



EIA REFERENCE NUMBER: 16/3/3/1/C3/1/0028/19
NEAS REFERENCE: WCP/EIA/0000777/2020
ENQUIRIES: Mr Steve Kleinhans
DATE OF ISSUE: 25 MARCH 2021

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED DEVELOPMENT OF A FREE-STANDING CELLULAR COMMUNICATION BASE STATION AND ASSOCIATED INFRASTRUCTURE ON PORTION 7 OF THE FARM HAANE KUIL NO. 335, BEAUFORT WEST

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, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to **Alternative 1** (*viz. Lattice mast*), described in the Final Basic Assessment Report ("FBAR"), dated November 2020 as prepared and submitted by *EnviroWorks*, the appointed environmental assessment practitioner ("EAP").

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

The Managing Director
Warren Pettersen Planning
% Mr. Etienne Terblanche
188 Craddock Street
GRAAFF REINET
6280

Tel: (049) 891 0224
Fax: (086) 601 7507
E-mail: etienne@wpplanning.co.za

The abovementioned applicant is the holder of this Environmental Authorisation (hereinafter referred to as “**the Holder**”).

B. LIST OF ACTIVITY/IES AUTHORISED

Listed Activities	Activity/Project Description
<p>Environmental Impact Assessment Regulations Listing Notice 3 of 2014, Government Notice No. 985 of 4 December 2014 (as amended)</p>	
<p>Activity Number: 3 Activity Description:</p> <p>The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower—</p> <ul style="list-style-type: none"> (i) is to be placed on a site not previously used for this purpose; and (ii) will exceed 15 metres in height— <p>but excluding attachments to existing buildings and masts on rooftops.</p> <p>i. Western Cape</p> <ul style="list-style-type: none"> 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. 	<p>The proposal is for the development of a 54-metre-high telecommunication mast and 144 square metre base station on Portion 7 of the Farm Haanekuil No. 335, Beaufort West. The mast design will be a lattice-type mast.</p> <p>The property is zoned Agriculture Zone I and regarded to fall outside the urban area.</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 activities as it relates to the development:

The proposal entails the development of a 54-metre-high lattice design telecommunications mast with associated infrastructure on Portion 7 of the Farm Haanekuil No. 335 near Beaufort West. The total development footprint of the proposal is 144 square metres which will be fenced by a 2.4-metre-high clearvu fence. Apart from the mast, the compound will also contain three telecommunication equipment containers. The proposal will be implemented approximate to the *Site Development Plan for SITE NO: STWC211 (SHEET NO. A01/01, dated 12 November 2018, drawn by Warren Petterson Planning (see Annexure 2 of the environmental authorisation).*

C. SITE DESCRIPTION AND LOCATION

The proposed mast will be located on a portion of Portion 7 of the Farm Haanekuil No. 335, approximately 52km south-east of Beaufort West.

Access to the site can be gained by driving in a south-easterly along the R61 provincial road towards Aberdeen at the intersection with district road DR02370. The site is situated south of the R61 and west of DR02370, approximately 120 metres from the intersection of these two roads.

Coordinates of the site:

Latitude (S)			Longitude (E)		
32°	34'	10.72''	23°	03'	20.11''

SG digit code: C00900000000033500007

Refer to Annexure 1: Locality Plan and Annexure 2: Site Development Plan of this Environmental Authorisation.

The above is hereinafter referred to as “**the site**”.

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

ENVIROWORKS

% Ms. Elana Mostert

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Private Bag X2

Century City

7446

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E-mail: elana@enviroworks.co.za

URL: <https://enviroworks.co.za/>

E. CONDITIONS OF AUTHORISATION

Scope and Validity Period of authorisation

1. This Environmental Authorisation is granted for the period from date of issue until **31 March 2026**, the date on which all the listed activities, including post construction rehabilitation and monitoring (including auditing) requirements, will be deemed to be concluded at the site.
2. The holder is authorised to undertake the listed activity specified in Section B above in accordance with *the Alternative 1 (viz. Lattice mast)* described in the BAR dated November 2020 on the site as described in Section C above.

Further to the above, the Environmental Authorisation is subject to the following:

- 2.1. The Holder must start with the physical implementation of the authorised listed activity and conclude said activity on the site by 15 May 2025.
- 2.2. The post construction rehabilitation and monitoring requirements must be finalised at the site within a period of 3-months from the date the development activities (construction phase) are concluded; but by no later than 15 August 2025.

Note: Failure to complete the post construction rehabilitation and monitoring requirements at least six-months prior to expiry of the validity period of an environmental authorisation may result in the Holder not being able to comply with the environmental auditing requirements in time.

Failing which, this Environmental Authorisation shall lapse, unless the environmental authorisation is amended in accordance with the relevant process contemplated in the Environmental Impact Assessment Regulations promulgated under the National Environmental Management Act, 1998 (Act No. 107 of 1998).

3. The Holder is authorised to undertake the listed activity specified in Section B above in accordance with Alternative 1 described in the FBAR dated November 2020 on the site as described in Section C above.

This Environmental Authorisation is only for the implementation of the *Alternative 1 (viz. Lattice mast)* which entails:

The development of a 54-metre-high lattice design telecommunications mast with associated infrastructure on Portion 7 of the Farm Haanekuil No. 335 near Beaufort West. The total development footprint of the proposal is 144 square metres which will be fenced by a 2.4-metre-high clearvu fence. Apart from the mast, the compound will also contain three telecommunication equipment containers.

4. This Environmental Authorisation may only be implemented in accordance with an approved Environmental Management Programme ("EMPr").
5. 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.
6. Any changes to, or deviations from the scope of the alternative described in section B 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 information in order 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.

Notification and administration of appeal

7. The Holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1. the decision reached on the application;
 - 7.1.2. the reasons for the decision as included in Annexure 3;
 - 7.1.3. the date of the decision; and
 - 7.1.4. the date when the decision was issued.
 - 7.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 7.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4. provide the registered I&APs with the:
 - 7.4.1. name of the Holder (entity) of this Environmental Authorisation,
 - 7.4.2. name of the responsible person for this Environmental Authorisation,
 - 7.4.3. postal address of the Holder,
 - 7.4.4. telephonic and fax details of the Holder,
 - 7.4.5. e-mail address, if any, of the Holder,
 - 7.4.6. contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).

- 7.5. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision.
- 7.6. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Written notice to the Competent Authority

8. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of any activities on site.
- 8.1. The notice must make clear reference to the site details and EIA Reference number given above.
- 8.2. The notice must also include proof of compliance with the following conditions described herein:
Condition no.: 7, 10, 12 and 19
9. Seven calendar days' notice, in writing, must be given to the Competent Authority on completion of the construction activities.

Management of activity/activities

10. The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation must be amended to address the following aspects and must then be re-submitted to the Competent Authority and approved prior to commencement of construction.
- 10.1. The amended EMPr must —
- 10.1.1. meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of EIA Regulations, 2014 (GN No. R. 982 of 4 December 2014, as amended);
 - 10.1.2. incorporate all the conditions given in this environmental authorisation;
 - 10.1.3. clearly indicate the management actions and outcomes;
 - 10.1.4. provide clear management instruction for guidance and can be easily measured, enforced and audited. Terminology such as "should" and "may", ought to be avoided; and
 - 10.1.5. be re-evaluated and information / measures that are not relevant to the proposed telecommunication mast and base station must be removed.

Note: Failure to submit the amended/ revised EMPr to the Competent Authority at least 90-days prior to the construction activities commencing on site, may result in the competent authority not being able to process the amended EMPr prior to the intended date of commencement.

11. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

12. The Holder must appoint a suitably experienced environmental control officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation contained herein.
13. The ECO must—
- 13.1. be appointed prior to commencement of any works (i.e. removal and movement of soil and / or rubble or construction activities commencing;

- 13.2. ensure compliance with the EMPr and the conditions contained herein;
 - 13.3. keep record of all activities on the site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
 - 13.4. remain employed until all development activities are concluded, and the post construction rehabilitation and monitoring requirements are finalised.
14. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and be made available to anyone on request, and where the Holder has website, such documents must be made available on such publicly accessible website.
15. Access to the site (referred to in Section C) must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Environmental Auditing

16. The Holder must, for the period during which the environmental authorisation and EMPr remain valid ensure the compliance with the conditions of the environmental authorisation and the EMPr, is audited.
- 16.1. ensure the compliance with the conditions of the environmental authorisation and the EMPr, is audited;
 - 16.2. an Environmental Audit Report must be submitted to the Competent Authority within three (3) months of completion of the development activities (construction phase) and the post construction rehabilitation and monitoring requirements, but by no later than 15 November 2025.

Note: Failure to complete the auditing requirements at least three months prior to expiry of the validity period of the environmental authorisation may result in the Holder not being able to comply with all the environmental auditing and reporting requirements.

17. The Environmental Audit Report, must –
- 17.1. be prepared and submitted to the Competent Authority, by an independent person with the relevant environmental auditing expertise. Such person may not be the ECO or EAP who conducted the EIA process;
 - 17.2. provide verifiable findings, in a structured and systematic manner, on–
 - 17.2.1. the level of compliance with the conditions of the environmental authorisation and the EMPr and whether this is sufficient or not; and
 - 17.2.2. the ability of the measures contained in the EMPr to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
 - 17.3. identify and assess any new impacts and risks as a result of undertaking the activity;
 - 17.4. evaluate the effectiveness of the EMPr;
 - 17.5. identify shortcomings in the EMPr;

- 17.6. identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 17.7. 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;
 - 17.8. indicate the date on which the operational phase was commenced with and the progress of the rehabilitation;
 - 17.9. include a photographic record of the site applicable to the audit; and
 - 17.10. be informed by the ECO reports.
18. The Holder must, within 7 calendar days of the submission of the audit report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

- 19. The Obstacle Approval from the South African Civil Aviation Authority (SACAA) for the proposed mast must be submitted to the Competent Authority prior to the commencement of construction activities on site.
- 20. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. 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 may only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant Heritage Resources Authority.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.

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 activities.

Amendment of Environmental Authorisation and EMPr

- 2. If the Holder does not start with the listed activity and exceed the threshold of the listed activity within the period referred to in Section G, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the relevant Competent Authority.

If the Holder wishes to extend a validity period specified in the Environmental Authorisation, an application for amendment in this regard must be made to the relevant Competent Authority prior to the expiry date of such a period.

Note:

- (a) Failure to lodge an application for amendment prior to the expiry of the validity period of the Environmental Authorisation will result in the lapsing of the Environmental Authorisation.
 - (b) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.
3. The Holder is required to notify the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.

In assessing whether to amend or correct the EA, the Competent Authority may request 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.

The onus is on the Holder to verify whether such changes to the environmental authorisation must be approved in writing by the relevant competent authority prior to the implementation thereof.

Note: An environmental authorisation may be amended or replaced without following a procedural requirement contained in the Regulations if the purpose is to correct an error and the correction does not change the rights and duties of any person materially

4. The manner and frequency for updating the EMPr is as follows:
- (a) Any further amendments to the EMPr, other than those mentioned above, must be approved in writing by the relevant competent authority.
 - (b) An application for amendment to the EMPr must be submitted to the Competent Authority if any amendments are to be made to the impact management outcomes of the EMPr. Such amendment(s) may only be implemented once the amended EMPr has been approved by the competent authority.

The onus is however on the Holder to confirm the legislative process requirements for the above scenarios at that time.

5. Where an amendment to the impact management outcomes of an EMPr is required before an environmental audit is required in terms of the environmental authorisation, an EMPr may be amended on application by the Holder of the environmental authorisation.

Compliance with Environmental Authorisation and EMPr

6. Non-compliance with a condition of this environmental authorisation or EMPr is an offence in terms of Section 49A(1)(c) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended).
7. This Environmental Authorisation is subject to compliance with all the peremptory conditions (i.e. 7, 10, 12 and 19). Failure to comply with all the peremptory conditions prior to the physical implementation of the activities (including site preparation) will render the entire EA null and void. Such physical activities shall be regarded to fall outside the scope of the Environmental Authorisation and shall be viewed as an offence in terms of Section 49A(1)(a) of NEMA.
8. In the event that the Environmental Authorisation should lapse, it is an offence in terms of Section 49A(1)(a) of 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.

9. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

G. APPEALS

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, 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 I&APs–
 - 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 I&AP, 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 I&AP 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 Appeal Administrator at the address listed below:

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

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Administrator 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

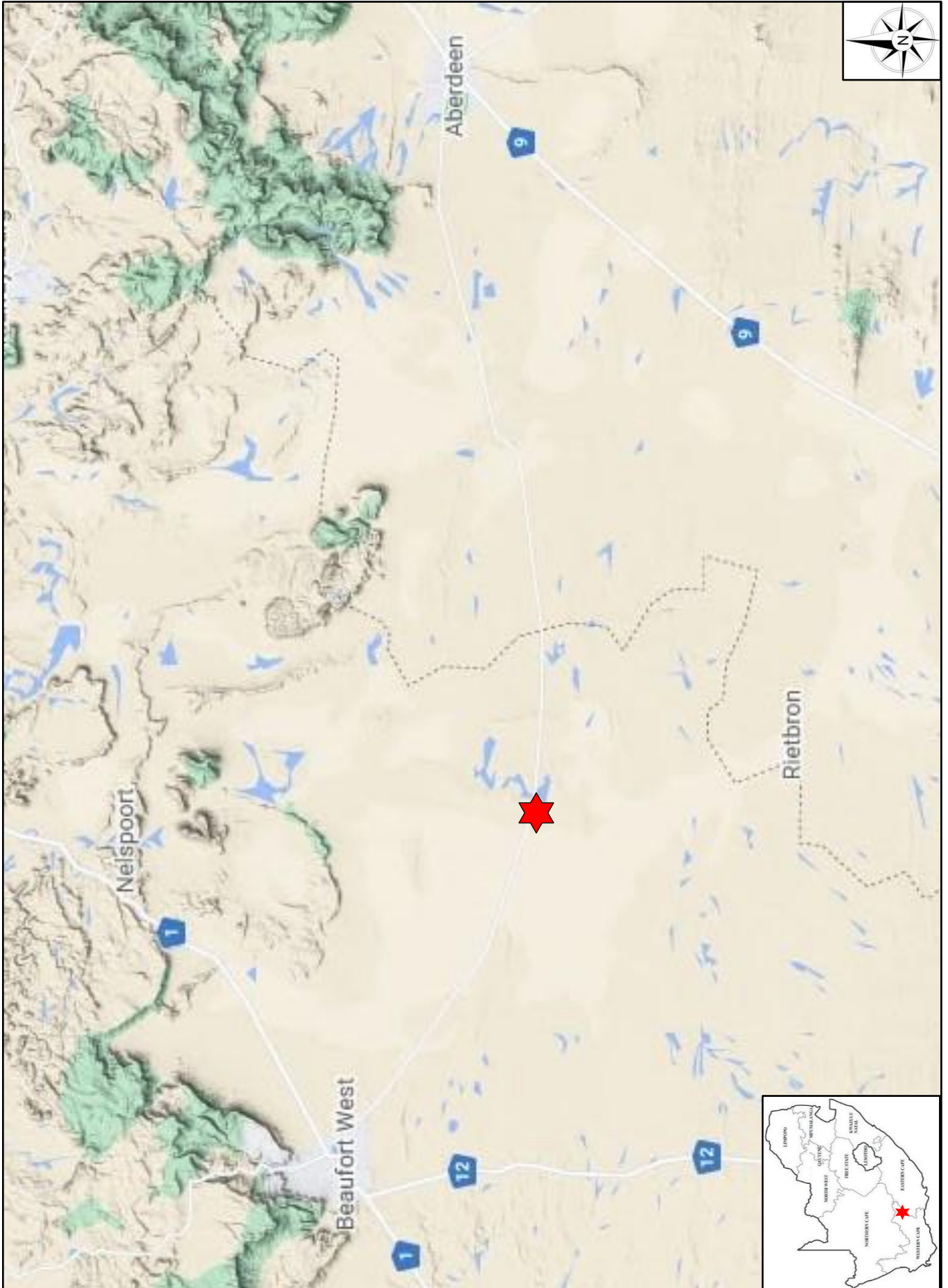
MR. GAVIN BENJAMIN
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)
WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: **25 MARCH 2021**

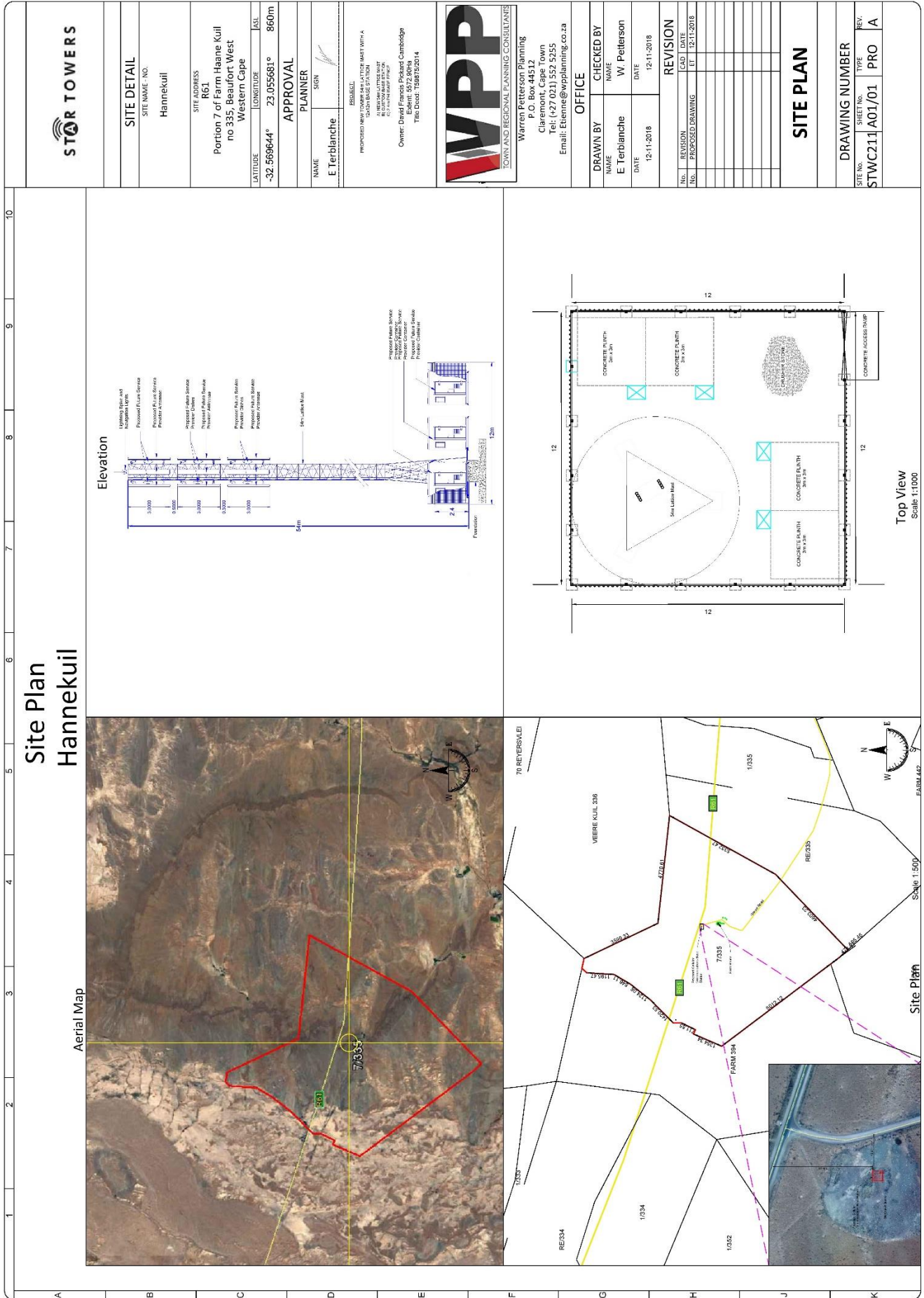
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ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE DEVELOPMENT PLAN(S)



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 August 2020, received by the Department on 24 August 2020, the Basic Assessment Report (FBAR) and EMPr submitted together with the FBAR on 13 November 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 National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the FBAR dated November 2020;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) Appropriate information was made available in the report to understand the environmental and spatial context.

A site inspection was conducted by Messrs. Francois Naudé and Steve Kleinhans from the Directorate Development Management (Region 3) on 16 February 2021.

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 (I&APs) including organs of state which have jurisdiction in respect of the activity to which the application relates;
- fixing notice boards at various locations on 7 June 2019 (pre-application) and 2 September 2020 (formal application);
- giving written notice to the owners and occupiers of land adjacent to the site and any alternative site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 5 June 2019 and 7 June 2019 (pre-application); and 4 September and 7 September 2020 (formal application);
- the placing of a newspaper advertisement in the 'Die Courier' on 7 June 2019 (pre-application) and 4 September 2020 (formal application); and
- making the pre-application Basic Assessment Report available to I&APs for public review from 7 June to 7 July 2019; and the draft Basic Assessment Report from 8 September to 9 October 2020.

The following State Departments / Organs of State provided comment on the proposal:

- ❖ *Western Cape Government: Department of Health;*
- ❖ *Western Cape Government: Department of Transport and Public Works;*
- ❖ *South African National Roads Agency Limited;*
- ❖ *Eskom;*
- ❖ *South African Civil Aviation Authority (Provisional Obstacle approval)*

All the comments and issues raised by the respective *Organs of State and Interested and Affected Parties (I&APs)* that were captured in the Basic Assessment Report were responded to by the EAP. The

Competent Authority is satisfied with the responses provided by the EAP to these other organs of state and I&APs.

2. Alternatives

Alternative 1: Development of a 54m lattice type telecommunication mast ("Herewith Approved"):
This alternative entails the development of a 54-metre-high lattice type telecommunications mast with associated infrastructure on Portion 7 of the Farm Haanekuil No. 335 along the R61 between Beaufort West and Aberdeen. The total development footprint of the proposal is 144 square metres which will be fenced by a 2.4-metre-high clearvu fence. Apart from the mast, the compound will also contain three telecommunication equipment containers. The proposal will be implemented approximate to the *Site Development Plan for SITE NO: STWC211 (SHEET NO. A01/01, dated 12 November 2018, drawn by Warren Petterson Planning (see Annexure 2 of the environmental authorisation)*. This is the applicant's preferred alternative.

According to the applicant the lattice type mast is preferred due to the rural nature of the area and motivated that the lattice design will have a lower visual impact over distance as it allows a level of transparency. Furthermore, this design type can accommodate multiple service providers through co-location on the structures.

Alternatives considered:

Alternative 2: Development of a 54m monopole type telecommunication mast:
This alternative entails the development of a 54-metre-high monopole telecommunications mast with associated infrastructure on Portion 7 of the Farm Haanekuil No. 335 along the R61 between Beaufort West and Aberdeen. The total development footprint of the proposal is 144 square metres which will be fenced by a 2.4-metre-high clearvu fence. Apart from the mast, the compound will also contain three telecommunication equipment containers.

The applicant motivated that because the monopole mast has a slim design it minimises visual exposure and blends into the surrounding environment more effectively. However, the Department does not agree with this opinion since there are no similar tall structures in the surrounding environment.

"No-Go" Alternative

This alternative entails that no telecommunications mast is developed on Portion 7 of the Farm Haanekuil No. 335 along the R61 between Beaufort West and Aberdeen. Although this option would result in no potential negative environmental impacts, the socio-economic benefits from implementing the activity would not be achieved.

3. Impact Assessment and Mitigation Measures

3.1 Activity need and desirability

The use of telecommunication (e.g. Long-Term Evolution ("LTE") and 4G) is becoming one of the primary sources for data transfer for *inter alia* businesses, education and private use which play an important role for social and economic development. As such the need to improve the reliability and coverage of cellular networks is imperative to keep up with the increased demand for these services.

According to the applicant there is not optimal and efficient data and voice coverage to the surrounding community and travellers along the R61 due to a lack of cellular infrastructure in the area. The lack of coverage was confirmed by the Departmental officials during the site visit on 16 February

2021. Furthermore, it is understood that there have been complaints to network service providers due to the poor or lack of coverage.

The view is held that the proposed mast will effectively respond to the current need for a telecommunication mast in the vicinity to improve network connectivity and speed in the area. As such the proposed mast can be considered desirable from a broader society perspective at this particular point in time.

3.2 Biophysical Impacts

The property on which the proposed mast will be located is zoned Agriculture Zone II. Farming activities are currently being exercised on the property. The location for the proposed mast has been previously disturbed and was previously used as a borrow pit / quarry. Furthermore, according to the available information no aquatic resources will be impacted by the proposed development of the mast.

In light of the above it is this Department's considered view that the development of the proposed mast will not result in significant biophysical impact on the

3.3 Biodiversity

According to the data from the Western Cape Biodiversity Spatial Plan, 2017 ("WCBSP") the site has not been identified as any of the conservation categories as per the WCBSP. It is therefore this Department's considered view that the most appropriate category is "No Natural Area Remaining" as the proposed site has been transformed and previously used as a quarry.

According to the South African Vegetation Map the vegetation has been mapped as Least Threatened (LT) Gamka Karoo vegetation. However, as indicated above, the site has been completely transformed by past quarrying activities. According to the information in the BAR the proposed site has been colonised by some pioneer and weedy plant species. This has been supported by the photographic evidence included in the BAR and confirmed by the Departmental officials on 16 February 2021.

In considering the above the view is held that the proposed mast will have a negligible impact on biodiversity.

3.4 Visual Impact

A Visual Impact Assessment ("VIA") was undertaken to inform the proposal. The VIA assessed two mast design types i.e. lattice type and monopole type mast designs.

According to the VIA the proposed mast (regardless of design type) will have a High visual impact over the short and short to medium distances (i.e. 0km to 5km distance from the proposed mast), a Moderate visual impact over the medium to long distance (i.e. 5km to 10km from the proposed mast); and Marginal visual impact for the lattice design and Moderate visual impact for the monopole design over the long distance (i.e. greater than 10km). This is mainly due to the low visual absorption capacity of the surrounding area which consists of low shrubs and the lack of structures of a similar height in the area. However, the VIA concludes that although the mast will be highly visible up to the long distance that the visual impact is considered moderate due to the fact that there will be limited observers within the study area.

According to the VIA the moderate visual impact is achieved owing to the view that the proposed mast will be located in an area where the observers are mostly temporary road users who pass along the R61 provincial road between Beaufort West and Aberdeen.

The Civil Aviation Authority (CAA) has provisionally approved a 54m-tower, subject to Day/Night-markings being implemented (i.e. structure to be painted red and white). Although the purpose of these markings is to make the structure more visible to aviators, it significantly increases the visibility and visual disturbance within the landscape. The Day/Night-markings are more visible on solid structures which have a larger visible surface area. It is expected that a lattice mast may marginally reduce the visual prominence due to the required markings.

It is this Department's considered view that the proposed 54 metre mast will have a high visual impact over the short to long distance regardless of the type of design that will be implemented. This is due to the lack of tall structures in the area and the low height of the vegetation surrounding the proposed site. Furthermore, the proposed mast will be directly in the line of sight of travellers along the R61 provincial road.

Notwithstanding the above, there currently is a need to provide telecommunication coverage in the area. In this respect the Department considered the two alternative mast designs put forward by the applicant. In respect of the monopole mast the Department disagrees with the view that the slim design lets it blend in with the surrounding environment owing to the fact that there are no structures in the immediate vicinity taller than 20 metres. The monopole design alternative will provide a more solid element within the landscape, whereas a lattice mast design does allow for sighting of the background / level of transparency, which to a certain extent reduces the visual impact. In respect of the lattice design the Department is of the view that the lattice mast design is more practical in respect of the proposed height.

In considering the above, this Department acknowledges that the mast will have a high impact within the short to long distance i.e. 0km to 10km; however, the positive socio-economic aspects associated with the proposed mast as highlighted in 3.1 above cannot be ignored and weighs in favour of authorising the structure.

3.5 Heritage / Archaeological Aspects

No significant impacts on heritage / archaeological resources are expected as a result of the proposed development. This was confirmed in the Final Comment issued by Heritage Western Cape, dated 15 October 2019 (Case No. 19090409TZ1004E).

3.6 Other Impacts

No other significant cultural, noise and odour impacts have been identified.

4. Scope and Validity of the Environmental Authorisation

This environmental authorisation does not define specific operational aspects. The information submitted does not provide an estimated period within which the construction activities can be completed; however, it has been recommended that the period for which the environmental authorisation is required should be 5-years. The Environmental Authorisation's validity period has been granted for a period five (5) years, during which period the construction activities must commence and be concluded, including the post-construction rehabilitation and monitoring, as well as the submission of the final environmental audit.

Important milestones and dates:

- ❖ 15 May 2025, the last date by which the non-operational aspects (construction phase) of the environmental authorisation must be concluded by. The construction phase may be concluded at a sooner date, depending on the execution of the implementation plan.
- ❖ A period of 3-months is specified for the final monitoring and post-construction rehabilitation to be completed after the construction phase is finalised, but by no later than 15 August 2025.
- ❖ The final environmental audit must be submitted to the Competent Authority within three (3) months of completion of the post construction rehabilitation and monitoring requirements being completed, but by no later than 15 November 2025.
- ❖ Where the development activities (construction phase) and post construction rehabilitation and monitoring requirements are only concluded in November 2025, a minimum period of three (3) months is set aside for the Competent Authority to review the final audit report. The period of 15 December to 5 January must be excluded in the reckoning of this period.
- ❖ 31 March 2026, the end date of the Environmental Authorisation's validity period and the date by which all construction rehabilitation and monitoring requirements, will be deemed to be concluded at the site

5. 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.

6. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with an approved EMPr, the Competent Authority is satisfied that the proposed listed activities 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 activities can be mitigated to acceptable levels.

----- **END** -----