



REFERENCE: 16/3/3/6/1/D4/26/0218/21
ENQUIRIES: Dorien Werth
DATE OF ISSUE: 21 April 2022

Gyro Group Pty Ltd
61 Oak Avenue
Highveld Techro Park
0157

Attention: Koenehelo Thejane

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Dear Sir

RE: CHECKLIST: CONSTRUCTION OF A 14.99-METER-HIGH TREE TYPE MAST AND BASE STATION (TO BE KNOWN AS PINE LAKE MARINA) LOCATED ON PORTION 41 OF THE FARM RONDE VALLEY 184 GEORGE RD – KNYSNA MUNICIPALITY

1. With reference to the above-mentioned matter and further correspondence received via electronic mail on 02 December 2022 by the Directorate: Development Management (Region 3) – hereinafter referred to as “this Directorate: The Directorate: is hereby issuing a revision to the letter issued by this Directorate on 04 January 2022 taking into consideration the additional information received by this Directorate on 09 March 2022.
2. This letter serves as an acknowledgment of receipt of the document by this Directorate.
3. **Identifying the relevant competent authority:**

The proposal is located within a national proclaimed protected area (i.e. Pine Lake Marina) as identified in terms of the National Environmental Management: Protected Areas Amendment Act, 2009 (Act no. 15 of 2009).

According to sub-section 24C(2)(e) of the National Environmental Management Act, 1998 (Act No. 107 of 1998 as amended) (“NEMA”) the National Minister of Forestry, Fisheries and the Environment, is identified as the competent authority responsible for granting environmental authorisations in respect of those activities that will take place within a national proclaimed protected area or other conservation areas under control of a national authority.

The Western Cape Government: Department of Environmental Affairs and Development Planning ("this Department") is therefore not the identified competent authority responsible for granting environmental authorisation in respect of the activities applied for, or for which you are requesting confirmation regarding the Applicability of the Environmental Impact Assessment Regulations, 2014.

In light of the above, you are required to submit an enquiry or an applicability checklist to the National Department of Forestry, Fisheries, and Environment, ("DFFE") for consideration. You are therefore advised to submit your enquiry to the DFFE at the contact details provided overleaf:

Post: The Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Email: EIAadmin@environment.gov.za || iq@environment.gov.za

Tel: (012) 399 9371

4. Notwithstanding the above the environmental impact management services component of this Department provides the following comments:

4.1. Development proposal:

Based on the information available to this Directorate, it is understood that the proposal entails the development of a 14.99-metre-high telecommunication mast, base station (8m x 9m) and a container housing electronic equipment on Portion 41 of the Farm Ronde Valley 187, George RD, Pine Lake Marina Resort, Lakes Drive Swartvlei, Sedgefield. The total ground coverage will be 72 square meters.

4.2. Edge of the built-up area

It is understood that the Competent Authority, DFFE, has not yet defined or adopted an urban area for the town of Sedgefield (including the urban edge as defined in the Knysna Municipality's Spatial Development Framework). Therefore, in instances where no urban edge or boundary has been defined or adopted, the urban area refers to areas situated within the "edge of built-up areas".

The proposed 14.99-meter-high Tree mast on Portion 41 of the Farm Ronde Valley 187, George RD, Pine Lake Marina Resort, Lakes Drive Swartvlei, Sedgefield, does fall outside the "edge of built-up areas" the urban edge of Knysna Municipality Spatial Development Framework 2017.

4.3. *Applicability of the Environmental Impact Assessment Regulations, 2014.*

Based on the above it is this Directorate's view that the proposed 14.99-metre-high telecommunication mast, which is proposed on Portion 41 of the Farm Ronde Valley 187, George RD, Pine Lake Marina Resort, Lakes Drive Swartvlei, Sedgefield, does not constitute a listed activity in terms of the Environmental Impact Assessment Regulations, (GN No R.326, 327, 325 and 324 as amended 7 April 2017), as promulgated under Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA").

The DEFF must however finally confirm the applicability of the EIA Regulations 2014.

5. Notwithstanding the content of this letter, the proponent must comply with any other statutory requirements that may be applicable to the undertaking of the proposed activity.
6. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

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HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to:

Department of Environmental Affairs

E-mail: EIAdmin@environment.gov.za