



**EIA REFERENCE NUMBER:** 16/3/3/1/D1/13/0007/20  
**NEAS REFERENCE:** WCP/EIA/0000778/2020  
**ENQUIRIES:** Mr Steve Kleinhans  
**DATE OF ISSUE:** 26 FEBRUARY 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 35 METRE TELECOMMUNICATIONS MAST, BASE STATION AND ASSOCIATED INFRASTRUCTURE ON PORTION 42 OF THE FARM HARKERVILLE NO. 428, PLETTENBERG BAY

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 **Alternative 2** (*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  
ATLAS TOWER (PTY) LTD  
% Mr. W. von Solms  
Postnet Suite 174  
Private Bag X3036  
**PAARL**  
7620

Tel: (021) 870 1368  
E-mail: wvonsolms@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
<b>Environmental Impact Assessment Regulations Listing Notice 3 of 2014, Government Notice No. 985 of 4 December 2014 (as amended)</b>	
<p>Activity Number: <b>3</b> 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 style="padding-left: 40px;">(i) <i>is to be placed on a site not previously used for this purpose; and</i></p> <p style="padding-left: 40px;">(ii) <i>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 style="padding-left: 20px;">i. <i>All areas outside urban areas;</i></p> <p style="padding-left: 20px;">ii. <i>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 style="padding-left: 20px;">(iii) <i>Areas zoned for use as public open space or equivalent zoning within urban areas.</i></p>	<p><i>The proposal is for the development of a 35-metre-high telecommunication mast and 73 square metre base station on Portion 42 of the Farm Harkerville No. 428, Plettenberg Bay. The property is zoned Agriculture Zone I and regarded to fall outside the urban area.</i></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 35-metre-high telecommunications mast with associated infrastructure on Portion 42 of the Farm Harkerville No. 428 near Plettenberg Bay. The total development footprint of the proposal is 73 square metres which will be fenced by a two-metre-high palisade fence and flatwrap razor wire. Apart from the mast, the compound will also contain three telecommunication equipment containers. With due consideration of the information provided to the Department, the development of a lattice mast design as described in the BAR is authorised. The development of the telecommunication mast will be implemented approximate to the *Site Development Plans for SITE ID: ATEC407b, dated 30 October 2020 (Sheets 3 to 5)*, drawn by Urban Scope Consulting (see Annexure 2 of the environmental authorisation).

## C. SITE DESCRIPTION AND LOCATION

The proposed mast will be located on Portion 42 of the Farm Harkerville No. 428, approximately 9km west of the Plettenberg Bay town centre, along the N2 National Road towards Knysna.

Access to the site can be gained by driving in a westerly direction along the N2 National Road from Plettenberg Bay for approximately 9km. The site is situated south of the N2 National Road and approximately 20 metres from the road.

Coordinates of the site:

Latitude (S)			Longitude (E)		
34°	02'	40.30''	23°	16'	16.66''

SG digit code: C03900000000042800042

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

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

#### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

ENVIROWORKS

% Ms. Megan Smith

Suite 1064

Private Bag X2

Century City

7446

Tel: 021 527 7084

Fax: 086 601 7507

E-mail: meagan.smith@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 **2 March 2026**, 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 *the Alternative 2 (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 31 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 31 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 the Preferred Alternative described in the FBAR dated September 2020 on the site as described in Section C above.

This Environmental Authorisation is only for the implementation of the *Alternative 2 (viz. lattice mast)* which entails:

The proposal entails the development of a 35-metre-high telecommunications mast with associated infrastructure on Portion 42 of the Farm Harkerville No. 428 near Plettenberg Bay. The total development footprint of the proposal is 73 square metres which will be fenced by a two-metre-high palisade fence and flatwrap razor wire. 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 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. incorporate the Site Development Plans for the lattice mast as authorised in this environmental authorisation;
  - 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. 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—
- 16.1. the compliance with the conditions of the environmental authorisation and the EMPr, is audited; and
  - 16.2. that an Environmental Audit Report is submitted to the Competent Authority within six (6) months of completion of the development activities (construction phase), during which period the post construction rehabilitation and monitoring requirements must be concluded too, but by no later than 30 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 mast design must avoid shiny materials in the structure to prevent glare and the mast must be a matt grey colour so that it is less obtrusive, and may blend in with the surrounding environment.
- 20. A copy of the Obstacle Approval from the South African Civil Aviation Authority (SACAA) for the development of a lattice mast, must be submitted to the Competent Authority prior to the commencement of construction activities on site.
- 21. The proposed mast must be situated at least 20 metres from the road reserve boundary fence as per the requirement from the South African National Roads Agency.
- 22. 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  
8<sup>th</sup> 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](mailto: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](mailto: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

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

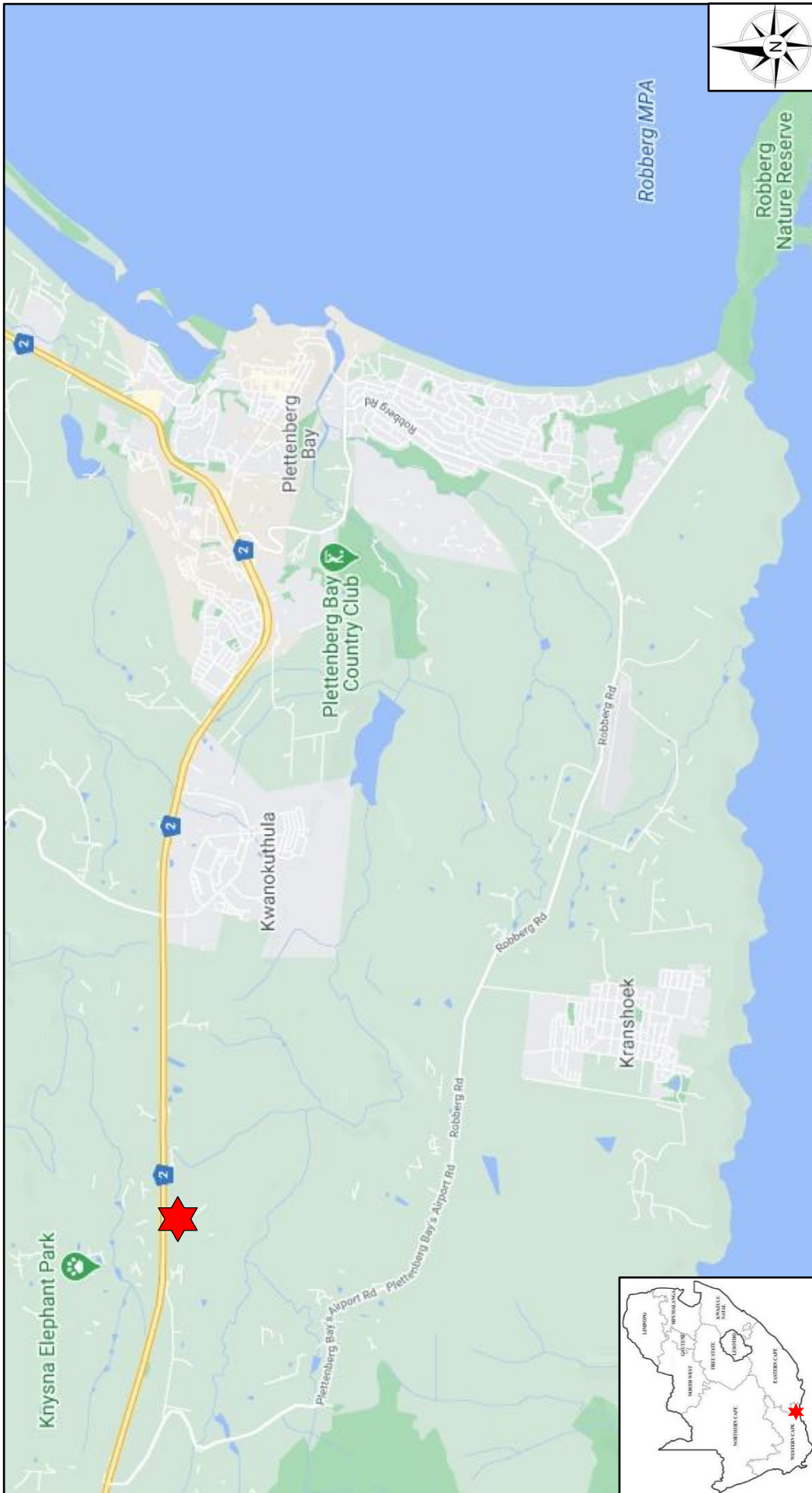
DATE OF DECISION: **26 FEBRUARY 2021**

**FOR OFFICIAL USE ONLY:**

**EIA REFERENCE NUMBER:** 16/3/3/1/D1/13/0007/20

**NEAS REFERENCE:** WCP/EIA/0000778/2020

# ANNEXURE 1: LOCALITY MAP





REV	DATE	BY	DESCRIPTION
0	18/02/2018	LL	FIRST ISSUE
1	01/02/2019	LL	BUILDING LINES & DIMS ADDED
2	06/02/2020	LL	MAST FOUNDATION FROM ROAD
3	06/02/2020	LL	MAST FOUNDATION FROM ROAD
4	19/02/2020	LL	AMENDED FOR S2P-SHEET 4 ADDED
5	30/02/2020	LL	BASE STATION CHANGED

**PROPERTY OWNER SIGNATURE:**

**GENERAL NOTES:**

1. DRAWINGS ARE FOR INFORMATION AND PERMITTING PURPOSES ONLY. CONSTRUCTION DRAWINGS TO BE DONE BY APPOINTED SUB-CONTRACTOR.
2. ALL SERVICES (WATER, SEWER, ETC) INDICATED ON THIS DRAWING ARE TO BE CONFIRMED ON SITE BEFORE CONSTRUCTION MAY COMMENCE.
3. WHERE APPLICABLE, SET-OUT POINTS AS INDICATED MUST BE CONFIRMED ON SITE AND PROPERTY BOUNDARY LINES AND ELEVATIONS MUST BE CONFIRMED ON SITE BEFORE CONSTRUCTION MAY COMMENCE.
4. DRAWINGS MAY NOT BE SCALED. ALL DIMENSIONS TO BE CONFIRMED ON SITE BEFORE CONSTRUCTION MAY COMMENCE.

**STRICTLY COMPANY CONFIDENTIAL**

**PROJECT:**

NEW TELECOMMUNICATION BASESTATION WITH A 35m TREE TYPE MAST FOR ATLAS TOWERS (PTY) LTD

**OWNER:**

VALERIE KATHRYN STEPHENS

**PROPERTY DESCRIPTION:**

PORTION 42 OF FARM 428 NYNSIMA RD

**ADDRESS:**

PORTION 42 OF FARM 428 NYNSIMA RD OFF THE M2

**COORDINATES & AMSL:**

N: 34° 24' 0.30" S  
E: 23° 16' 16.66" E  
AMSL: 229m

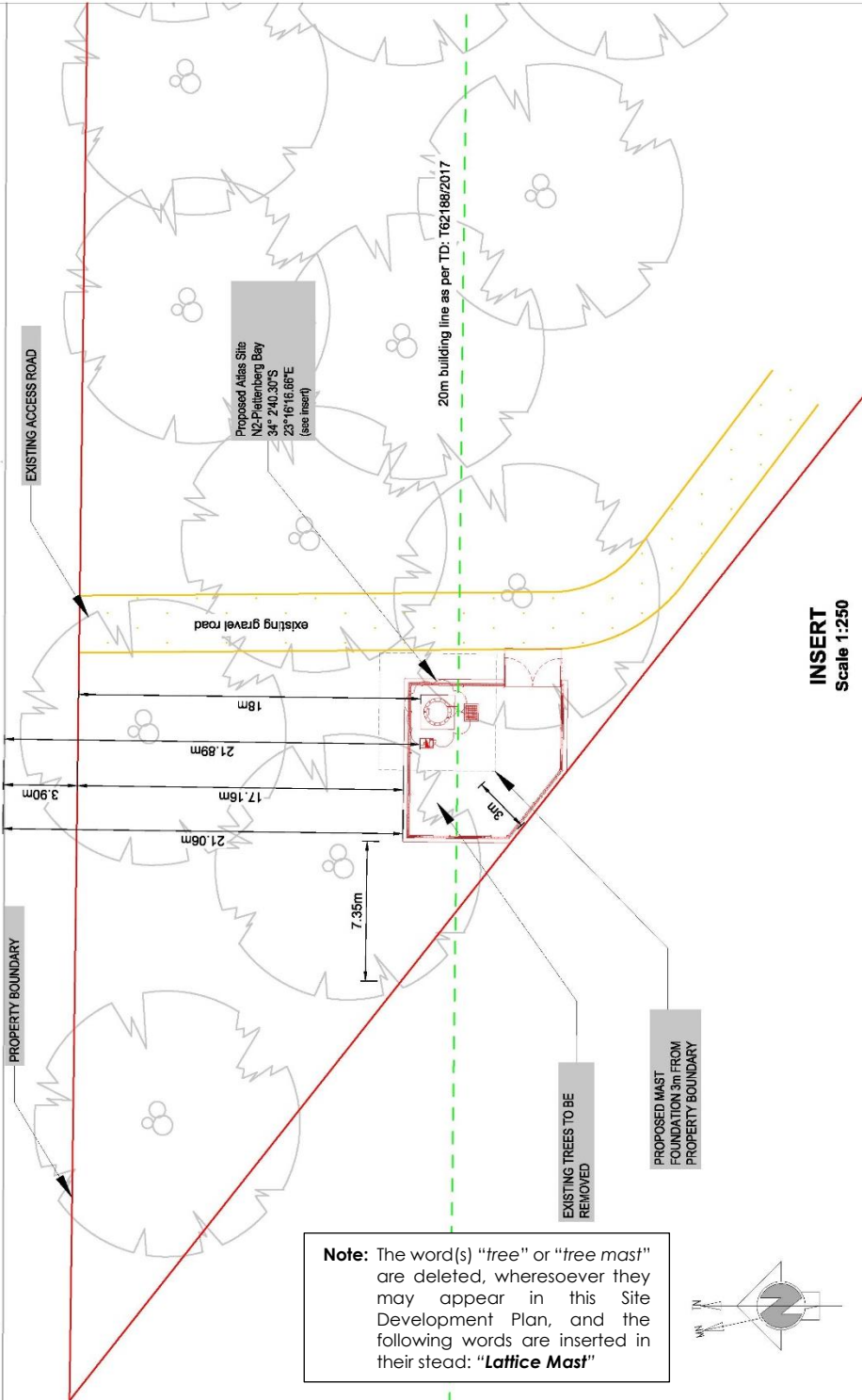
## URBAN SCOPE CONSULTING CC

<b>DRAWN BY:</b>	L. LOGGENBERG	<b>DATE:</b>	30/02/2020
<b>CHECKED BY:</b>		<b>REF NO:</b>	05
<b>SCALE:</b>	A3 - AS SHOWN	<b>PRINTED:</b>	30/02/2020
<b>SHEET:</b>	4 - 6	<b>SITE NAME:</b>	NZ-PLETTENBERG BAY
<b>SITE ID:</b>	A1EC407b		

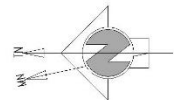
**SITE DEVELOPMENT PLAN**

Note: Power to be obtained from nearest municipal power point

NZ / SURFACED ROAD



**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**"



**INSERT**  
Scale 1:250

REV	DATE	BY	DESCRIPTION
0	06/09/2016	LL	FIRST ISSUE
1	01/02/2019	LL	BUILDING LINES & DIMS ADDED
2	06/10/2020	LL	MAST MOVED 20m FROM ROAD
3	08/10/2020	LL	MAST CHANGED TO 35m TREE
4	19/10/2020	LL	AMENDED FOR SDP-SHEET 4 ADDED
5	30/10/2020	LL	BASE STATION CHANGED

**PROPERTY OWNER SIGNATURE:**

**GENERAL NOTES:**

1. DRAWINGS ARE FOR INFORMATION AND PERMITTING PURPOSES ONLY. CONSTRUCTION DRAWINGS TO BE DONE BY APPOINTED SUB CONTRACTOR.
2. LANDSCAPING SERVICES (WHETHER INDICATED ON THIS DRAWING OR NOT) TO BE CONFIRMED ON SITE BEFORE CONSTRUCTION MAY COMMENCE.
3. WHERE APPLICABLE, SET OUT POINTS AS INDICATED MUST BE CONFIRMED ON SITE AND PROPERTY BOUNDARY LINES AND DIMENSIONS MUST BE CONFIRMED ON SITE BY A PROFESSIONAL LAND SURVEYOR.
4. DRAWINGS MAY NOT BE SCALED. ALL DIMENSIONS TO BE CONFIRMED ON SITE BEFORE CONSTRUCTION MAY COMMENCE.

**STRICTLY COMPANY CONFIDENTIAL**

**PROJECT:**

NEW TELECOMMUNICATION BASE STATION WITH A 35m TREE TYPE MAST FOR ATLAS TOWERS (PTY) LTD

**OWNER:**

VALERIE KATHRYN STEPHENS

**PROPERTY DESCRIPTION**

PORTION 42 OF FARM 428 (NYSNA RD)

**ADDRESS:**

PORTION 42 OF FARM 428 (NYSNA RD)  
OFF THE 12

**COORDINATES & AMSL:**

LAT: 34° 2'40.30"S  
LONG: 23° 16'16.88"E  
AMSL: 225m

**URBAN SCOPE  
CONSULTING CC**

**DRAWN BY:** L. LOGGENBERG **DATE:** 30/10/2020

**CHECKED BY:**

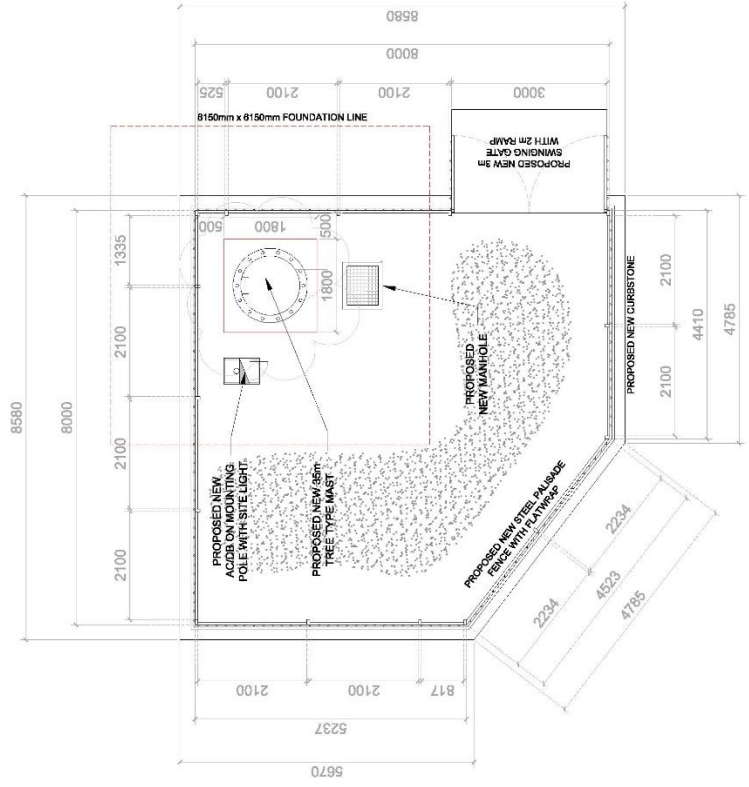
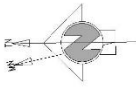
**SCALE:** A3 - AS SHOWN **REF NO:** 05

**SHEET:** 5-6 **PRINTED:** 30/10/2020

**SITE NAME:** N2-PLETTERBERG BAY

**SITE ID:** ATECH076

**SITE DETAIL**



**BASE STATION LAYOUT**  
Scale 1:100

**SITE NOTES:**  
1. AC SUPPLY FROM NEAREST POWER POINT

**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**"

## 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 20 August 2020, the Basic Assessment Report (FBAR) and EMPr submitted together with the FBAR on 6 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, Steve Kleinhans and Ms. Jessica Christie from the Directorate Development Management (Region 3) on 20 October 2020.

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 26 June 2020 (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 22 June 2020, 24 June 2020 and 25 June 2020 (pre-application); and 31 August 2020 and 2 September 2020 (formal application);
- the placing of a newspaper advertisement in the 'Knysna-Plett Herald' on 3 September 2020; and
- making the pre-application Basic Assessment Report available to I&APs for public review from 26 June to 27 July 2020; and the draft Basic Assessment Report from 3 September to 5 October 2020.

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

- ❖ *Heritage Western Cape;*
- ❖ *South African National Roads Agency Limited;*
- ❖ *Breede-Gouritz Catchment Management Agency;*
- ❖ *Eskom;*
- ❖ *South African Civil Aviation Authority (Obstacle approval); and*
- ❖ *Bitou Municipality;*

Comments from Interested and Affected Parties:

- ❖ An objection to the proposed development was submitted by a registered Interested and Affected Party.

- ❖ A concern regarding the devaluing of property was also highlighted by an Interested and Affected Party.

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 2: Development of a 35m lattice type telecommunication mast ("Herewith Approved"):  
This alternative entails the development of a 35-metre-high lattice type telecommunications mast with associated infrastructure on Portion 42 of the Farm Harkerville No. 428 near Plettenberg Bay. The total development footprint of the proposal is 73 square metres which will be fenced by a two-metre-high palisade fence and flatwrap razor wire. Apart from the mast, the compound will also contain three telecommunication equipment containers.

According to the BAR the lattice design can be considered industrial clutter which is less discreet than the tree and monopole designs. However, this Department is of the considered view that the lattice mast does allow for a level of transparency which will reduce the exposure levels, especially in the event where the trees surrounding the mast site are removed. Furthermore, the lattice type mast can accommodate multiple antennae and is cheaper to construct than a tree type or monopole mast.

### Alternatives considered:

Alternative 1: Development of a 35m tree type telecommunication mast (applicant's preferred alternative):

This alternative entails the development of a 35-metre-high tree type telecommunications mast with associated infrastructure on Portion 42 of the Farm Harkerville No. 428 near Plettenberg Bay. The total development footprint of the proposal is 73 square metres which will be fenced by a two-metre-high palisade fence and flatwrap razor wire. Apart from the mast, the compound will also contain three telecommunication equipment containers.

This applicant has motivated this to be the preferred alternative as the tree design of the proposed mast could blend in with the surrounding environment which mainly consists of alien gum trees. With due consideration of the information provided in the BAR; the specialist Visual Impact Assessment and the receiving environment, it is this Department's considered view in the event where the trees would be removed that it would create a landscape in which a singular 35m mast, disguised as a tree, will impact negatively on the landscape and sense of place. Furthermore, the information in the BAR confirms that the tree mast design is slim line like a monopole mast, but that the antennae is covered with "branch-like" attachments.

Alternative 3: Development of a 35m monopole telecommunications mast:

The proposal entails the development of a 35-metre-high monopole telecommunications mast with associated infrastructure on Portion 42 of the Farm Harkerville No. 428 near Plettenberg Bay. The total development footprint of the proposal is 73 square metres which will be fenced by a two-metre-high palisade fence and flatwrap razor wire. Apart from the mast, the compound will also contain three telecommunication equipment containers. The monopole mast is a slim design, like that of a tree mast but without the branch-like structures. Notwithstanding the similarity to a tree mast design, this alternative mast design although included in the VIA, it was excluded from further assessment because the visual impact of the monopole mast was reported to be higher than a Tree or Lattice Mast design.



### "No-Go" Alternative

This alternative entails that no telecommunications mast is developed on Portion 42 of the Farm Harkerville No. 428 near Plettenberg Bay. 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 the services. The proposed mast will allow for the attachment of antennae of various service providers which will create a more efficient telecommunications network in the area. The social benefits of the proposed mast are considered to greatly outweigh any potential negative environmental impact associated with the development and operation of the facility.

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 located is zoned Agriculture Zone I in terms of the Section 8 Zoning Scheme Regulations, 1988. The property has a consent use to operate a restaurant and tea garden. The site which is earmarked for the development of the proposed mast has been previously disturbed and is adjacent to an existing access road to the property. As a result of previous disturbance, the site has been completely transformed from its natural state. Furthermore, the Breede-Gouritz Catchment Management Agency confirmed that the proposed mast will not have an impact on any 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

According to the Western Cape Biodiversity Spatial Plan, 2017 ("WCBS") the site forms part of an area mapped as "Other Natural Areas" which are area not currently identified as a priority, but still form an important part of the natural ecosystem. Furthermore, according to the South African Vegetation Map the vegetation has been mapped as South Outeniqua Sandstone Fynbos which has a gazetted conservation status of Vulnerable (VU).

In accordance with the terrestrial biodiversity protocol published in Government Notice No. 320 of 20 March 2020 (Government Gazette No. 43110 of 20 March 2020 refers), site sensitivity verification was undertaken for the terrestrial biodiversity, animal species and plant species themes. The site verification confirmed that the site has been transformed from its natural state and the vegetation currently found on site, mainly alien tree species, does not represent important habitat for faunal species of concern. The assigned sensitivities for the terrestrial biodiversity (Very High), plant species (Medium) and animal species (Medium) by the Screening Tool Report was therefore disputed by specialist appointed to undertake the verification. Furthermore, the screening tool assigned a High sensitivity in terms of the aquatic biodiversity theme. The site verification report also disputed this finding due to the transformed nature of the site. The Breede-Gouritz Catchment Management Agency also confirmed that the proposed mast will not have an impact on any water resources /

wetlands. A site visit by officials from the Directorate: Development Management (Region 3) on 20 October 2020, confirmed that the site for the proposed mast has been transformed.

In considering the above, the view is held that the impact of the proposed mast on terrestrial and aquatic biodiversity is negligible.

### 3.4 Visual Impact

A Visual Impact Assessment ("VIA") was undertaken to inform the proposal. The VIA assessed three mast design types i.e. tree type, lattice type and monopole type mast designs. Furthermore, the VIA also reported on scenarios where the alien trees are retained and where the alien trees are removed.

According to the report, retaining the trees results in a higher Visual Absorption Capacity ("VAC"). This will create a landscape in which the mast, regardless of the type of mast, will have a Low visual impact within a 5km radius (after mitigation) according to the VIA. In such an event the VIA indicates that a tree mast will be the preferred alternative as the tree design will blend in with the surrounding trees. However, based on the impact assessment, this Department is of the considered view that any of the identified mast designs will, to a certain extent, be screened as result is a low visual impact.

However, the scenario where the trees are removed will create a landscape in which all the design alternatives will appear out of place. The Department disagrees with the VIA that the tree mast will still blend with the surrounding environment due to the opinion that the area is well-known for its "forest". The information presented for the proposed tree design, does not simulate any locally indigenous tree species, but rather resembles an exotic tree species such as a Pine tree. The removal of the trees (either naturally or mechanically) will create a landscape in which a 35m high mast, regardless of design type, will appear conspicuous and out of place. This will especially be the case for a tree mast.

Furthermore, the specialist's view that the monopole design is not advised because it best fits an urban area due to the sense of place, is not considered to be a credible reason. The monopole design is the same as the tree type design, with the exception of the branch-like structures. The same can therefore be reasoned for the tree type mast design. Both alternatives will provide a solid element within the landscape, whereas a lattice mast design does allow for sighting of the background, which to a certain extent reduces the visual impact. This will be an advantage in the event where the trees are removed.

Therefore, it is this Department's considered view that the lattice type mast fits best in both the scenarios (i.e. retaining alien trees or the removal thereof). Furthermore, it is understood that the lattice mast is cheaper to construct and maintain than either the tree or monopole designs and can also accommodate multiple service providers. For these reasons the lattice type design mast is the most acceptable design type for the proposal.

Furthermore, to reduce the visual intrusion further, the mast must be painted a matt colour (preferably grey) in order to blend in with the surrounding environment and no Day/Night markings should be permitted (i.e. red and white paint).

### 3.5 Heritage / Archaeological Aspects

According to the BAR the gum trees technically form part of the national estate as they align the N2 National Road, which is considered an historic route alignment. This aspect was not confirmed by Heritage Western Cape. The BAR further states that the contribution to the cultural landscape by the trees surrounding the proposed mast is not of importance in terms of heritage significance. A Notice of Intent to Develop was submitted to Heritage Western Cape which indicated that there is no reason to believe that the proposed mast will impact on heritage resources. Final comment in this regard was issued by Heritage Western Cape on 12 August 2020 (Case No: 20073009SB0731E).

### 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. According to the information provided in the BAR the construction activities should be completed within a period of approximately 3-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.

Important milestones and dates:

- ❖ 31 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 31 August 2025.
- ❖ The final environmental audit must be submitted within three (3) months of completion of the post construction rehabilitation and monitoring requirements being completed, but by no later than 30 November 2025.
- ❖ Where the development activities (construction phase) and post construction rehabilitation and monitoring requirements are only concluded in November 2025, a period of three (3) months is set aside for the Competent Authority to administrate 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 EMP, 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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