

REFERENCES:

16/3/3/6/4/2/1/A1/16/3244/16 (Development Management)
19/2/5/3/A1/16/WL0129/16 (Waste Management)

DATE:

The Board of Directors
Acer (Africa) Environmental Consultants
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For attention: Mr. Giles Churchill

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Dear Sir

COMMENT ON THE DRAFT SCOPING REPORT FOR THE PROPOSED MTN MARINE TELECOMMUNICATIONS SYSTEM (ACE CABLE SYSTEM) TO BE LANDED AT VAN RIEBEECKSTRAND, MELKBOSSTRAND

1. The Draft Scoping Report ("DSR") dated November 2016 that was received by the Department on 7 November 2016, refers. The following consolidated comment from various Directorates within the Department is hereby offered.
2. Directorate: Development Management (Region 1) – Melanese Schippers (Melanese.Schippers@westerncape.gov.za; Tel: (021) 483 8349):
 - 2.1 The Final Scoping Report ("FSR") to be submitted to the competent authority and the Draft Environmental Impact Assessment ("EIA") Report must provide clarity as to whether Activity 15 of Government Notice ("GN") No. R. 983 of 4 December 2014 is triggered by the proposed development and if it should be applied for. This is due to the proposed development being located within coastal public property.
 - 2.2 The diameter of the proposed marine telecommunications cable must be included in the activity description.

- 2.3 It is noted that vegetation types occurring along the proposed cable route have been identified as Atlantis Sand Fynbos, Cape Seashore Vegetation and Cape Flats Dune Strandveld.
- 2.3.1 Section 8.2.2 of the DSR indicates that the Atlantis Sand Fynbos vegetation type is considered to be “vulnerable” from a conservation perspective. Please note that this vegetation type has been classified as a critical endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004): List of Threatened Ecosystems in Need of Protection, December 2011.
- 2.3.2 As such, the statement on Section 8.2.2 is incorrect and must be updated to reflect the correct status.
- 2.4 Please note that comment from the Department of Water and Sanitation and Heritage Western Cape is essential in order to ensure that the specialist studies as included in the Plan of Study for EIA will include all the relevant requirements. Comment from the abovementioned authorities must be obtained and included in the FSR to be submitted to the competent authority.
- 2.5 It is noted that CapeNature has not been included in the list of registered interested and affected Parties (“I&APs”), but that a copy of the DSR has been provided to CapeNature for comment. Please note that CapeNature must be listed as a registered I&AP and that all subsequent reports must be submitted to CapeNature for comment.
- 2.6 Proof of public participation conducted must be included in the FSR to be submitted to the competent authority. The proof must include, *inter alia*, a copy of the newspaper advertisement that was placed, indicating the name of the newspaper and date of publication, photographs showing the notice(s) displayed on the site and a copy of the text displayed on the notice, and proof of the various methods of I&AP notification (e.g. electronic mail delivery reports, “mail drop” signed register, registered and/or regular mailing list from the post office, facsimile reports, etc.).
3. Directorate: Waste Management – Stefan Milandri (Stefan.Milandri@westerncape.gov.za; Tel: (021) 483 4086):
- 3.1 The waste management hierarchy (reduction, re-use and recycling of waste) must be implemented to ensure that the disposal of waste should only be considered as a last resort.
- 3.1.1 All waste generated during the construction and installation of the terrestrial section of the ACE cable system which cannot be re-used or recycled, must be disposed of at a licensed waste disposal facility.
- 3.1.2 Cognisance must be taken of Schedule 3 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) which defines and identifies categories and types of waste. Both Categories A and B of Schedule 3 identify dredging spoil as waste that could either be classified as hazardous or general waste. The disposal of dredging spoil from trenching operations must be done in accordance with the legislative requirements for the specific waste type.
- 3.2 The storage of hazardous and general waste in excess of 80m³ and 100m³ respectively, excluding the storage of waste in lagoons or the temporary storage of such waste, would require the applicant

to comply with GN No. 926 of 29 November 2013: National Norms and Standards for the Storage of Waste.

- 3.3 The Environmental Management Programme to be included with the EIA Report must address the prevention and management of potential leaks and spillages of hazardous substances. Any hazardous substances and fuel must be kept in storage areas that are bunded and with a capacity to contain 110% of the volume of any hazardous substances and fuel. Alternatively, if portable fuel tanks are used, drip trays must be used during refuelling and the integrity of said tanks must be maintained.
4. Please direct all enquiries to the officials indicated in this correspondence should you require any clarity on any of the issues/comments provided. Please include the Department of Environmental Affairs' reference number in future correspondence.
5. The Department reserves the right to revise initial comments and request further information based on new information received.

Yours faithfully

pp **HEAD OF DEPARTMENT**
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING