

## Charlene Weber

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**From:** Adri La Meyer <Adri.LaMeyer@westerncape.gov.za>  
**Sent:** 14 September 2016 09:31 AM  
**To:** ace-cable@acerafrica.co.za; publicparticipation@acerafrica.co.za  
**Subject:** RE: Background Information and Invitation to Participate: Proposed Marine Telecommunications System (ACE Cable System) to be landed at Van Riebeeckstrand on the West Coast of South Africa

Dear Mr Churchill,

I hope this e-mail finds you well. I received notification of the BID from Taryn Dreyer at our EIA section.

Please register the Department of Environmental Affairs and Development Planning as a state Department having an interest in the application. Kindly note that the Directorate: Development Facilitation ("DDF") of the Department coordinates comments from the various directorates on applications where DEA and/or DMR is the competent authority. I would therefore appreciate it if you could make 1 hard copy and 3 CDs of the Scoping Report and any subsequent documentation available (marked for my attention), which will then be distributed internally within the Department for comment. The DDF will then collate the comments and provide you with a uniform set of comments.

I note from the BID (Section 2.2) that the applicable listed activity is identified as Activity 1(m) of GN No. R. 386 of 21 April 2006. I assume you refer to Activity 10 of GN No. R. 984 of 4 December 2014, being "*The development of facilities or infrastructure for marine telecommunication*"?

From the proposed PPP schedule, I note that a pre-application Scoping Report will be made available to registered and potential I&APs. You further indicate that the Final Scoping Report ("FSR") will be submitted to DEA within 44 days after submission of the Application Form. It would be a good idea if the process flow diagram be amended to indicate that another round of public participation (for at least 30 days) will commence after the submission of the Application Form, whereby registered I&APs are afforded an opportunity to comment on the Draft Scoping Report prior to the submission of the FSR to DEA. In this regard, I refer you to regulation 40(3) of the 2014 EIA Regulations, which state: "*Potential or registered interested and affected parties, including the competent authority, may be provided with an opportunity to comment on reports and plans contemplated in subregulation (1) prior to submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the competent authority.*"

Your e-mail dated 7 September 2016 further states that "*It is also envisaged that a Water Use Licence will be required from the Department of Water and Sanitation in terms of Chapter 4 of the National Water Act, 1998 (Act No 36 of 1998), in particular, Section 40(4).*" Kindly be advised that unless the proposed development triggers any of the S21 water use activities and impacts on a water resource (i.e. a watercourse, surface water, estuary, or aquifer), a water use licence would not be required. Watercourse mean a river or spring; a natural channel in which water flows regularly or intermittently; a wetland, lake or dam into which, or from which, water flows (as per NWA). The sea is not regarded as a watercourse.

Please do not hesitate to contact me should you have any queries on the above.

Kind regards,  
Adri

Adri La Meyer  
Directorate: Development Facilitation  
Department of Environmental Affairs and Development Planning  
Western Cape Government

11<sup>th</sup> Floor, Utilitas Building, 1 Dorp Street, Cape Town



Be 110% Green. Read from the screen.

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**From:** ACER - Public Participation [<mailto:publicparticipation@acerafrica.co.za>]  
**Sent:** 07 September 2016 10:09 AM  
**To:** Taryn Dreyer <[Taryn.Dreyer@westerncape.gov.za](mailto:Taryn.Dreyer@westerncape.gov.za)>  
**Subject:** Background Information and Invitation to Participate: Proposed Marine Telecommunications System (ACE Cable System) to be landed at Van Riebeeckstrand on the West Coast of South Africa

7 September 2016

Dear Ms. Taryn Dreyer

**BACKGROUND INFORMATION AND INVITATION TO PARTICIPATE IN AN ENVIRONMENTAL AUTHORISATION PROCESS (ENVIRONMENTAL IMPACT ASSESSMENT)**

**PROPOSED MARINE TELECOMMUNICATIONS SYSTEM (ACE CABLE SYSTEM) TO BE LANDED AT VAN RIEBEECKSTRAND ON THE WEST COAST OF SOUTH AFRICA**

**Project Background**

Submarine telecommunication cables are important for international telecommunication networks, transporting almost 100% of transoceanic internet traffic throughout the world ([www.iscpc.org](http://www.iscpc.org)). It is widely recognised that access to affordable international bandwidth is key to economic development of every country.

Today, Africa relies primarily on satellites to provide its international communications. Communication via submarine telecommunication cables generally allows for lower cost, better performance, and greater capacity (throughput) than that available via satellite. Improvement in Africa's information technology infrastructure via telecommunication cables will remove one of the current key inhibitors to development in Africa, and support economic growth and opportunities on the continent.

Following installation of the proposed ACE cable system, MTN will become the alternative full service provider of international fibre-optic bandwidth to Telkom along the west coast of Africa. In doing so, the company will facilitate more affordable and effective transport of voice, data, internet and television services. Furthermore, the cable will support the objectives set out by the New Partnership for Africa's Development (NEPAD), and provide a means of fulfilling the SA Government's requirements in terms of digital television broadcasting for South Africa.

The proposed ACE cable system will have the broadband capacity of transmitting over 10 Terabits per second, which is approximately double the current capacity of the existing telecommunications systems within South Africa.

**Current Environmental Legislation**

The current Environmental Impact Assessment Regulations, 2014, published in Government Notices R 982, 983, 984 and 985 of 4 December 2014 under Section 24(5) read with Sections 24, 24D and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) apply to this project.

Based on the current regulations, the Environmental Assessment Practitioner (EAP) must complete Scoping and the Impact Assessment within 300 days of acceptance of the Application for Authorisation by the national Department of Environmental Affairs (DEA). It is also envisaged that a Water Use Licence will be required from the Department of Water and Sanitation in terms of Chapter 4 of the National Water Act, 1998 (Act No 36 of 1998), in particular, Section 40(4).

The national Department of Environmental Affairs (DEA) is the competent authority for the issuing of environmental authorisation for this proposed development. On behalf of MTN (Pty) Ltd. ACER will fulfil the role and responsibilities of EAP, undertaking the Environmental Impact Assessment (EIA) and the associated public participation process, and submitting the required application and supporting documentation to DEA for consideration and decision-making.

The purpose of this letter is to invite you, as a potentially Interested & Affected Party to participate in the EIA. A Background Information Document (Appendix 1) and Comment Sheet (Separate Attachment) have been compiled and attached to provide further information on the proposed development and are also available at [www.acerfrica.co.za](http://www.acerfrica.co.za) under the "Current Projects" link (MTN ACE Cable System). Please note that the closing date for initial comments during public announcement of the project is 7 October 2016.

Please contact the Public Participation Office to obtain further information:

Your participation is valued and will be appreciated.

Yours sincerely,

ACER (Africa) Environmental Consultants  
Mr. G Churchill  
Environmental Assessment Practitioner

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