



**Western Cape  
Government**

Environmental Affairs and  
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT  
REGION 1**

**REFERENCE NUMBER:** 16/3/3/1/A8/74/3023/19

**ENQUIRIES:** MS. K. ADRIAANSE

**DATE OF ISSUE:** 2020 -02- 26

The Director  
Atlas Tower (Pty) Ltd.  
Postnet Suite  
Private Bag X3036  
**PAARL**  
7620

**For Attention: Mr. C. H. Wessels**

Tel: (021) 870 1368  
Email: [wvonsolms@atlastowers.com](mailto:wvonsolms@atlastowers.com)

Dear Sir

**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 PORTION 87 OF FARM LANGVERWACHT NO. 241, KUILSRIVER.**

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 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision 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 National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

  
**MR. ZAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

Copies to: (1) Mr. M. Leach (Enviroworks)  
(2) Mr. D. Georgeades (City of Cape Town: Environmental Resources Management)

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**REFERENCE:** 16/3/3/1/A8/74/3023/19  
**NEAS REFERENCE:** WCP/EIA/0000629/2019  
**ENQUIRIES:** MS. K. ADRIAANSE  
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### 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 PORTION 87 OF FARM LANGVERWACHT NO. 241, KUILSRIVER.**

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 Site Alternative 2 and Design Alternative 1, described in the Basic Assessment Report ("BAR"), dated December 2019.

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 Director  
c/o Mr. C. H. Wessels  
Atlas Tower (Pty) Ltd.  
Postnet Suite 174  
Private Bag X3036  
**PAARL**  
7620

Tel: (021) 870 1368  
Email: [wvonsolms@atlastowers.com](mailto:wvonsolms@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 NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 3 Activity Description:</p> <p><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></p> <p><i>(b) will exceed 15 metres in height—</i></p> <p><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></p> <p><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></p> <p><i>iii. Areas zoned for use as public open space or equivalent zoning within urban areas.</i></p>	<p>The proposed development of a 25m high cellular communication mast and associated infrastructure on Portion 87 of Farm No. 241, Kuilsriver, which is located outside an 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 proposed development:

The proposed development of a 25m high cellular communication tree mast and associated infrastructure on Portion 87 of Farm No. 241, Kuilsriver. Three concrete plinths and three equipment containers will be required. The proposed development will be surrounded by a 2.4m high fence for security purposes. The proposed site has not previously been used for this purpose and is located outside an urban area.

The development footprint will be approximately 56m<sup>2</sup> in extent.

Access to the site will be gained from an existing dirt road west of the site.

## C. SITE DESCRIPTION AND LOCATION

The authorised listed activity will be undertaken on Portion 87 of Farm No. 241, Kuilsriver, and has the following co-ordinates:

Point	Latitude	Longitude
Middle	33°55'30.58" South	18°42'29.18" East

The SG 21-digit code is:

Portion 87 of Farm No. 241	C06700000000024100087
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Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

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

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

Enviro Works  
c/o Mr. M. Leach  
Block 2B Edison Square Ground Floor  
Suite 1064  
Private Bag X2  
**CENTURY CITY**  
7446

Tel: (021) 527 7084

Fax: (086) 601 7507

#### **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 Site Alternative 2 and Design Alternative 1 described in the BAR dated December 2019 on the site as described in Section C above.
2. The holder must commence with the listed activity on site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within 5 (five) years from the date of commencement of the listed activity.
4. 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.
5. 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.

##### **Written notice to the Competent Authority**

6. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the Competent Authority before commencement of development activity.
  - 6.1. The notice must make clear reference to the site details and EIA Reference number given above.
  - 6.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7, and 11.

##### **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 outcome of 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; and
  - 7.4. Provide the registered I&APs with:
    - 7.4.1. the 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. the 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 National Appeal Regulations, 2014 (as amended).
8. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision. 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 activity, including site preparation, must not commence until the appeal is decided.

#### **Management of activity**

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

#### **Monitoring**

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
12. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the office of the holder and must be made available to any authorised official on request.
13. Access to the site referred to in Section C above 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.

## **Auditing**

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
  - 14.1. The holder must undertake an environmental audit within 3 (three) months of the commencement of the development/construction activities and submit an Environmental Audit Report to the Competent Authority upon the completion of the environmental audit.
  - 14.2. A final Environmental Audit Report must be submitted to the Competent Authority 1 (one) month after the completion of the development activities.
  - 14.3. The holder must, within 7 (seven) calendar days of the submission of an Environmental Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Report available to an authorised person on request.

## **Specific Conditions**

15. 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.
  - 15.1. Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); 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 with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.
16. 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 landfill licensed in terms of the applicable legislation.
17. The site must be clearly demarcated prior to the commencement of the development activities. The development footprint of the proposed development must be limited to the demarcated area.
18. Health standards of structures associated with communication networks must be reviewed periodically based on ongoing scientific research.
  - 18.1. 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.

18.2. 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. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activities, 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.
4. 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 NEMA 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.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the NEMA EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

#### **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 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 form/s must be submitted by means of one of the following methods:  
  
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. M. Venter (Tel: 021 483 2659)  
                          Room 809  
                          8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
5. The 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](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

#### H. DISCLAIMER

The Western Cape Government, the holder, 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. ZAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

DATE OF DECISION: 26/02/2020

Copies to: (1) Mr. M. Leach (Enviroworks)  
(2) Mr. D. Georgeades (City of Cape Town: Environmental Resources Management)

Fax: (086) 601 7507  
Fax: (086) 576 2606



# ANNEXURE 1: LOCALITY MAP

PROPOSED DEVELOPMENT OF A TELECOMMUNICATIONS MAST ON PORTION 87 OF THE FARM LANGVERWACHT, NO.241, KUILS RIVER, WESTERN CAPE



Locality Map:  
Langverwacht Tree Mast

### Legend

● Langverwacht Tree Mast

### Road Class

N

M

R

S

Eskom Lines

SA Railways

Erf

Latitude: 33° 55' 33.45" S  
Longitude: 18° 42' 28.53" E

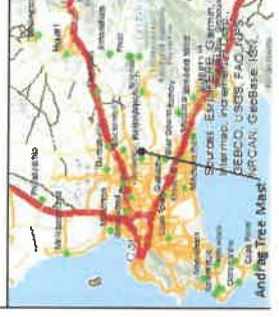
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PROJECTION: GEOGRAPHIC  
DATE: MAY 2019  
SCALE: 1:50 000

Prepared by:

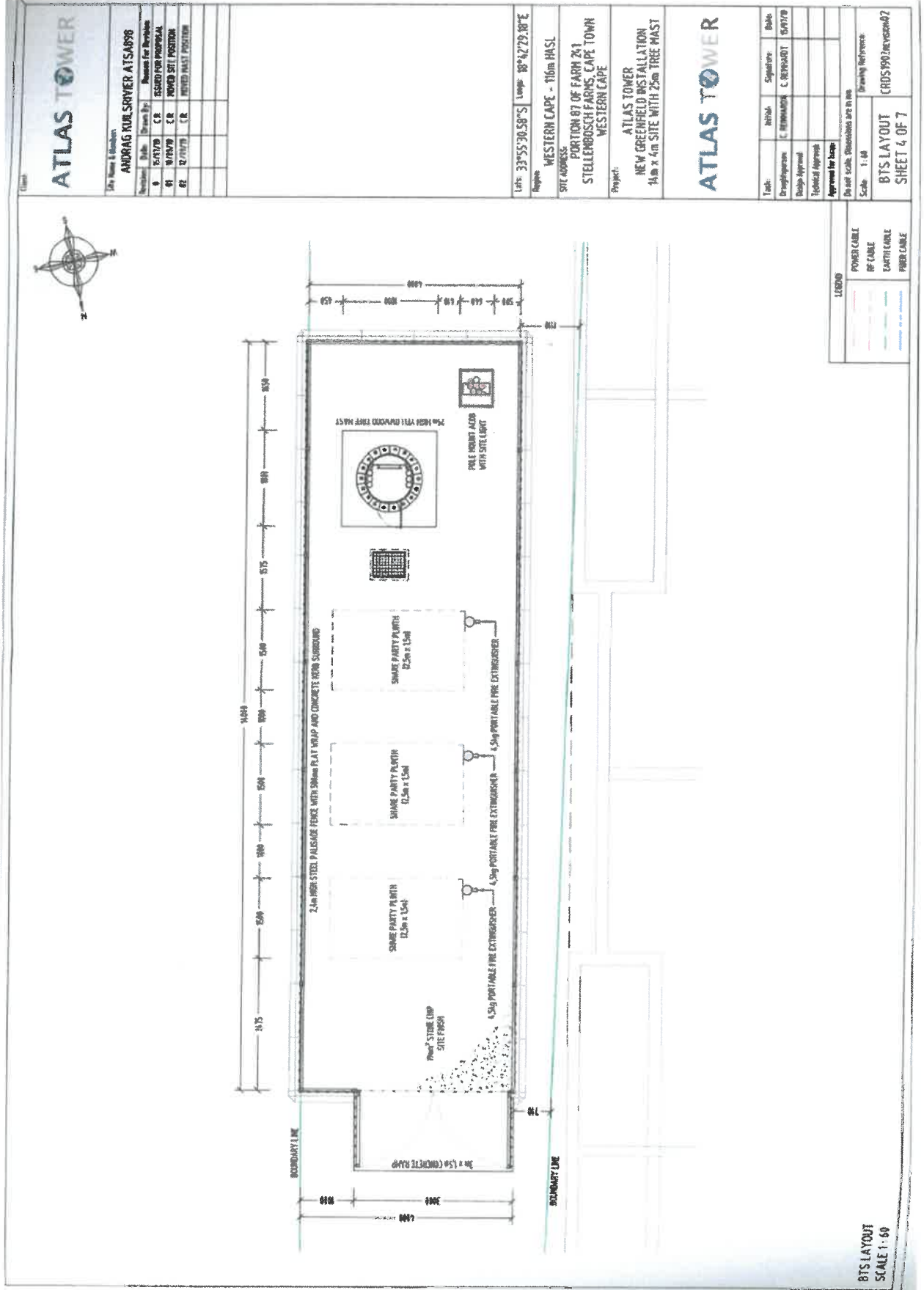


Prepared for:

ATLAS  
TOWER



# ANNEXURE 2: SITE PLAN



## **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 July 2019, the BAR received by the Competent Authority on 11 December 2019 and the EMPr received by the Competent Authority on 11 December 2019;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives and Need and Desirability (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 BAR dated December 2019;
- 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 I&APs;
- fixing a notice board on the site where the listed activity is to be undertaken on 14 June 2019;
- 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 on 14 June 2019;
- the placing of a newspaper advertisement in the 'Die Burger' on 16 September 2019; and
- making the BAR available to I&APs for public review from 16 September 2019 to 16 October 2019 and from 07 November 2019 to 09 December 2019.

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.

The Competent Authority concurs with the Environmental Assessment Practitioner's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

### **2. Alternatives**

Two Site Alternatives, two Design Alternatives and the "no-go" alternative were identified and assessed as part of the EIA process.

### Site Alternative 1

Site Alternative 1 is located along the southern portion of Portion 87 of Farm No. 241, Kuilsriver.

Site Alternative 1 was not deemed, as the preferred site alternative as the proposed site is located within close proximity to Eskom powerlines. The height of the proposed mast would have been reduced, which will not provide optimal network coverage in the area.

### Site Alternative 2 (the preferred site alternative - herewith authorised)

Site Alternative 2 is located approximately 110m north of Site Alternative 1 on Portion 87 of Farm No. 241, Kuilsriver.

Site Alternative 2 is deemed as the preferred alternative, as the site is degraded, it is located near a pine tree, which will minimise potential visual impacts and the the distance between the proposed site and the Eskom powerlines is significantly wider.

### Design Alternative 1 (the preferred design alternative – herewith authorised)

Design Alternative 1 entails the development of a 25m high cellular communication tree mast and associated infrastructure.

Three concrete plinths and three equipment containers will be required. The proposed development will be surrounded by a 2.4m high fence for security purposes. The proposed site has not previously been used for this purpose and is located outside an urban area.

The development footprint will be approximately 56m<sup>2</sup> in extent.

Access to the site will be gained from an existing dirt road west of the site.

Design Alternative 1 is deemed the preferred alternative since the tree mast design will blend in with the surrounding environment and will provide optimal coverage for the surrounding community. Design Alternative 1 is also preferred from a visual perspective since the potential visual impacts are anticipated to be of low negative significance post mitigation.

### Design Alternative 2

Design Alternative 2 entailed the development of a 25m high cellular communication monopole mast and associated infrastructure.

Although the monopole mast would be colour-coded to blend in with the surrounding environment, the associated infrastructure would not have blended in with the surrounding environment. Design Alternative 2 was therefore not deemed as the preferred design alternative.

### "No-Go" Alternative

The "No-Go" alternative would result in maintaining the "status quo". However, since the Preferred Alternative will not result in unacceptable environmental impacts, the "No-Go" alternative was not warranted.

## **3. Impact Assessment and Mitigation measures**

### **3.1. Activity Need and Desirability**

Given that there are no freestanding cellular communication masts within a 1000m radius of the proposed site, the holder identified the need for additional communication technology to improve communication services for the surrounding areas.

Although the proposed site is zoned Transport 2: Public Road and Parking and is located outside an urban area, the proposed site is located within an area that is expanding and requires cellular communication infrastructure. 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. Services

Electricity supply will be provided by the adjacent land owner who will be establishing a residential development. An agreement of servitude right of way (dated 08 April 2019) between the holder and the adjacent landowner has been signed and will be implemented to provide electricity supply and access to the proposed site.

### 3.3. Botanical Impacts

According to the South African National Biodiversity Institute's BGIS Map Viewer City of Cape Town Map Layer, 2017, the proposed site is mapped as a Critical Biodiversity Area. A Plant Species List Report (compiled by Enviro Works and dated October 2019) was compiled to determine the potential botanical impacts associated with the proposed development.

Historically, the proposed site would have contained Cape Flats Sand Fynbos, which is classified as a Critically Endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) – National list of threatened ecosystems that are threatened and need of protection (dated December 2011). The specialist indicated that the proposed site is highly degraded and invaded by alien species. No species of conservation concern were identified by the specialist.

The specialist concluded that due to the degraded nature of the proposed site and the small development footprint, it is unlikely that the proposed development will result in unacceptable vegetation loss, cause impacts on important botanical species or the greater ecological functioning of the ecosystem. The potential botanical impacts are therefore anticipated to be of low negative significance post mitigation. Mitigation measures have been included in the EMPr.

### 3.4. Visual / Sense of Place

A Visual Impact Assessment (compiled by Enviro Works and dated November 2019) was compiled to assess the potential visual impacts associated with the proposed development.

The specialist assessed the potential visual impacts associated with Design Alternatives 1 and 2. The visual absorption capacity of the proposed development will be low within a 1km radius of the proposed site. However, as the distance between the proposed development and the observer increase, the visual absorption capacity increases.

Although the potential visual impacts associated with both design alternatives are low negative post mitigation, a tree mast is preferred from a visual perspective. Since there are existing trees located within close proximity to the proposed site, a tree mast will blend in with the surrounding environment. The specialists' recommendations have been included in the EMPr.

### 3.5. Heritage Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their correspondence dated 26 November 2019) 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.

### 3.6. 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.

The City of Cape Town indicated (in their comment dated 03 December 2019) that in terms of the City of Cape Town's Telecommunication Infrastructure Policy, no habitable structures may be positioned within 50m of an antenna and no top of roof of a habitable structure should be within 10m of the lowest antennae within the 50m public exclusion zone. According to the response provided by the Environmental Assessment Practitioner, the height and angle of the antennae ensure that no habitable buildings are within the 50m public safety / exclusion zone. The height and angle of the antennae ensure that the lowest point of the public safety / exclusion zone (i.e. 16m aboveground level) is higher than the height of the adjacent and nearby buildings (i.e. 11m). This has been included as a mitigation measure in the EMPr.

### 3.7. 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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