



**REFERENCE:** 16/3/3/1/A2/1/3051/19  
**ENQUIRIES:** Mr. R. Chambeau/Ms T. Dreyer  
**DATE OF ISSUE:** 25/09/2020

## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO.107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED DEVELOPMENT OF A 25M HIGH CELLULAR COMMUNICATION MAST AND ASSOCIATED INFRASTRUCTURE ON ERF 43547, KROMBOOM PARKWAY, ATHLONE.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the preferred alternative (Alternative 2), described in the Basic Assessment Report ("BAR"), dated March 2020.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Atlas Tower (Pty) Ltd  
c/o Cornelius Wessels  
Cecelia Square  
100 Cecelia Street  
PAARL  
7646

Tel.: (021) 870 1302/1368  
Email: cwessels@atlastowers.com

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

**B. LIST OF ACTIVITIES AUTHORISED**

Listed activity	Activity/Project Description
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 3                      Activity Description: <i>"The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower—</i></p> <p><i>(a) is to be placed on a site not previously used for this purpose; and</i>  <i>(b) will exceed 15 metres in height—</i>  <i>but excluding attachments to existing buildings and masts on rooftops.</i></p> <p><b>i. Western Cape</b></p> <p><i>i. All areas outside urban areas;</i>  <i>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</i>  <i>iii. Areas zoned for use as public open space or equivalent zoning within urban areas".</i></p>	<p>A mast measuring approximately 25m in height will be constructed inside an urban area on a property zoned as open space.</p>

The abovementioned list is hereinafter referred to as **"the listed activity"**.

The holder is herein authorised to undertake the following alternative that includes the listed activity relating to the development:

The development of a 25m high cellular communication tree mast and associated base station infrastructure on Erf 43547, Kromboom Parkway, Athlone. The base station will include four future service provider equipment containers. Electricity will be sourced from the City of Cape Town. The base station will be enclosed with a 2.4m high palisade fence for safety and security reasons.

The proposed site will be landscaped with Cape Ash and a number of trees will be planted around the proposed base station, in order to minimise the visual impacts.

An existing access road will be used to gain access to the site.

**C. SITE DESCRIPTION AND LOCATION**

The listed activity will be undertaken on Erf 43547, located west of Kromboom Parkway in Athlone and has the following co-ordinates:

Point	Latitude	Longitude
Middle	33°58'11.50" South	18°29'38.93" East

The SG 21-digit code is:

Erf 4357	C01600070004354700000
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Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.



The above land parcel is hereinafter referred to as "**the site**".

**D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER**

EnviroAfrica CC  
c/o Mr. Emile Esquire / Mr. Bernard de Witt  
P O Box 5367  
HELDERBERG  
7135

Tel.: (021) 851 1616  
Fax: (086) 512 0154  
E-mail: admin@enviroafrica.co.za

**E. CONDITIONS OF AUTHORISATION**

**Scope of authorisation**

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated March 2020 on the site as is described in Section C above.
2. The holder must commence with and conclude the listed activity within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority. This Environmental Authorisation is granted for–
  - (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
  - (b) A period of ten (**10**) years, from the date the holder commenced with the authorised listed activity, during which period the authorised listed activity for the construction phase, must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
4. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved in writing by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

**Written notice to the Competent Authority**

5. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the Competent Authority before commencement of development activity.
  - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.



5.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 5, 6, and 12.

### **Notification of authorisation and right to appeal**

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
  - 6.1 notify all registered Interested and Affected Parties of –
    - 6.1.1 the outcome of the application;
    - 6.1.2 the reasons for the decision;
    - 6.1.3 the date of the decision; and
    - 6.1.4 the date of issue of the decision;
  - 6.2 draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
  - 6.3 draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
  - 6.4 provide the registered Interested and Affected Parties with:
    - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
    - 6.4.2 name of the responsible person for this Environmental Authorisation,
    - 6.4.3 postal address of the holder,
    - 6.4.4 telephonic and fax details of the holder,
    - 6.4.5 e-mail address, if any;
    - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
7. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged, the holder must not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

### **Management of activity**

8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
10. The EMPr must be included in all contract documentation for all phases of implementation.
11. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activity will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any



authorised official representing the competent authority who requests to see these for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Monitoring**

12. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation.

The ECO must–

- 12.1 be appointed prior to commencement of any land clearing or construction activities commencing;
- 12.2 ensure compliance with the EMPr and the conditions contained herein; and
- 12.3 keep a record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO.

### **Environmental audit reports**

13. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
  - 13.1 ensure that compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
  - 13.2 submit at least two environmental audit reports to the relevant competent authority during the construction phase. The holder must submit one audit report, three months after commencement of the construction phase and another audit report six months after completion of the construction period.
14. The environmental audit report must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must -

- 14.1 provide verifiable findings, in a structured and systematic manner, on–
    - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
    - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
  - 14.2 identify and assess any new impacts and risks as a result of undertaking the activity;
  - 14.3 evaluate the effectiveness of the EMPr;
  - 14.4 identify shortcomings in the EMPr;
  - 14.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
  - 14.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
  - 14.7 include a photographic record of the site applicable to the audit; and
  - 14.8 be informed by the ECO reports.
15. The holder must, within seven days of the submission of the environmental audit report to the competent authority, notify all potential and registered Interested and Affected Parties of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.



### Specific conditions

16. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
17. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
18. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings and graves or unmarked human burials.  
  
A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.
19. The site must be clearly demarcated prior to the commencement of the construction activities. The development footprint of the proposed development must be limited to the demarcated area.
20. Health standards of structures associated with communication networks must be reviewed periodically based on ongoing scientific research.
  - 20.1. The applicant/proponent will be required to decommission (including site rehabilitation) or upgrade any communication structure that does not meet the most recently published health standards on the World Health Organisation, the International Committee on Non-Ionising Radiation Protection (which have been adopted by the National Department of Health) and the Independent Communication Authority of South Africa.
  - 20.2. Should the relevant health authority determine that the current limits of electromagnetic radiation pose a significant health risk, then decommissioning of the activity, as well as the rehabilitation of the site/property shall be required to the satisfaction of the competent authority.

### F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. If the holder does not commence with the listed activity within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activity, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.



3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

4. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr, other than those mentioned above, must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.
5. Non-compliance with any condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

## **G. APPEALS**

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -

Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and

Submit a copy of the appeal to any registered Interested and Affected Parties, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.

2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered Interested and Affected Parties -

2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and

2.2 Submit a copy of the appeal to the holder of the decision, any registered Interested and Affected Party, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.

3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered Interested and Affected Party and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address given below:

By post:                   Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
CAPE TOWN



8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)  
Room 809  
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Appeal Authority/ at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>

#### H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully



**MR ELDON VAN BOOM**  
**ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

DATE OF DECISION: 25 September 2020

Copied to: (1) Mr. E. Esquire (EnviroAfrica)  
(2) Mr. R. Samaai (City of Cape Town: ERM)

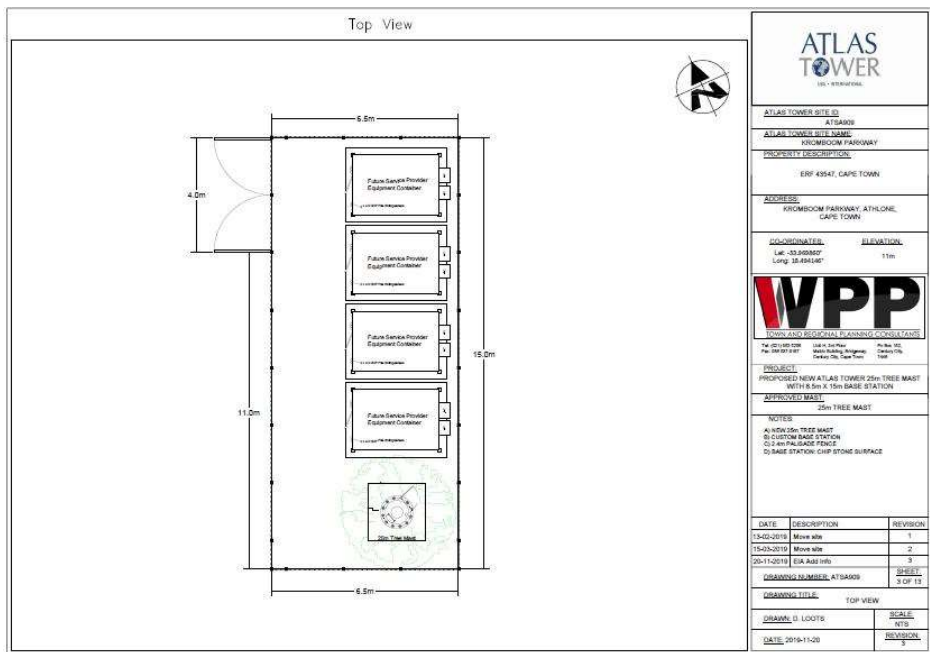
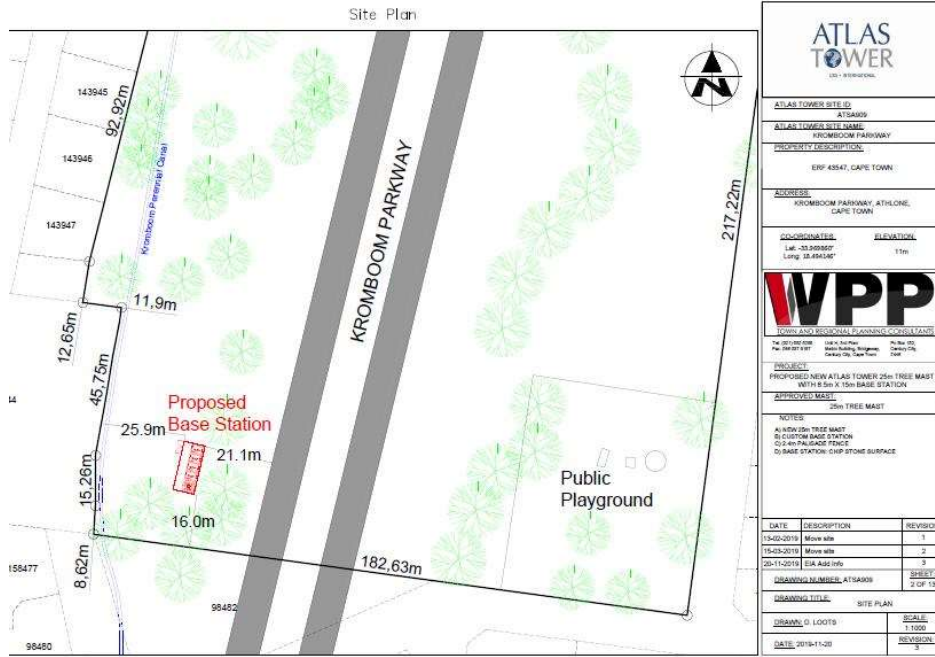
E-mail: [emile@enviroafrica.co.za](mailto:emile@enviroafrica.co.za)/[admin@enviroafrica.co.za](mailto:admin@enviroafrica.co.za)  
E-mail: [Rashaad.Samaai@capetown.gov.za](mailto:Rashaad.Samaai@capetown.gov.za)



ANNEXURE 1: LOCALITY MAP



# ANNEXURE 2: SITE PLAN



*[Signature]*  
 16/3/31/A2/1/3051/19

### **ANNEXURE 3: REASONS FOR THE DECISION**

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated 19 November 2019, the BAR received by the Department on 10 March 2020 and the EMPr submitted together with the BAR on 10 March 2020;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from Interested and Affected Parties and responses to these, included in the BAR dated March 2020;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

#### **1. Public Participation**

The public participation process included:

- identification of and engagement with Interested and Affected Parties;
- fixing a notice board at the site where the listed activity is to be undertaken;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity;
- the placing of a newspaper advertisement in the "People's Post Athlone" on 26 June 2018; and
- making the BAR and all relevant information available to Interested and Affected Parties for public review and comment.

A pre-application BAR was made available for a 30-day commenting period from 7 January 2019 to 7 February 2019.

A revised pre-application BAR was made available for a 30-day commenting period from 4 September 2019 to 7 October 2019.

The post-application draft BAR was made available for commenting period from 27 November 2019 to 24 January 2020.

This Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements.

All the concerns raised by I&APs were responded to and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

## 2. Alternatives

During the pre-application process, initially only one site alternative was considered (i.e. Alternative 1). This alternative entailed the development of a 25m high tree telecommunication mast on a different portion of Erf 43547, situated in the 8<sup>th</sup> Avenue Park. However, based on the objections received from I&APs and the City of Cape Town, an alternative site location was identified, which is now the preferred site/location alternative.

### Alternative 2 (Preferred design and site alternative - herewith authorised)

This alternative entails the proposed development of a 25m high tree telecommunication mast and base station on Erf 43547, Kromboom Parkway, Athlone. The base station will include four future service provider equipment containers. Electricity will be sourced from the City of Cape Town. The base station will be enclosed with a 2.4m high palisade fence for safety and security reasons.

The proposed site will be landscaped with Cape Ash and a number of trees will be planted around the proposed base station in order to minimise the visual impacts.

A tree mast is considered the preferred alternative for the following reasons:

- It is able to hold the necessary equipment, if required for multiple service providers.
- The tree mast is less expensive to construct, than a monopole or lattice mast.
- Due to its relatively far distance from the main road, due to the nature of a tree mast, the visual impact will be less than for a monopole mast.
- The tree mast will be located adjacent to some tall trees which will minimise the visual impacts.

The following design alternatives were assessed, but are not deemed as preferred, due to the following reasons:

#### Lattice Mast Design Alternative:

The development of a 25m high lattice mast is a viable option for the applicant, as it is able to hold the necessary amount of equipment, allowing for equipment from various service providers and is less expensive to construct than a monopole or tree design mast. However, a lattice mast was not considered the preferred alternative, as it will have a higher negative visual impact on the surrounding area at its current location and would be in direct line of sight from Kromboom Parkway, which is located to the east of the proposed site. A tree mast on the other hand, will have a reduced visual impact.

#### Monopole Mast Design:

The development of a monopole mast is also considered as a viable option for the applicant. However, the mast will not be able to hold as much equipment when compared to the tree mast (preferred alternative design), is more expensive to construct and will have a higher visual impact due to its proximity to the nearby residences and Kromboom Parkway.

#### "No-Go" Alternative

The "no-go" alternative entails maintaining the "*status quo*", i.e. not constructing the mast or the associated infrastructure.

Although this option would result in no potential negative environmental impacts, the social benefits from implementing the activity would not be achieved. A more efficient telecommunications service, considered as essential for the business sector and private/social communication, would therefore not be achieved. Since the proposed activity is not expected to have unacceptable environmental impacts, the "No-Go" alternative was not warranted.



### 3. Impact Assessment and Mitigation measures

#### 3.1 Activity need and desirability

The site has been identified as an ideal location for the proposed development, as it will provide the necessary coverage required. The proposed mast is required in order to increase the coverage of telecommunications services, including providing a more reliable and wider coverage. Furthermore, the mast is considered as part of the essential services for the greater community due to the increased demand for these services.

The proposed site is zoned as Open Space 2 and is surrounded by residential land uses immediately west of the proposed site, some road reserve along Kromboom Road to the north-east and some public open space, further north of the proposed site. The necessary planning application will be submitted to the City of Cape Town. The proposed development will allow for co-location, allowing more than one service provider to use the same infrastructure. In addition, the proposed cellular communication mast has been designed in accordance with the requirements of the City of Cape Town's Telecommunication Infrastructure Policy (2015).

#### 3.2 Biophysical Impacts

The proposed site is currently undeveloped, does not contain any indigenous vegetation and the proposed site is not located on or within 32m of any watercourses. The biophysical impacts are therefore regarded as negligible.

#### 3.3 Visual / sense of place

A Visual Impact Assessment (compiled by SC Lategan and dated 5 July 2019) ("VIA") was compiled to assess the potential visual impacts associated with the proposed development. According to the VIA, the residential areas abutting Kromboom Parkway and the proposed mast are positioned on the edge of the Kromboom Parkway, amongst large trees. Although the site is zoned as Open Space, it is not used frequently and can be described more as a road edge than an active open space.

The specialist assessed the potential visual impacts associated with Alternative 2. According to the specialist, the area has a high visual absorption capacity due to the density of large trees. The visual receptors identified and assessed in the VIA included, Kromboom Parkway approaching from the north; Kromboom Parkway approaching from the south; M43 flyover and entrance slipway; the residential area to the east; and the residential area to the west. The overall visual significance was however assessed to be medium to low without mitigation.

Although the potential visual impacts associated with the preferred alternative are regarded as medium to low negative prior to mitigation, a tree mast is preferred from a visual perspective. Since there are existing trees adjacent to the proposed site, a tree mast will blend in with the surrounding environment.

In addition, a number of trees will be planted around the proposed base station to mitigate the visual impacts and the proposed site will be landscaped with Cape Ash, as requested by the City of Cape Town. The City of Cape Town: Environmental Management Department, indicated in their comments on the revised draft BAR dated 5 November 2019, indicated they have no objections to Alternative 2, provided that the mitigation measures provided in the BAR are implemented. These mitigation measures have been included in the EMPr.

Visual impacts are also anticipated during the construction phase, as various types of vehicles and equipment will be transported to the site and construction activities will result in visual impacts. This impact is however temporary and will be mitigated by the implementation of the mitigation measures included in the EMPr.

#### 3.4 Heritage / archaeological / built environment

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their correspondence dated 31 July 2018) that the proposed development will not impact on heritage resources and no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.



### 3.5 Health Issues

Based on studies conducted by the World Health Organisation, there is no conclusive evidence of significant health impacts associated with the proposed development, and the electromagnetic field (EMF) emissions from the proposed activity will meet the most recently published health standards of the World Health Organisation, the International Commission on Non-Ionising Radiation Protection (ICNIRP) (which have been adopted by the National Department of Health) and the Independent Communication Authority of South Africa. The health standards of structures associated with communication networks will further be reviewed periodically based on ongoing scientific research. Furthermore, the conditions stipulated in this environmental authorisation and the EMPr will be adequate to mitigate impacts that may occur in this regard.

### 3.6 Dust and Noise Impacts

Potential dust and noise impacts associated with the construction activities will be mitigated by the implementation of the mitigation measures included in the EMPr.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential visual impacts; and
- Potential dust and noise impacts associated with construction activities.

Positive impacts include:

- Improved communication infrastructure for the surrounding community;
- The proposed development will result provide cellphone network operators to use the infrastructure for optimum network coverage;
- Provision of additional networks;
- Some economic benefits for the applicant; and
- Some employment opportunities.

## 4 National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 5 Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied



that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*

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