Dear Madam

**PROPOSED CONSENT USE CONTEMPLATED IN THE ZONING SCHEME: ERF 367 KRAANSHOEK (692 KIEWIET STREET).**

The Manager: Land use management made the following decision under delegated authority on 17 March 2021. That **approval be granted** in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for:

- Consent use application in terms of Section 15 (2)(o) of the Bitou Municipal Land Use Planning By-Law 2015, to allow the operation of a 25m freestanding base telecommunication station which is a consent use as per section 8 zoning scheme regulation, DWG No: CRDS2012 REVO dated 19/11/2019 (attached hereto); The mast and equipment containers will be placed inside an 8m x 8m compound enclosed by a 2.4m high clear fence

**Conditions in terms of Section 66 of the Bitou Municipality: Land Use Planning Bylaw (2015)**

1. This approval applies only to the application under consideration and should not be construed as authority to depart from any other legal prescriptions or requirements from Council.
2. That the approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from council;
3. The proposed tower must be disguised to resemble an indigenous tree.
4. The access to the proposed must be strictly controlled at all times by means of a fence or wall with a locked door or gate and sufficient warning signs in three official language (English, isiXhosa and Afrikaans) must be displayed on the access point.
5. The municipality may in future require the mast to be jointly utilised by other telecommunication service providers, where applications for mast are received in vicinity of the site.
1. Any installation, facility and associated infrastructure, including buildings, power lines, cables and roads must be maintained and in instances where it has reached the end of its productive life or has been abandoned, it must be removed and the area should be rehabilitated where possible.

2. Visual impact mitigation measures during construction of the mast should include the following measures:
   a. Access roads are to be kept clean.
   b. Site offices and structures should be limited during one location and carefully situated to reduce visual intrusions. Roofs should be grey and non-reflective.
   c. Construction camps as well as development areas should be screened with netting.
   d. Lights within the construction camp should face directly down.
   e. Vegetation clearance should be limited to the development footprint only.
   f. Litter should be strictly controlled, as the spread thereof through wind could have a very negative visual impact.
   g. All areas disturbed by construction activities must be subject to landscaping and rehabilitation.
   h. Signage, if essential, should be discrete and confined to entrance gates. No corporate or advertising signage should be permitted.
   i. Avoid shiny materials in structures. Where possible shiny metal structures should be darkened or screened to prevent glare.
   j. Construction activities should be limited to business hours (07:00 -17:00).

3. Visual impact mitigation measures to reduce the impact from lighting include the following:
   a. Shielding the sources of light by physical barriers (walls, vegetation or structures itself).
   b. The navigation light at the top of the mast must be shielded to prevent disturbance to adjacent landowners.
   c. Motion sensor activated lighting should be used for any lighting required at the foot of the mast.

4. Should the mast ever be decommissioned all above-ground structure should be removed, safely disposed of or possibly recycled for use elsewhere and the affected area should be rehabilitated to pre-development conditions.

5. The Applicant must ensure that regular measurements are taken to ensure that the cell base station and related infrastructure meet the ICNIRP public exposure guidelines. Such measurements are to be at the cost of the applicant and made available to the Bitou Economic Development and Planning Directorate for attention Town Planning.

6. In the event of such measurements showing that the ICNIRP public exposure guidelines are being exceeded, Council reserves the right to withdraw permissions and cause the cellular telecommunication infrastructure to be decommissioned at the cost of the Applicant.

7. Health standards are to be reviewed periodically based on on-going scientific research. The Applicant will be required to decommission or upgrade any communication structure that does not meet the most recently published health standards of the World Health Organisation, the International Committee on Non-Ionising Radiation Protection and the Independent Communication Authority of South Africa.

8. Erosion control measures must be implemented to prevent soil erosion during construction.
9. Should any heritage resources, including evidence of graves and human burials, archaeological materials and paleontological materials be discovered during construction, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

Reasons for decision

- It will have a positive impact to the community socially and economically.
- The department of health gave their concern.
- The proposed will have no impact or demand of municipal services.
- It complies and promotes the SPLUMA principles

Appeals

1. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
2. Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of this emailed letter.
3. The attached appeal form must be completed and should be directed to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of notification of this decision together with proof of payment of the appeal fee.
4. If you exercise your right to appeal, you are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
5. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
7. A notification in terms of Section 61 of the Bitou Municipality Land Use Bylaw (2015) will confirm the coming into operation of the approval, if no appeals were received within 21 days of this emailed letter.

Chris Schlemann
Manager: Land Use Management