



EIA REFERENCE NUMBER: 16/3/3/1/D2/19/0015/19
NEAS REFERENCE: WCP/EIA/0000634/2019
ENQUIRIES: Mr Steve Kleinhans
DATE OF ISSUE: 02 JULY 2020

The Managing Director
ATLAS TOWER (PTY) LTD
Cecelia Square
100 Cecelia Street
Paarl
7646

Attention: Mr. C. Wessels

Tel: (021) 870 1302 / 1368
E-mail: cwessels@atlastowers.com

Dear Sir

NOTICE OF DECISION: 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 25-METRE-HIGH TELECOMMUNICATIONS MAST ON PORTION 112 OF THE FARM HANS MOES KRAAL No. 202, GEORGE

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Ref: 16/3/3/1/D2/19/0015/19

Copied to:

EAP: EnviroAfrica
George Municipality: Planning and Development

Ms. Vivienne Thomson

E-mail: vivienne@enviroafrica.co.za
E-mail: cpetersen@george.gov.za



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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 25-METRE-HIGH TELECOMMUNICATIONS MAST AND BASE STATION ON PORTION 112 OF THE FARM HANS MOES KRAAL No. 202, GEORGE

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 activities specified in section B below with respect to **the Most Preferred Alternative** (*viz. Alternative 4*), described in the Final Basic Assessment Report ("FBAR"), dated 5 March 2020 as prepared and submitted by *EnviroAfrica*, 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
Atlas Tower (Pty) Ltd
% Mr. C. Wessels
100 Cecelia Street
Paarl
7646

Tel: (021) 870 1302 / 1368
Fax: (086) 537 9187
E-mail: cwessels@atlastowers.com

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> <p>(a) is to be placed on a site not previously used for this purpose; and</p> <p>(b) will exceed 15 metres in height—</p> <p>but excluding attachments to existing buildings and masts on rooftops.</p> <p>i. Western Cape</p> <p>i. All areas outside urban areas;</p> <p>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</p> <p>iii. Areas zoned for use as public open space or equivalent zoning within urban areas.</p>	<p>The proposal is for the development of a 25-metre-high <u>lattice</u> type telecommunication mast and 100 square metre base station on Portion 112 of the Farm Hansmoeskraal No. 202, George. The property is zoned Agriculture Zone II 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 activity as it relates to the development:

The development of a **25-metre-high lattice** type telecommunication mast with a 10 metre by 10 metre (100m²) base station on Portion 112 of the Farm Hansmoeskraal No. 202 in George. The base station and mast will be enclosed with a 2.4-metre-high palisade fence with an access gate.

C. SITE DESCRIPTION AND LOCATION

The site is located south of the town of George on Portion 112 of the Farm Hansmoeskraal No.202 which lies approximately two kilometres south of Pacaltsdorp. The site is currently zoned Agriculture 1 and has largely been transformed from its natural state due to past activities on the property. The site is situated next to a stand of Pine trees (*Pinus spp.*) Access to the site can be gained by driving south along Beach Road through Pacaltsdorp onto the Divisional Road 1595 (DR1595). The road is followed for approximately two kilometres and then taking a turnoff to the right (west). This road is then followed for approximately 1.4 kilometres at which point the site is located on the left (south) of the road.

Coordinates of the site:

Latitude (S)			Longitude (E)		
34°	02'	35.27"	22°	27'	08.90"

SG digit code: C0270000000020200112

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

Note: The following stipulation applies to Annexure 2: Site Development Plan, namely the word(s) "tree" or "tree mast" are deleted, wheresoever they may appear in the Site Development Plans in Annexure 2, and the following words are inserted in their stead: "**Lattice Mast**"

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

ENVIROAFRICA

% Mrs. Vivienne Thomson

PO Box 5367

Helderberg

7135

Tel: 021 851 1616

Fax: 086 512 0154

E-mail: vivienne@enviroafrica.co.za

URL: <https://enviroafrica.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 **30 April 2025**, the date on which all the listed activities, including post construction rehabilitation and monitoring 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 and restricted to the most preferred Alternative (viz. Alternative 4 - lattice type mast) described in the BAR dated 5 March 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 31 July 2024.
- 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 31 October 2024.

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 the Preferred Alternative described in the FBAR dated 13 January 2020 on the site as described in Section C above.

This Environmental Authorisation is only for the implementation of the Most Preferred Alternative which entails:

The development of a **25-metre-high lattice type** telecommunications mast with 10 metre by 10 metre base station on Portion 112 of the Farm Hansmoeskraal No. 202 in George. The base station and mast will be enclosed with a 2.4-metre-high palisade fence with an access gate.

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 20

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. include the final design of the 25-metre high lattice mast and base station;

10.1.4. clearly indicate the management actions and outcomes;

10.1.5. 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

10.1.6. 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. report any non-compliance with the EA and/or EMPr to the competent authority as soon as the ECO is aware of such non-compliance;
 - 13.5. 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 in condition 14 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 31 January 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 mast must be a matt grey colour so that it is less obtrusive, and it blends in with the surrounding environment. The mast and base station may not have any Day/Night markings (i.e. painted Red/White).
20. A revised Obstacle Approval from the South African Civil Aviation Authority (SACAA) for the proposed lattice mast must be submitted to the Competent Authority prior to the commencement of construction activities on site.
21. 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 all listed activities and exceed the threshold of each 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 20). 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



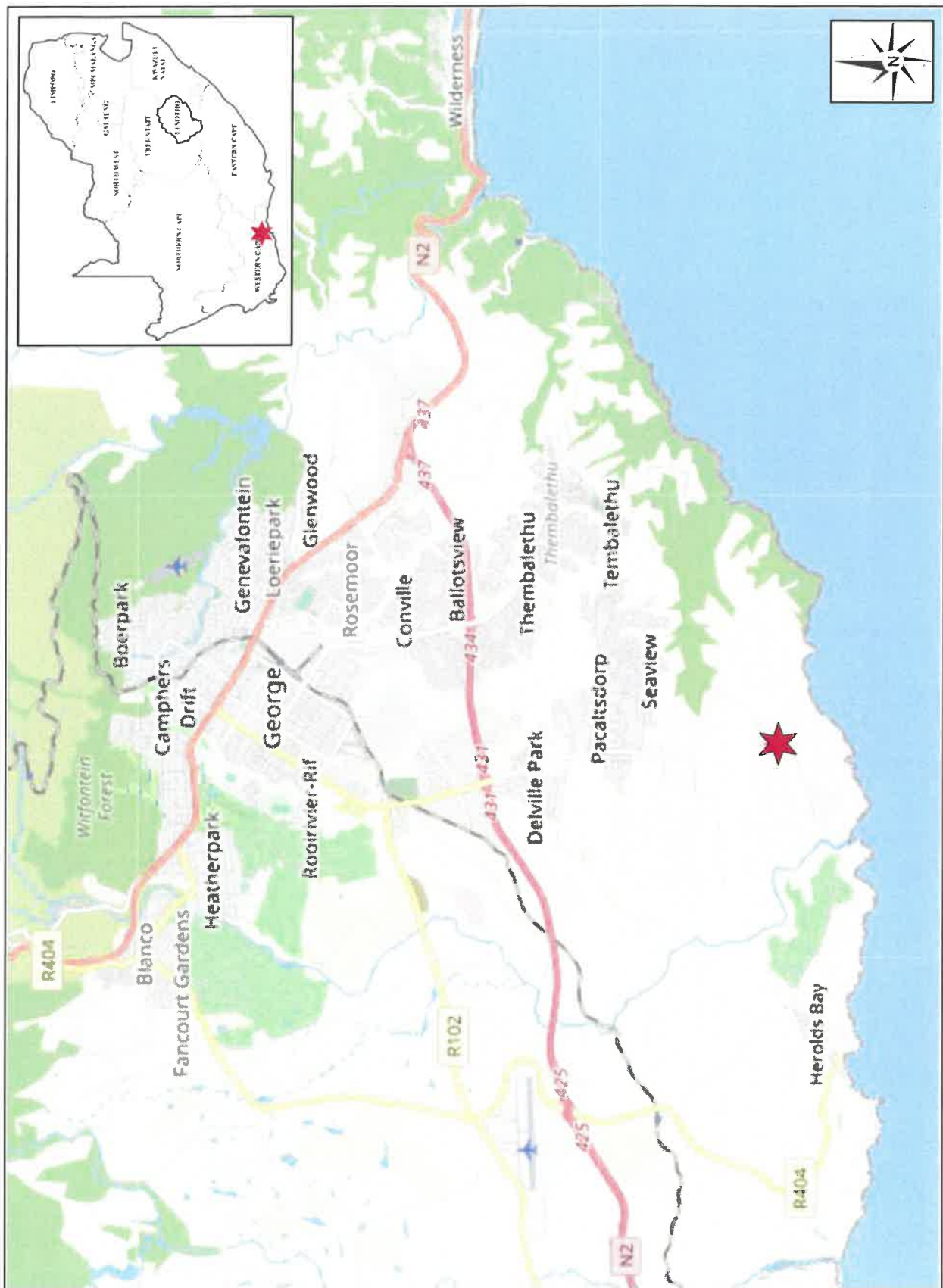
MR. GAVIN BENJAMIN
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)

DATE OF DECISION: **02 JULY 2020**

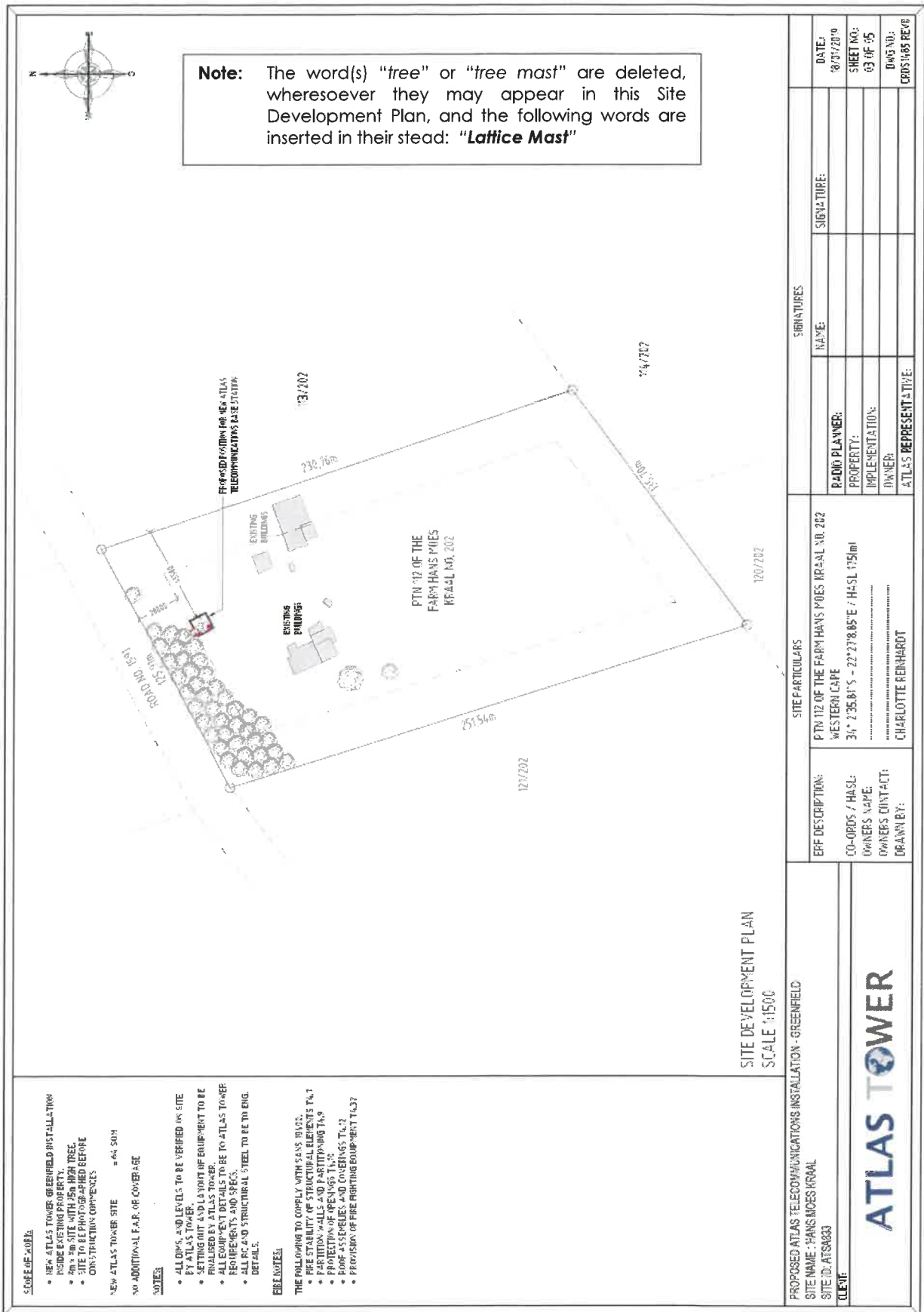
FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/1/D2/19/0015/19
NEAS REFERENCE: WCP/EIA/0000634/2019

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE DEVELOPMENT PLAN(S)



SCALE OF WORKS

- NEW ATLAS TOWER GREENFIELD INSTALLATION INSIDE EXISTING PROPERTY.
- 4m x 3m SITE WITH 25m HIGH TREE.
- SITE TO BE PHOTOGRAPHED BEFORE CONSTRUCTION COMMENCES

NEW ATLAS TOWER SITE = 64.50M
 NEW ADDITIONAL F.A.R. OR COVERAGE

NOTES

- ALL DIMS. AND LEVELS TO BE VERIFIED ON SITE BY ATLAS TOWER.
- SETBACKS AND VOLUMES OF EQUIPMENT TO BE VERIFIED ON SITE.
- ALL EQUIPMENT DETAILS TO BE TO ATLAS TOWER REQUIREMENTS AND SPECS.
- ALL RC AND STRUCTURAL STEEL TO BE TO ENG. DETAILS.

ENGINE NOTES

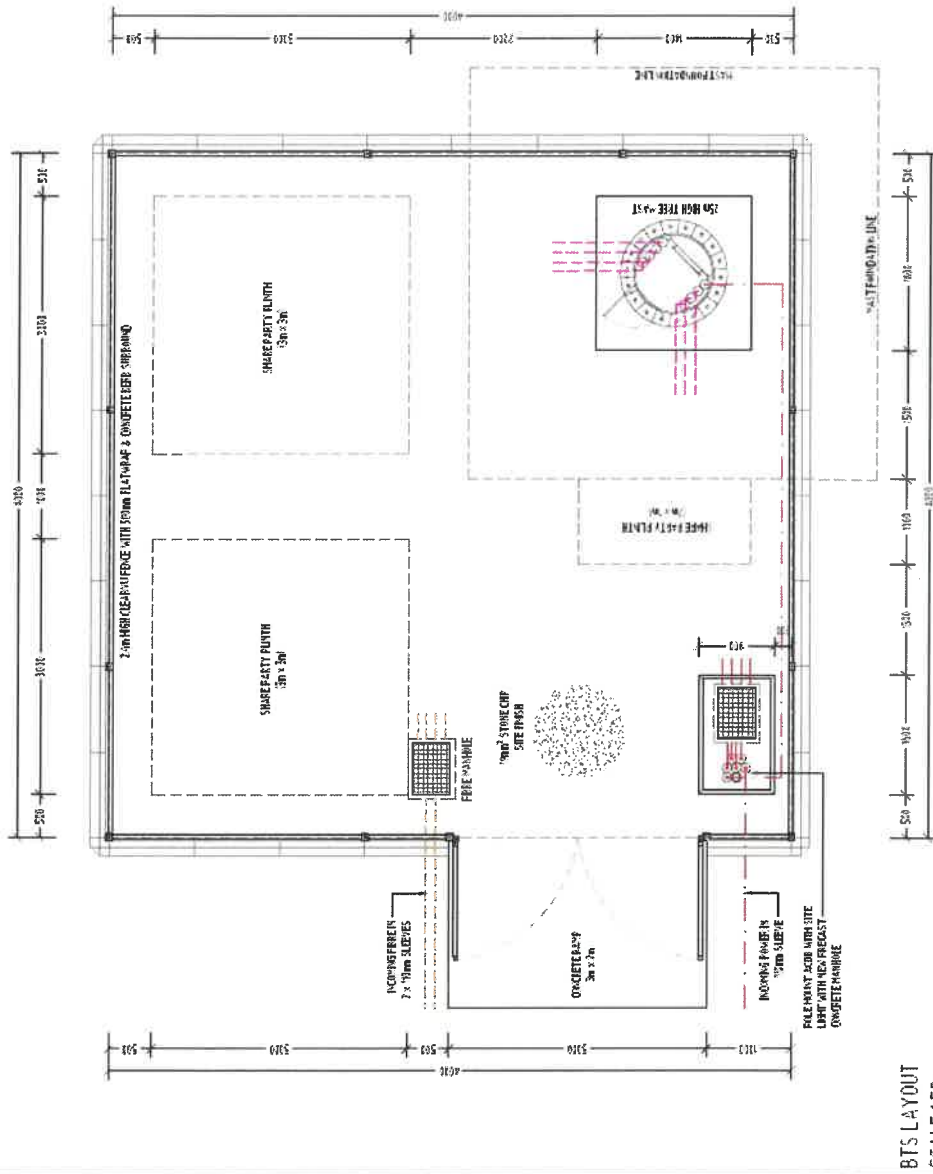
THE FOLLOWING TO COMPLY WITH SANS 1040:

- FIRE STABILITY OF STRUCTURAL ELEMENTS T4, 1
- PROVISION OF FIRE FIGHTING EQUIPMENT T4, 2
- LOADS ASSEMBLIES AND CONNECTIONS T4, 2
- PROVISION OF FIRE FIGHTING EQUIPMENT T4, 3

SITE DEVELOPMENT PLAN
SCALE 1:1500

SITE PARTICULARS PTN 12 OF THE FARM HAYS PINES RECAL NO. 202 WESTERN CAPE 31° 2'35.81" S - 22° 27' 8.85" E / H4-SL 4151ml CHARLOTTE REINHARDT		SIGNATURES NAME: _____ SIGNATURE: _____ DATE: 28/07/2019 SHEET NO.: 03 OF 05 DWG NO.: _____ CROSS HAS REV: 0	
EFF DESCRIPTION: CO-ORDS / HASL: OWNERS NAME: OWNERS CONTACT: DRAWN BY:	P. M. VAN DER MERWE FARM HAYS PINES 081 451 1151 CHARLOTTE REINHARDT	RADIO PLANNER: PROPERTY: IMPLEMENTATION: OWNER: ATLAS REPRESENTATIVE:	_____ _____ _____ _____
CLIENT PROPOSED ATLAS TELECOMMUNICATIONS INSTALLATION - GREENFIELD SITE NAME: FARM HAYS PINES SITE ID: ATSR63			

Note: The word(s) "tree" or "tree mast" are deleted, wheresoever they may appear in this Site Development Plan, and the following words are inserted in their stead: "Lattice Mast"



BTS LAYOUT
SCALE: 1:50

- SCOPE OF WORK:**
- NEW ATLAS TOWER GREENFIELD INSTALLATION INSIDE EXISTING PROPERTY.
 - 2m x 2m SITE WITH 2.5m HIGH TREE.
 - SITE TO BE PHOTOGRAPHED BEFORE CONSTRUCTION COMMENCES.
- NEW ATLAS TOWER SITE** = 64,501²
- NO ADDITIONAL E.A.R. OR COVERAGE**
- NOTES:**
- ALL BMS, AND LEVELS TO BE VERIFIED ON SITE BY ATLAS TOWER.
 - SETTING OUT AND LAYOUT OF EQUIPMENT TO BE FINALISED BY ATLAS TOWER.
 - ALL EQUIPMENT DETAILS TO BE TO ATLAS TOWER.
 - ALL STRUCTURAL DETAILS TO BE TO ATLAS TOWER.
 - ALL CONCRETE AND STRUCTURAL STEEL TO BE TO BMS, DETAILS.
- FIRE NOTES:**
- THE FOLLOWING TO COMPLY WITH SANS 9320.**
- FIRE STABILITY OF STRUCTURAL ELEMENTS T.A.2
 - PARTITION WALLS AND PARTITIONING T.C.9
 - PROTECTION OF EXPOSED SURFACES T.C.9
 - PROTECTION OF EXPOSED SURFACES T.C.12
 - PROVISION OF FIRE FIGHTING EQUIPMENT T.A.32

PROPOSED ATLAS TELECOMMUNICATIONS INSTALLATION - GREENFIELD		SIGNATURES	
SITE NAME: HANS MOES KRAL	CLIENT:	NAME:	SIGNATURE:
SITE ID: AT34833		PADOU PLANNER:	
		PROPERTY:	
		IMPLEMENTATION:	
		OWNER:	
		ATLAS REPRESENTATIVE:	
		DATE: 18/07/2019	SHEET NO.: 04 OF 35
		DWG NO.: CR05-1605 REV 0	

SITE PARTICULARS

PTN 112 OF THE FARM HANS MOES KRAL NO. 202 WESTERN CAPE

CO-ORDS / HASL: 34° 2'35.811" S - 22° 27'8.851" E / HASL: 752m

OWNERS NAME:

OWNERS CONTACT:

DRAWN BY: CHARLOTTE BERNHARDT



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 received on 25 July 2019, the Basic Assessment Report (FBAR) and EMPr submitted together with the FBAR on 5 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 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 5 March 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.

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 (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 23 January 2019;
- 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 11 February 2019;
- the placing of a newspaper advertisement in the 'George Herald' on 7 February 2019; and
- the following reports were made available to the interested and affected parties for public review and comment for the respective periods, namely:
 - a pre-application Basic Assessment Report from 8 February to 11 March 2019;
 - the draft Basic Assessment Report from 11 July to 26 August 2019;
 - the revised draft Basic Assessment Report from 12 November 2019 to 12 December 2019; and
 - a second revised Basic Assessment report from 3 February to 4 March 2020.

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

- ❖ *Heritage Western Cape*
- ❖ *Department of Agriculture, Forestry and Fisheries*
- ❖ *Breedde-Gouritz Catchment Management Agency*
- ❖ *Civil Aviation Authority*
- ❖ *George Municipality*

- ❖ *General Public / Interested & Affected Parties (I&APs) included:*
 - *J.J. Venter*
 - *J. Vorster*

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 4: Proposed 25-metre-high lattice type telecommunications mast (Herewith Approved):

The development of a 25-metre-high lattice type telecommunications mast with 10 metre by 10 metre base station on Portion 112 of the Farm Hansmoeskraal No. 202 in George. The base station and mast will be enclosed with a 2.4-metre-high palisade fence with an access gate.

The lattice type mast is able to accommodate the equipment from various service providers and is therefore cheaper to construct than a monopole or tree mast design. The advantage of a lattice mast is that it does not present a solid element in the landscape but allows for a level of transparency which will reduce exposure levels. According to the Visual Impact Assessment applying a dark green or dark grey colour to the structure will complement the similar coloured landscape elements and further reduce the exposure level.

Alternatives considered:

Alternative 1: Proposed 35-metre-high tree telecommunications mast:

A 35-metre-high tree telecommunications mast was initially considered to be the preferred alternative. However, according to the BAR the George Municipality did not support a 35-metre mast and suggested that the mast height be reduced to 25 metres. This alternative was therefore not considered viable.

Alternative 2: Proposed 25-metre-high tree type telecommunications mast (applicant's preferred alternative):

This alternative entails the development of a 25-metre-high tree design telecommunications mast with 10 metre by 10 metre base station on Portion 112 of the Farm Hansmoeskraal No. 202 in George. The base station and mast will be enclosed with a 2.4-metre-high palisade fence with an access gate. This is the applicant's preferred alternative since this type of mast is able to support equipment from multiple service providers and will complement the surrounding environment (i.e. existing patch of pine trees).

However, in considering the application it is unclear whether the stand of trees will remain on site in the future, regardless of the Demarcation Permit obtained from the Department of Agriculture. Should the stand of trees be removed, the tree mast will not be in context with the surrounding environment. Furthermore, according to the Visual Impact Assessment the visual impact of the tree type mast, monopole type mast and lattice type mast in the scenario where the trees are retained, will be low due to the screening effect of the trees.

Alternative 3: Proposed 25-metre-high monopole type telecommunications mast:

This alternative entails the development of a 25-metre-high monopole type telecommunications mast with 10 metre by 10 metre base station on Portion 112 of the Farm Hansmoeskraal No. 202 in George. The base station and mast will be enclosed with a 2.4-metre-high palisade fence with an access gate. This is not the applicant's preferred alternative since the mast will not be able to hold as much equipment compared to the tree mast or lattice mast.

"No-Go" Alternative

This alternative entails that no telecommunications mast is constructed on Portion 112 of the Farm Hansmoeskraal No. 202 in George. Although this option would result in no potential negative

environmental impacts, the socio-economic benefits from implementing the activity would not be achieved. Furthermore, there are no environmental benefits from not implementing the activity. A more efficient telecommunication service is considered as essential for the business sector and private/social communication. This is therefore not the applicant's preferred alternative.

3. Impact Assessment and Mitigation Measures

3.1 Activity need and desirability

It is recognised that the benefits of telecommunication services in the modern society is potentially limitless. The proposed telecommunication mast will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. Cellular communication is used more and more for data transfer and not only for voice calls. Such capabilities are important in business, education and for the public / private use, and have therefore become paramount for social and economic development. The mast will allow for multiple service providers to attach and house their equipment on the mast, creating more efficient telecommunications service in the area and decreasing the need for additional masts in the area. The social benefits are considered to greatly outweigh any potential negative environmental impacts from the activity.

The motivation and the need and desirability findings presented in the FBAR are found to be acceptable. 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 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 constructed is currently zoned as Agriculture Zone II. The site where the proposed mast will be located has been transformed from its natural state, it is accepted that past activities on the property have contributed to this. Furthermore, the Breede-Gouritz Catchment Management Agency confirmed that the proposed mast will not impact on water resources / wetlands and therefore does not require authorisation in terms of the National Water Act, Act No. 36 of 1998. The impact on the biophysical environment is therefore considered to be negligible.

3.3 Biodiversity

The Western Cape Biodiversity Spatial Plan, 2017 identifies the vegetation on the affected property as *Groot Brak Dune Strandveld* which has an Endangered (EN) ecosystem threat status. However; the available information indicates that the vegetation on the proposed development footprint consists mostly of grass species. Furthermore, it is accepted that the proposed site has been transformed through historical activities on the property, and only an area of approximately 100 square metres will be transformed for the purposes of the mast and base station.

Due to the transformed nature and the limited extent of the development footprint, the impact on biodiversity is considered to be negligible.

3.4 Visual Impact

A Visual Impact Assessment ("VIA") was undertaken to inform the proposal. The VIA assessed three alternative mast types, namely a tree type telecommunications mast, a monopole type telecommunications mast and a lattice type telecommunications mast. Furthermore, the VIA looked at two scenarios where the stand of pine trees is retained and where they are removed.

The VIA has reported that the scenario where the trees are retained will provide the lowest impact regardless of the mast type. However, in the scenario where the trees are removed the tree mast

becomes more prominent in the landscape and the obtrusive level increases. This is due to the fact that the tree mast will not be in context with the surrounding environment (i.e. no other such tall trees will be present in the event where the trees are removed). In such an instance the tree mast is not recommended. Whereas, in the scenario where the trees are removed the monopole mast and lattice mast options will both be within acceptable levels of change and provide more appropriate options to mitigate the visual impact. In this scenario both monopole mast and lattice mast can be recommended. However, since the lattice mast does not provide a solid element in the landscape, the visual impact with mitigation is slightly lower than a monopole. From a visual impact point of view the lattice mast is the preferred alternative.

Cognisance has been taken of the principles set out in section 2 of NEMA and the provisions of the Alien and Invasive Species Regulations (GN No. R. 598 of 1 August 2014) promulgated under the National Environmental Management: Biodiversity Act, Act No. 10 of 2004, (as amended). Regardless the Demarcation Permit which has been obtained in terms of the Conservation of Agricultural Resources Act, Act No. 43 of 1983, ("CARA"), the potential screening or backdrop to the proposed mast will be diminished significantly since the trees are likely to either die-off or be removed in the future (and not be replaced). The alien invasive tree species which are currently present on the property do not appear to be of the same height of the proposed structure and would only provide a partial screen/backdrop. Therefore, the mast option which would best fit in both scenarios may be considered as the preferred alternative. In this regard the lattice type mast appears more acceptable in both scenarios and considered to be the preferred option in the long term.

Furthermore, it is recommended that the mast must be painted matt grey in order to reduce the obtrusiveness of the mast and no Day/Night markings should be permitted (i.e. red and white paint).

3.5 Heritage / Archaeological Aspects

No significant impacts on heritage or archaeological resources are expected as a result of the proposed development. This aspect was confirmed in the Final Comment issued by Heritage Western Cape, dated 26 February 2019. The competent authority is satisfied that the evaluation fulfils the requirements of the relevant heritage resources authority in terms of the National Heritage Resources Act, 1999 and the comments and recommendations of the relevant heritage resources authority with regard to the proposed development have been taken into account.

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 applicant has indicated that the construction activities should be completed within a period of 4-months. 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, and submission of the final environmental audit.

The non-operational aspects (construction phase) of the environmental authorisation must be concluded by 31 July 2024. 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 31 October 2024. The final environmental audit must be submitted within three (3) months of completion of the development activities (construction phase) and post construction rehabilitation and monitoring requirements, but by no later than 31 January 2025. A period of three (3) months is therefore set aside for the administration of the final audit report.

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.

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