

Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Wednesday, 20 June 2018 2:02 PM
To: 'Clarissa.Fransman@capetown.gov.za'
Cc: 'Belinda Waters'
Subject: RE: NEMA 30m cell mast on Ptn 17 of Farm 221 Farm Koopmans Kloof

Dear Clarissa,

Your email earlier today refers.

The City of Cape Town was placed on the list of registered Interested and Affected Parties ("I&APs"), and a copy of the application form and Basic Assessment Report ("BAR") will be distributed to your office for comment.

Kind regards,

Emile Esquire



EnviroAfrica

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: Clarissa Fransman <Clarissa.Fransman@capetown.gov.za>
Sent: June 20, 2018 11:44 AM
To: admin@enviroafrica.co.za
Subject: NEMA 30m cell mast on Ptn 17 of Farm 221 Farm Koopmans Kloof

Good day

The abovementioned NEMA EIA application (featured in today's Kraaifontein Tyberburger) refers.

Kindly confirm that the City of Cape Town is a registered I&AP, and that a hard copy and electronic copy of the said application will be sent to this office for circulation and collation.

Kind regards,

Clarissa Fransman

Assistant Environmental Professional: Environmental Management Department

Ground Floor, Kraaifontein Municipal Offices

87 Brighton Road, Kraaifontein, 7570

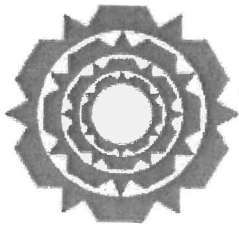
Tel: 021 444 1557

Fax: 021 444 1063

Email: clarissa.fransman@capetown.gov.za

Web (TDA): www.tda.gov.za

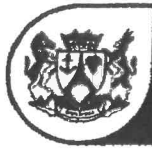
Web (CCT): www.capetown.gov.za



TDA
CAPE TOWN

*The City of Cape Town's Transport
and Urban Development Authority*

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Western Cape
Government
Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1**

EIA REFERENCE: 16/3/3/6/7/1/A5/40/2146/18

ENQUIRIES: AYESHA HAMDULAY

DATE OF ISSUE: 2018-08-06

The Board of Directors
Atlas Towers (Pty) Ltd
P O Box 44512
CLAREMONT
7735

Attention: Mr Dirk Loois

Tel.: (021) 552 5255

Fax: (086) 537 9187

Dear Sir

ACKNOWLEDGEMENT OF RECEIPT OF THE NOTICE OF INTENT TO SUBMIT AN APPLICATION 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 DEVELOPMENT OF AN APPROXIMATELY 30M HIGH LATTICE-TYPE MAST AND ASSOCIATED INFRASTRUCTURE ON PORTION 17 OF THE FARM KOOPMANS KLOOF NO. 221, KRAAIFONTEIN

1. The Notice of Intent Form with cover letter dated 12 July 2018, as received by this Department on 26 July 2018, refers.
2. This letter serves as an acknowledgement of receipt of the abovementioned document by this Department.
3. This Department may provide comment on the development proposal within the prescribed time-frame.
4. Please note that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to this Department.
5. No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:
 - 5.1. That additional information or documents will not be requested; or
 - 5.2. Of the outcome of the application.
6. It is prohibited in terms 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

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

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

A. Thepene

activity. Failure to comply in terms of the 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.

7. Kindly quote the abovementioned reference number in any future correspondence regarding this letter.
8. This Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Yours faithfully

hp Methane

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: Mr Emile Esquire
Ms Pat Titmuss

(EAP: EnviroAfrica)

Fax: (086) 512 0154

(CoCT: Northern Administration) Fax: (021) 444 0605

Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Friday, 28 September 2018 9:05 AM
To: 'Ayesha Hamdulay'
Subject: RE: FaxEmail Fax from 0214830782 to 0865120154 Ack of Receipt NOI
Koopmanskloof (DEA&DP Ref: 16/3/3/6/7/1/A5/40/2146/18)

Dear Ayesha,

Your correspondence dated 06 August 2018, refers.

Please note that your comment is duly noted.

Kind regards,

Emile Esquire



EnviroAfrica

Environmental Consultant

EnviroAfrica cc

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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: 0865120154@f2em.co.za <0865120154@f2em.co.za>

Sent: August 6, 2018 5:41 PM

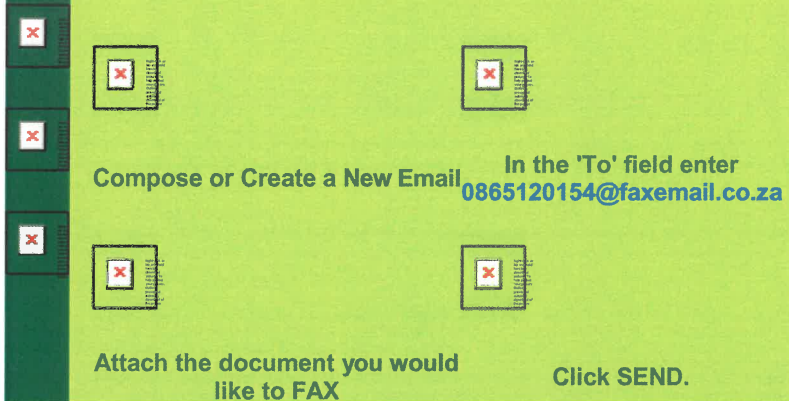
To: admin@enviroafrica.co.za

Subject: FaxEmail Fax from 0214830782 to 0865120154



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SCIENTIFIC SERVICES

postal Private Bag X5014 Stellenbosch 7599
physical Assegaaibosch Nature Reserve Jonkershoek
website www.capenature.co.za
enquiries Rhett Smart
telephone +27 21 866 8017 **fax** +27 21 866 1523
email rsmart@capenature.co.za
reference SSD14/2/6/1/4/4/221-17_cell_Brackenfell
date 6 August 2018

EnviroAfrica
P.O. Box 5367
Helderberg
7135

Attention: Emile Esquire
By email: admin@enviroafrica.co.za

Dear Emile

Background Information Document for the Proposed 30m High Telecommunications Mast on Portion 17 of Farm Koopmans Kloof 221, Brackenfell, Cape Town

CapeNature would like to thank you for the opportunity to comment on the proposed development and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the proposed development.

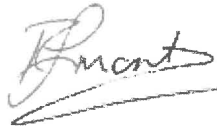
The property on which the development is proposed is classified as No Natural according to the Biodiversity Network (BioNet) for the City of Cape Town and the Western Cape Biodiversity Spatial Plan. The historical Google Earth imagery indicates that the site has been cultivated across its entire extent within the last 10 years, although only a portion is currently cultivated. No terrestrial ecological specialist studies are therefore considered necessary, as the only natural vegetation which is likely to occur are weedy pioneers of no conservation value.

According to the BioNet, three artificial dams are mapped on the site, with one in the centre and two located in the south west. NFEPA has additionally mapped natural wetlands adjacent to the artificial dams. It is therefore preferred that a freshwater specialist study is undertaken, unless sufficient evidence can be provided that the proposed footprint will not be located in or adjacent to a wetland.

CapeNature will comment in more detail on the Draft Basic Assessment Report, however we are unlikely to object to this application.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely

A handwritten signature in black ink, appearing to read "Rhett Smart", with a horizontal line underneath.

Rhett Smart
For: Manager (Scientific Services)

Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Friday, 28 September 2018 8:42 AM
To: 'rsmart@capenature.co.za'
Cc: 'landuse@capenature.co.za'
Subject: RE: BIDs: 7 telecommunication masts, City of Cape Town (DEA&DP Ref: 16/3/3/6/7/1/A5/40/2146/18)

Dear Rhett,

Your correspondence dated 06 August 2018, refers.

Please note that your comment is duly noted.

The site is completely transformed from its natural state due past activities on the property. I was on site on 12 June 2018 and observed how transformed the site currently is.

Your comment is duly noted, and please note that a copy of the Basic Assessment Report will be provided to you for comment in due course.

Kind regards,

Emile Esquire



EnviroAfrica

Environmental Consultant

EnviroAfrica cc

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

From: Rhett Smart <landuse@capenature.co.za>
Sent: August 6, 2018 5:58 PM
To: admin@enviroafrica.co.za; Emile Esquire <emile@enviroafrica.co.za>
Subject: BIDs: 7 telecommunication masts, City of Cape Town
Importance: High

Dear Emile

Please find attached comment from CapeNature on the background information documents for construction of telecommunication masts for the following properties:

- Remainder of Erf 5094, Broadlands, Strand
- Portion 17 of Farm Koopmans Kloof 221, Brackenfell, Cape Town
- Portion 36 of Farm Joostenbergvlakte 725, Kraaifontein, Cape Town
- Erf 73, Klipheuwel, Cape Town
- Erf 43547, 8th Avenue, Kromboom Parkway, Athlone, Cape Town
- Erf 562, 18th Avenue, Schaapkraal, Philippi, Cape Town
- Erf 4736, Noordhoek, Cape Town

Regards

Rhett

Rhett Smart

Scientist: Land Use Advisor | Scientific Services



CapeNature

tel +27 21 866 8017 | **fax** +27 86 529 4992 | **cell** +27 72 835 8741

email rsmart@capenature.co.za | **postal** Private Bag x5014 Stellenbosch 7599

physical Assegaaibosch Nature Reserve, Jonkershoek, Stellenbosch, 7599

www.capenature.co.za

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The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The next section describes the methodology used in the study, including the data sources and the statistical techniques employed. The results of the study are then presented, followed by a discussion of the findings and their implications. Finally, the paper concludes with a summary of the main points and suggestions for future research.

The research was conducted using a quantitative approach, with data collected from a large sample of participants. The results show a significant positive correlation between the variables studied, indicating that the hypothesis was supported. The findings have important implications for the field and suggest that further research is needed to explore the underlying mechanisms.

In conclusion, the study provides valuable insights into the relationship between the variables and highlights the need for continued research in this area. The results are consistent with previous findings and offer new perspectives on the topic.



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1**

EIA REFERENCE: 16/3/3/6/7/1/A5/40/2146/18

ENQUIRIES: AYESHA HAMDULAY

DATE OF ISSUE: 2018-08-20

The Board of Directors
Atlas Towers (Pty) Ltd
P O Box 44512
CLAREMONT
7735

Attention: Mr Dirko Loots

Tel.: (021) 552 5255

Fax: (086) 537 9187

Dear Sir

COMMENT ON THE NOTICE OF INTENT TO SUBMIT AN APPLICATION 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 DEVELOPMENT OF AN APPROXIMATELY 30M HIGH LATTICE-TYPE MAST AND ASSOCIATED INFRASTRUCTURE ON PORTION 17 OF THE FARM KOOPMANS KLOOF NO. 221, KRAAIFONTEIN

1. The Notice of Intent Form with cover letter dated 12 July 2018, received by this Department on 26 July 2018, refers.
2. This Department notes the development proposed is an approximately 30m high lattice-type mast and associated infrastructure on Portion 17 of the Farm Koopmans Kloof No. 221, Kraaifontein.
3. **Listed Activities**
After considering the information provided in the Notice of Intent, this Department notes that the proposed development constitutes a listed activity as defined in terms of the EIA Regulations, 2014 (as amended), namely Item 3 of GN No. R.983 (as amended).

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—*

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Tel.: +27 21 483 0756/3185 Fax: +27 21 483 4372
E-mail: Ayesha.Hamdulay@westerncape.gov.za

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

M. J. J. J.

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. Process

A Basic Assessment Process must be followed in order to apply for Environmental Authorisation. Only those activities applied for shall be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment Process. Failure to include any applicable listed activity may invalidate the application.

You are referred to Appendix 1 of GN No. R. 982 (as amended) for the requirements with respect to the 'Basic Assessment Process'. You are advised that when undertaking the Basic Assessment Process you must take into account 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 guidance provided by this Department. This Department's guidelines can be downloaded from the Department's website: www.westerncape.gov.za/eadp. In particular, the guidelines that may be applicable to the proposed development include, *inter alia*, the following:

- 1.1. Guideline for Environmental Management Plans (June 2005)
- 1.2. Guideline on Exemption Applications (March 2013)
- 1.3. Guideline on Public Participation (March 2013)
- 1.4. Guideline on Alternatives (March 2013)
- 1.5. Guideline on Need and Desirability (March 2013)

5. Request for a Specific Fee Reference

This Department reminds you that the "Request for a specific fee reference number" form must be completed and submitted to this Department prior to submission of the formal application for the abovementioned proposed development. This Department advises that the Request for a Specific Fee Reference Number Form be submitted to this Department approximately 30 days before the intended date for the submission of the Application Form for Environmental Authorisation. Upon receipt of the specific fee reference number, the reference number must be inserted into the Application Form for Environmental Authorisation and proof of payment of the applicable fee attached when the Application Form is submitted to this Department.

6. 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 as stipulated by Regulation 41 of the EIA Regulations, 2014 (as amended) 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, your application for Environmental Authorisation may be refused by this Department.

7. Alternatives

Be advised that in terms of the EIA Regulations, 2014 (as amended) and the NEMA, the investigation of alternatives is mandatory. All alternatives identified must therefore be investigated to determine if they are feasible and reasonable. In this regard it must be noted that this Department may grant authorisation for an alternative as if it has been applied for or may grant authorisation in respect of all or part of the activity applied for as specified in Regulation 20 of GN No. R. 982 (as amended). Alternatives are not limited to activity alternatives, but include layout alternatives, design, activity, 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, however, after having identified and investigated alternatives, 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 that the investigation was undertaken and motivation indicating that no reasonable or feasible alternatives other than the preferred option and the 'No-Go' option exist.

8. Public Participation Process

A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's ("EAP") discretion at what stage the requirements of Regulation 41 are met, whether during the pre-application process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered Interested and Affected Parties ("I&APs") to submit comment on the Basic Assessment Report ("BAR") and Environmental Management Programme ("EMPr").

Should a PPP, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form for Environmental Authorisation to this Department, in terms of Regulation 40, the pre-application BAR may also be submitted to the Department for commenting purposes. Please ensure a minimum of two printed copies of the pre-application BAR is submitted to the Department for commenting purposes.

9. In terms of Section 24O (2) and (3) of the NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014 (as amended), any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. 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 in terms of Section 24O (2) and (3) of NEMA in the BAR, where appropriate. It is noted that, amongst others, the following State Departments and Organs of State must be consulted during the EIA process as part of the PPP:

- 9.1. CapeNature;
- 9.2. The Ward Councillor;
- 9.3. The City of Cape Town;
- 9.4. Heritage Western Cape;
- 9.5. The Western Cape Government: Agriculture;
- 9.6. The Western Cape Government: Health;
- 9.7. The South African Civil Aviation Authority; and

15. 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 the 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.
16. Kindly quote the abovementioned reference number in any future correspondence regarding this letter.
17. The Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Yours faithfully

h/2 

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: Mr Emile Esquire
Ms Pat Titmuss

(EAP: EnviroAfrica)

Fax: (086) 512 0154

(CoCT: Northern Administration) Fax: (021) 444 0605

Emile Esquire

From: Emile Esquire <emile@enviroafrica.co.za>
Sent: Friday, 28 September 2018 9:14 AM
To: 'Ayesha Hamdulay'
Subject: RE: FaxEmail Fax from 0214830782 to 0865120154 Atlas Towers Koopmanskloof
DEA&DP Comment on NOI (DEA&DP Ref: 16/3/3/6/7/1/A5/40/2146/18)

Dear Ayesha,

Your correspondence dated 20 August 2018, refers.

Please note that your comment is duly noted.

Kind regards,

Emile Esquire



EnviroAfrica

Environmental Consultant

EnviroAfrica cc

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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: 0865120154@f2em.co.za <0865120154@f2em.co.za>

Sent: August 20, 2018 6:07 PM

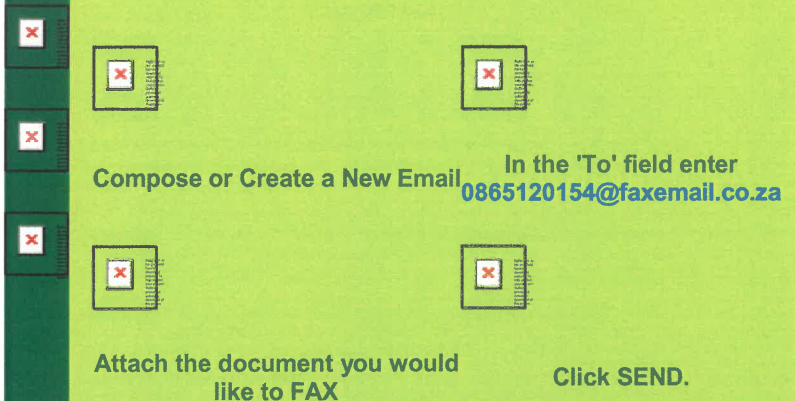
To: admin@enviroafrica.co.za

Subject: FaxEmail Fax from 0214830782 to 0865120154



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