowledge receipt of your email comment dated 29 July 2020. Your support for the proposed 30m high telecommunication mast on Portion 28 of the Farm No. 71,		
	1. Skakel met die bure, plaaswerkers en polisie 2. Vir die oop en toemaak van sekuriteitshekke 3. In geval van n ongeluk/nood met dokters of ambulans Kommunikasie sonder die toring is nou haas onmoontlik in die gebied. Verder is die ontvangs op die deel van die N7 vanuit Piekenierskloofpas tot amper by Pools ook baie swak. Ons het reeds saam met Vodacom die perseel besoek en dekking vanaf die voorgestelde area bleik voldoende te wees en omdat die toring tussen bome sal staan behoort dit geen negatiewe inpak op die terrein en omgewing te hê nie. Groete Anton Mouton Eendekuil Landbouvereniging			Eendekuil, is duly noted. In the you comment you confirm that the proposal will enable the following: *That the proposal will enable you to contact your neighbours, workers and Police; *That the proposal will enable for easy closure and open of security gates on farms; *That the proposal will enable residents of the area to contact the doctor or police during an emergency. You also indicate that communication without the proposal is almost impossible within the Eendekuil area and that the signal strength of mobile networks is generally weak in the area. Please note that your comment is duly noted. I would like to thank you for providing comment on the aforementioned development proposal. Kind regards,		
15/10/2020	Having reviewed the information contained in the Draft BAR, this Department has noted the following: 2.1. Listed activities- The listed activity identified in the Environmental Impact Assessment ("EIA") Regulations of 2014 (as amended) that is indicated as applicable to the development proposal is Item 3 of GN No. R. 985 of 2014, i.e., "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." 2.2. Public Participation— The Draft BAR has been made available for Interested and Affected Parties ("I&APS") to comment on for longer than the minimum legally required period of 30 days. In addition, comments have been obtained from various I&APs that include inter alia, Heritage Western Cape and CapeNature, None of the comments received were objections and in fact, some supportive comments have been received. 2.3. Alternatives—The mast design alternatives considered are tree type mast, lattice mast and monopole mast. The 'no-go' alternative has also been considered. i	DEA&DP: Region 1	Eendekuil Telecommunication Mast	1-2. Noted. 3. Noted, thank you. Comments received on the DBAR have been addressed accordingly. 4. Noted with thanks. 5. Noted.	EnviroAfrica	