



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1**

EIA REFERENCE: 16/3/3/6/7/1/A5/88/2134/18

ENQUIRIES: AYESHA HAMDULAY

DATE OF ISSUE: 2018 -10- 3 0

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 PRE-APPLICATION BASIC ASSESSMENT REPORT 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) WITH RESPECT TO THE PROPOSED DEVELOPMENT OF AN APPROXIMATELY 25M HIGH TREE-TYPE COMMUNICATION MAST AND ASSOCIATED INFRASTRUCTURE ON ERF 73, KLIPHEUWEL

1. The pre-application Basic Assessment Report ("BAR") with cover letter dated 14 September 2018, received by this Department on the same date, refers.
2. Following a review of the pre-application BAR, this Department has the following comment pertaining to the development proposal:

2.1. The development proposal entails the following:

The development proposal entails the erection of an approximately 25m high tree-type communication mast and associated infrastructure on Erf 73, Klipheuwel. The infrastructure associated with the approximately 25m high tree-type communication mast includes an approximately 2.4m high palisade fence around the base station. The development proposal will be located on a farm zoned Rural, with a total development footprint of approximately 100m².

- 2.2. The following listed activity is therefore applicable to the development proposal and has been included in the pre-application BAR:

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 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."

3. Heritage Western Cape

It is noted in the letter from Heritage Western Cape dated 10 August 2018 that no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

4. 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.

5. NEMA Principles

You must clearly show how the development proposal complies with the principles contained in Section 2 of the NEMA and must also show how the development proposal meets the requirements of sustainable development.

6. Social and Gender Considerations

You are reminded that the social context of the proposed development must always be considered. This includes the impact that the development proposal may have on the prevalence of HIV/AIDS, sexually transmitted infections (STI) and Tuberculosis (TB), as well as equity and gender related concerns.

7. This Department awaits the submission of the Application Form prescribed by the EIA Regulations, 2014 (as amended). Please note that two printed copies and one electronic copy (saved on CD/DVD) of the Application Form for Environmental Authorisation must be submitted.

8. 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 that additional information or documents will not be requested or of the outcome of the application.
9. Kindly quote the abovementioned reference number in any future correspondence in respect of the pre-application process.
10. 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 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 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.
11. This Department reserves the right to revise or withdraw its comments and request further information from you based on any new or revised information received.

Yours faithfully

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HEAD OF COMPONENT

DEVELOPMENT MANAGEMENT – REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to:	Mr Emile Esquire	(EAP: EnviroAfrica)	Fax: (086) 512 0154
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