4.3
ERF 1746, MAIN ROAD, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE AND DEPARTURE : MESSRS WPP TOWN AND REGIONAL PLANNING CONSULTANTS ON BEHALF OF SOBREY EIENDOMS BELEGGINGS BK

1746 HSB (3523)
H van der Stoep (028) 313 8900 Hermanus Administration
3 September 2018

1. EXECUTIVE SUMMARY

An application has been received on 25 November 2016 (revised 7 July 2017) from Messrs WPP Town and Regional Planning Consultants on behalf of Sobrey Eiendoms Beleggings BK, applicable to Erf 1746, Sandbaai for the following:

- Consent use (transmission tower) in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) in order to accommodate a 25m high free standing cellular communications base station on the above property;

- departure in terms of Section 16(2)(b) of the above By-Law comprising the following:

  - to exceed the applicable 8,5m height restriction in order to accommodate the 25m high transmission tower; and

  - to relax the northern lateral building line from 4,5m to 0m and the eastern lateral building line from 3m to 0m to accommodate the cellular communications base station.

A Locality Plan of the property concerned is attached as Annexure A. Motivation Report from the applicant in support of the proposal is attached as Annexure B and the Site Development Plan is attached as Annexure C.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The erf is zoned Business Zone 3: Local Business, measures 4245m² in extent and is located on the corner of Main Road and Long Street, Sandbaai.

The property is developed with a shop (“Sandbaai Superette”) at the western side thereof and an approved pre-primary school/crèche (“Paddakoor Akademie”) restricted to a maximum of one hundred and forty (140) children, at the eastern side of the shop. The remainder of the property to the east is

undeveloped and it is envisaged to develop a parking area on a section thereof adjacent to the pre-primary school (an application that is currently being processed). The proposed telecommunications base station with transmission tower will be situated at the most north-eastern corner of the undeveloped portion of the property away from the crèche and proposed parking area.

4. SUMMARY OF APPLICANT'S MOTIVATION

Only the key points of the Motivation Report are summarised as follows (the detailed report for scrutiny is attached as Annexure B):

- In modern day society the dependency on communicative technology becomes increasingly higher due to society's utilization of more mobile devices and more than one (1) device per household which mainly rely on internet connectivity. These devices are used for multiple purposes including socialization, business related issues and accessibility to important emergency services.
- Due to factors including densification, urbanization, and influx of seasonal guests over festive seasons and holidays in a tourist attractive place like Sandbaai and Hermanus, dropped calls and poor network coverage (related to both voice and data) are experienced.
- This application is motivated by several customer complaints (from resident, businesses and commuters), received by MTN, Vodacom and Cell C in and around the area of Hermanus.
- MTN, Vodacom and Cell C identified several positions in the area that need to be equipped with base stations to alleviate the pressure and to cater for the ever increasing demand.
- The coverage in some areas have very limited LTE, LTE Advanced and fixed LTE coverage and the proposed free standing base station will increase the amount of coverage in this area.
- The increase in network strength brought by the proposed free standing base station will aid the local businesses and can unlock growth potential which will have a positive economic impact. Residents, businesses and commuters will have a more secure connection to emergency services and armed response which will have a huge social impact.
- The base station will be erected at a cost of approximately R1,5m. These high costs are a very good reason to rather co-locate on existing free standing base stations or to settle for a rooftop base station in lieu of building a new free standing base station.
- The mix of land uses range from low density residential to open space.
- The proposed base station will not interfere with the current use of the property and there are no negative impacts on the surrounding land uses and environment.
- No trees need to be removed to build the base station and no buildings with heritage value will be affected.
- The proposal will have no impact on external engineering services, on transport or traffic related considerations, or on the biophysical environment.

- Every possible measure has been taken to make the design as aesthetically pleasing as possible.
- The proposal will have no detrimental impact on the surrounding properties and will provide an essential service to the surrounding community.
- The current roll out of telecommunication infrastructure by cellular network providers is undertaken to upgrade and improve network coverage and quality to all customers.
- Telecommunication networks experience peak demands between 18:00 and 23:00 when people are at home and use internet intensive devices. A large portion of the network upgrades are aimed at residential areas. Business and other activity areas have been prioritised over the past twenty (20) years for commercial reasons, and given the fact that legislation and policies steered proposals of this nature, towards non-residential areas.
- Due to the tourism value of the area, upgrading the coverage of LTE, 4G technology and accessibility to Fibre will be beneficial for Sandbaai within the Greater Hermanus Area. This area includes tourist and economic attractions which include wineries, estates and routes toward tourist destinations along the coast. Telecommunication networks experience peak demand in the holidays and festive seasons. Thus, a large portion of the network upgrade is aimed at areas with tourism and economic potential.
- When choosing a site for a telecommunication base station, service providers are guided by nominal points indicating the areas where poor signal is being experienced. These points are selected because of an increase of customer complaints within an area. As an increase in the number of users occurs, the area which is covered by the existing network, decreases leading to poorer network coverage.
- Locations for telecommunication infrastructure are primarily chosen within areas where a need exists for coverage. If a need for coverage does not exist in a specific area, no company would invest capital to build a telecommunication base station in the said area. The fact that there are only a few telecommunication base stations in the surrounding area supports the statement that there is a clear need for coverage in the area.
- The need for coverage is however not the only determining factor when identifying a possible position for a base station. Other determining factors include altitude, zoning and the visual impact of the proposed base station and distance away from other base stations in the surrounding area. Existing telecommunication infrastructure are not sufficient to provide coverage as the closets free standing telecommunication base station is approximately 2km away from the proposed base station.
- Alternative sites were considered during the initial stages of the proposal, but this option is deemed the most acceptable option in terms of visual impact and based on the requirements of the network providers, contractor and landowners.
- The alternative sites in close proximity were found to be unsuitable.
- Special consideration is given to geographical aspects so that each base station is positioned to ensure optimum functionality. This reduces the

number of base stations necessary to provide an optimal network. At the same time, special attention is also given to ensure that there is minimal impact on the local, social, physical, natural and visual environments. The site was selected for several reasons, namely:

- it is situated optimally between planned and existing sites;
- there is a huge demand by cellular users in this area and the surrounding base stations are unable to provide an acceptable level of coverage to the area;
- it is accessible to contractors during construction and maintenance;
- the proposal and location is the best solution to the coverage problem of the area with the least negative impacts;
- the proposal is secure due to its locality, and
- it will serve the complaint area (the area with the lowest levels of cellular reception due to locality and high volumes of users) optimally.

❖ In terms of the zoning map, the neighbourhood of Sandbaai is mainly used for residential purposes.

❖ From all the erven in Sandbaai, only two (2) are zoned as Business Zone 2: General Business Bulk Zone 2, and is currently used for business uses with limited open space available for a free standing telecommunication base station. Twelve (12) erven are zoned as Business Zone 3: Local Business with the intent to use the sites for local shops and businesses. The subject property falls within these Business Zone 3 erven. This site was selected due to its large undeveloped section together with its optimal between planned and existing sites. The proposed base station in the north-eastern corner of the property is deemed as an appropriate action to maximize the business potential of the property.

❖ Due to the large undeveloped section, the owners can in future expand their business rights, therefore the placement of the base station at the proposed position will enable the owners to fully practise their rights in future without losing valuable developable land. In effect additional properties zoned for business uses may be limited, increasing the amount of land utilised for residential purposes.

❖ The placement of the base station in the north-eastern corner is not a careless act and was the result of careful consideration by radio-planners, site acquisition specialists and the owners. We therefore believe that the building line encroachments will not have an influence on the surrounding properties.

❖ This application strives to limit the amount of telecommunication infrastructure by providing an opportunity for various service providers to share the proposed 25m tree type mast.

❖ Masts of such as the proposed base station, is serviced not more than once every six (6) months. The services is mainly conducted within the ground level equipment containers. Taking into account the minimum amount of maintenance or emergency visits, the possible infringement of privacy is extremely insignificant. Therefore the impact of the height encroachment is deemed to have limited to no effect on surrounding properties and land uses.

- ❖ The base station will create the opportunity for various service providers to co-locate as no structures in the vicinity exist with the similar height to provide sufficient voice and data coverage.
- ❖ Visual impact: The impact of the site proposed at the minimal height of 25m mitigated as a tree within the residential nature of the area. The proposed equipment and mast will be colour coded (painted green) to match the backdrop to further mitigate the visual impact and ultimately blend in with its surroundings.
- ❖ Health concerns: Currently scientific research is yet to produce conclusive evidence suggesting adverse health effects associated with, working with or living close to cellular technology.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		**Date published**	**Closing date for comments**
Local newspaper	Yes	26/09/2017	3/11/2017
Notices	Yes	26/09/2017	3/11/2017
Ward councillor	Yes	26/09/2017	3/11/2017
Total comments	**THREE (3)**		
Total letters of support	**ONE (1)**		
Was public participation undertaken in accordance with Section 45 - 50 of the By-Law on Municipal Land Use Planning?			**Yes**
Was the application processed correctly (if no, elaborate below):			**Yes**
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			**Yes**

6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	**Date received**	**Summary of comments**	**Recommendation**
District Health		No comment received.	
Traffic		No comment received.	
Electro Technical Services	11/10/2017	Electrical connection will stay the same – there is no comment on the proposal.	Positive

Overstrand Heritage & Aesthetics Committee	12/10/2017	Tower too high for surrounding residential area. Lower to a suitable height, approximately 15m.	Negative
Building Department	17/10/2017	The tower although on a business site stands right next to residential properties at 25m high it will tower above the existing buildings.	Negative
Fire Department	14/11/2017	No objection.	Positive
Environmental Officer	24/11/2017	The office requests that a lattice cell tower be erected instead of a tree – the pole will have less of a visual impact than the tree.	Positive
Telkom	10/11/2017	Attached as Annexure F.	Positive
Environmental Affairs & Development Planning : Directorate Development Management (Region 2)	6/11/2017	Attached as Annexure G.	Positive
Engineering Services	25/04/2018	Attached as Annexure H.	Positive

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

The comment from the applicant on the objections will be discussed under point 8. below.

Objection JA Swanepoel (Erf 1012, Sandbaai)

- Objection is made as it will have a negative effect on the property value of the area and objector can see no value this will bring to the immediate area.

- Objector had no problems with cellular reception whatsoever and this seems to be the only value this will bring to the immediate area.

- The other areas identified would be better suited for this tower.

- Objector is also of the opinion that it might be more difficult to sell his property with such a tower in the immediate area as there is a stigma attached to cellular towers and health issues although it cannot be proved.

Town Planner's comment

- Alleged negative impacts on property values are one of the most common reasons to object to an application and are in almost all instances only a statement without merited proof, as is the case in this instance.

- The objector states that he had no problems with reception whatsoever and the base station seems to be the only value to bring to the immediate area. The objector actually indicates in this point that it will bring value to the area, but does not clearly indicate in what manner (conflicting point of objection). The applicant on the other hand, in its motivation report and comment on the objections, emphasizes that various complaints have been received about the poor quality of network coverage in the area. Other than the afore-said no comment can be offered on this point as the applicant did not provide proof of complaints and poor coverage. Telecommunication and associated infrastructure is a specialised field of which the planning department has no expertize in to comment upon. Desirability of the application will thus purely be evaluated on the merit of the application from a town planning perspective.

- The applicant indicates that after thorough investigation the alternative sites were found unsuitable with regard to eventual effective coverage and that the mast will fill a larger gap of coverage at the proposed position. The proposed position of the base station will be evaluated from a town planning perspective (desirability) in paragraph 11. of this submission. (No proof of any investigations regarding suitable alternative locations were submitted by the applicant.)

- The opinion of the objector that it will be more difficult to sell his property, is also based on the first point of objection that relates to decrease in the value of his property that has already been addressed above.

Objection WJ Beukes (Erf 937, Sandbaai)

- **Negatively effects property value**: Properties that are close to such towers are known to have a decrease in property values of as much as 20%. There is a large scale crèche and wine sales operating from the same property that is already making my property less desirable.

- **Health concerns**: No proof exists that these towers do not cause harm to humans. There is a mall space and two (2) industrial areas nearby, surely these are better options. Nowhere is there mention of the crèche with its one hundred and fifty (150) children on the same erf. To go on what our Department of Health said more than six (6) years ago is

insane, and this department already has a questionable reputation. Is the health of the residents, children and elderly of Sandbaai worth the gamble?

- **My rights**: Currently we choose to limit our connectivity, wireless, etc. in our home. We are not convinced of these being as safe as they claim to be. With a tower we will have no choice, but to be surrounded by these radio waves 24 hours a day. How can you enjoy home when you feel you are being poisoned by the neighbouring tower?

- **Bad track record**: If the building lines and height restrictions are removed there will be nothing restricting the landowners in future developments. The existing shop and some of the classrooms are not adhering to this 4,5m restriction. This is clearly seen in the diagram they supplied titled "Site Plan". Without restrictions we may land up with a skyscraper on the building lines and be able to do nothing about it. Based on previous encounters involving this erf, one must expect the unexpected. This is not the only, nor the best location for a tower.

Town Planner's comment

- As already mentioned above, negative impacts on property values are one of the most common reasons to object to an application and is in almost all instances only a statement without merited proof, as is the case in this instance. The objector states that his property value will decrease by 20%. No substantial proof was submitted by the objector that supports his claim of a 20% decrease in the value of his property should the mast be constructed.

- It is the opinion that the points of the objector and the applicant on possible health impacts cannot be commented upon since this Department has no expertise in the field and it is well known that there exists a difference in opinion between scientists and communities worldwide regarding safety factors surrounding dishes that emanate micro waves. It should be noted that a letter of support was submitted by the operators of the crèche (attached as Annexure I).

- No building lines are being removed. Only that section at the north-eastern corner of the property where the base station is to be constructed will encroach both building lines with a distance of 10m along both property boundaries. The building lines applicable to the property will therefore still remain. With regard to the point that the classrooms are not adhering to the 4,5m building line, it should be noted that the necessary application was submitted at the Municipality to rectify the current situation at the crèche.

Petition signed by eleven (11) individuals (translated from Afrikaans to English)

- Possible health risks for the children of the two (2) play schools close to the proposed mast and the depreciation of properties in the immediate area.

- The proposed tower should rather be constructed in the higher lying area outside the township and not close to the main road of Sandbaai. It will be an eyesore.

Town Planner's comment

- As already mentioned above, negative impacts on property values are one of the most common reasons to object to an application and is in almost all instances only a statement without merited proof, as is the case in this instance.

- It is the opinion that the points on possible health impacts have been thoroughly addressed by the applicant in its comments on the objections, thus no further comment is offered on these points. The operators of the crèche submitted a letter in support of the application.

- The applicant indicated that the proposed position of the base is the most suitable with regard to eventual effective coverage and that the mast will fill a larger gap of coverage at the proposed position. The proposed position of the base station and the visual impact will be evaluated from a town planning perspective (desirability) in paragraph 11. of this submission.

- It should be noted that the petition was not properly submitted in accordance with the provisions of Section 51 as it does not clearly state the contact details of the authorised representative of the signatories of the petition. Further, one of the signatory's address details lack. In this regard the decision will be conveyed to the first signatory on the petition list with a request to inform all the signatories of the outcome of the decision.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

The applicant commented overall on all the objections and not individually on each objection. Thus, a summary of the applicant's comments on all the objections are as follows:

- Three (3) objections [one (1) a petition] were received and no negative comments or objections were received from the internal departments of the Municipality. (The latter is not factual as three (3) negative

comments were received from internal departments – author's comment.)

- The Zoning Scheme makes provision for freestanding installations on business zoned properties by means of consent uses.
- This is one (1) of only fourteen (14) properties earmarked for business activities in Sandbaai with sufficient space for such an installation.
- The proposal will be greatly beneficial for the inhabitants of Sandbaai which includes local businesses, holiday makers, as well as surrounding communities and commuters.
- The mast will provide infrastructure for two (2) to three (3) service providers.
- It is the opinion that each application should be evaluated according to its individual merit.
- The main concerns by the objectors relate to health, visual impact, property value and permanent departures.
- The use of cellular mobile phones, computers, tablets, etc. among the public of South Africa has become a necessity, widely accepted and frequently utilised.
- The distribution of users are not limited to the urban area, but also spread across the country with variation in density.
- Modern mobile telecommunication is based on a cellular system. Each cell is covered by a base station that keeps track of the mobile phones within its range, connects them to the telephone network and handles carry-over to the next base station if a customer is leaving the coverage area.
- Early mobile telecommunication systems had very large cells with tenths of kilometres radius and were predominantly located along highways due to offering service mainly for car-phones. With the introduction of digital mobile phone systems cell sizes got much smaller and base stations were established in densely populated areas. The limited power of mobile phones made it necessary to reduce the distance to the customers. The cell size depends on the radiation distance of the mobile phone, the average number of connected calls, the topographic characteristics of the covered area and the surrounding buildings, vegetation and other shielded objects and antenna used.
- The current roll out of telecommunication infrastructure by cellular network providers is undertaken to upgrade and improve network coverage and quality to all customers.
- The objectors' question why the mast cannot be relocated to the outskirts of Sandbaai or highlands outside the town. Relocating the mast to this areas will not provide sufficient LTE and 4G coverage for the area of Sandbaai. Due to a potential growth in population caused by current and future development, repositioning the base station to another location, as suggested, the efficiency of the mast declines. The mast will fill a larger gap in the network at its proposed position.
- Along with popularity of mobile phones and other devices, the increase in number of base stations in the country to provide better coverage services to the customer, have raised anxiety to the general public about

it having an adverse effect on human health. They are generally perceived as hazardous, because of the radiation they produce. Misconceptions are held by the general public in South Africa about the radiation (non-ionising radiation) of the electromagnetic waves used for telecommunications especially from base stations. This perception has often led to public opposition on the construction and existence of these facilities in many parts of the country. The general public often misunderstand the concept that non-ionizing radiation (produced by base stations) can cause cancer and other health related issues. Although both forms of energy are correctly called radiation, their biological effects are vastly different. Half-true or inaccurate information written in web sites, media and some groups of people with vested interest has caused a lot of opposition by the public on the development of telecommunication infrastructures.

- Current research on telecommunication base stations has reached a point whereby scientists are satisfied that the base stations do not pose a health threat. Research on handsets is however ongoing, as it is deemed that placing the handset against your head pose a greater threat to health. Mobile phones are low powered radiofrequency transmitters. Handsets only transmit power when turned on. Using the phone in areas of good reception decreases exposure as it allows the phone to transmit at reduced power.
- In a statement made by the World Health Organization it is stated that effects from base stations and wireless networks are so low that the temperature increases are insignificant and do not affect human or animal health.
- Radio waves are emitted by numerous instruments including microwave ovens and television screens inside households. Walking along any street exposes us to emissions. Radio frequency emissions are part of modern day society and scientists continuously monitor the impacts of these.
- The International Commission on Non-Ionizing Radiation Protection published guidelines providing a means of limiting and guiding human exposure to electromagnetic fields that has become the world standard for human exposure to electromagnetic fields. Cellular equipment needs to comply with all the regulations of the International Commission on Non-Ionizing Radiation Protection and the World Health Organization, as well as national legislation governing the use of this equipment and the emission of radio waves. Cellular companies monitor the health impacts of their base stations carefully and spend large sums of money researching this topic annually.
- South Africa's Department of Health also published EMF exposure limit guidelines. These are endorsed by the International Commission on Non-Ionizing Radiation Protection. Emissions from all existing and proposed base stations are in compliance with these guidelines and are far below international standards.
- A statement by the Department of Health dated 23 June 2015 states that: "*Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF*

signals from base stations and wireless networks cause adverse health effects."

- It is therefore the opinion that all health aspects regarding the proposed base station will not be in violation of any individual's constitutional right to an environment that is not harmful to their health or general wellbeing.
- A condition may be included in the approval stating that should it be proven that there are negative health effects from base stations (in accordance with specific guidelines), and this base station falls within those guidelines, it will be rectified or if not possible, be decommissioned.
- The visual impact of the proposed base station is argued to be acceptable and every possible measure has been implemented to mitigate the visual impact of the proposed base station. The height was proposed at 25m, however this mast may be lowered to 21m, the lowest possible height at this point that the antennae can still provide sufficient coverage to the complaint area.
- A tree type mast was chosen as it is deemed more acceptable within an urban environment.
- The complainant area is characterised by low rising buildings and there are no tall structures that can support the proposed infrastructure in order to serve the complainant area effectively.
- Placing the mast in any other location would mean that more masts would be required to cover the complainant area.
- The equipment and other infrastructure can be painted in a suitable colour to further mitigate the base station and ultimately blend in with its surroundings.
- There is no evidence suggesting that base stations reduce the property values in any given area. If anything, value will be added by improved communication and subsequent virtual accessibility and safety in an area. Properties throughout the Western Cape have been enjoying above expected value increases.
- In areas of visual sensitivity such as the property in question, the adoption of a visually appealing solution is crucial. Therefore, the proposed mast is suggested as a 21m tree type in order to better blend in with the surrounding environment.
- Efficient internet connectivity and mobile coverage will therefore benefit surrounding properties rather than negatively impacting.
- The permanent departures are only relevant to the specific application in order to allow for the installation of a base station. The shop and other buildings/land uses were built on previous building plan approvals. The application therefore holds no connection to any other land use approvals on the property.
- Communication companies deliver an important service to the wider public, and in terms of their licenses with ICASA they have to meet certain standards in order to retain their licenses. One of these standards are to supply adequate network coverage to demanding customers. The proposal also allows for all other service providers to share this installation and refrain from constructing another base station in this area.

9. MUNICIPAL ASSESSMENT OF COMMENTS

Overstrand Heritage & Aesthetics Committee

Tower too high for surrounding residential area. Lower to a suitable height, approximately 15m.

Municipal Comment

The comments are noted. The points of concerns will be addressed together with the desirability of the proposal.

Building Department

The tower although on a business site stands right next to residential properties at 25m high it will tower above the existing buildings.

Municipal Comment

The comments are noted. The points of concerns will be addressed together with the desirability of the proposal.

10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

10.1 Background

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application is in line with the planning objectives applicable to this application.

The objectives relating to:

Spatial Justice
The application will not perpetuate spatial injustices.

Spatial sustainability
The subject property is located within the urban edge and within an existing business hub, thus no urban sprawl will occur. No natural habitat is impacted upon and it will thus have no negative influence on the environment. However, from a visual point of view it will have a negative visual impact on the existing build environment of the area that has an eight (8) meter height restriction.

Efficiency
Although the proposed telecommunication infrastructure will be situated optimally in the area in terms of the amount of users, it cannot contribute towards the value of the area due to its visual impact.

Spatial resilience
Although the application will ensure that the existing resource (land) is used to its maximum in an affordable manner it is situated at a location in close proximity of the developed residential neighbourhood.

Good administration
The application follows the required planning procedures and a good public participation process has been followed.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Same as Point 10.2 above.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable Policies

The proposal is in line with the strategic documents.

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal engineering services
The existing services are available and have been viewed positively by the Engineering Department.

10.7 Outcomes of investigations/applications i.t.o other legislation

N/A

10.8 Existing and proposed zoning comparisons and considerations

The Overstrand Zoning Scheme Regulations provide for telecommunication installations as a consent use on the subject property, subject to compliance with the applicable development parameters. The proposed transmission tower encroach the prescribed 8,5m height restriction to 25m and will also encroach both the 4,5m northern lateral building line and the 3m eastern lateral building up to the property boundaries.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The applicant's motivation for the application as well as its comments on the objections is not supported.

The subject property is situated within an area that has various land use rights such as businesses, churches, flats, town housing and single residential uses. The subject property forms part of the approved business hub of Sandbaai that can be regarded as a suitable location for a cellular communications base station. However, the business hub actually forms a small section of the predominantly built residential neighbourhood of Sandbaai with a fixed character with regard to the height of structures, being an average of ±8m. A 25m high structure amidst this area will surely impact on the character thereof creating a negative impact. The structure would rather be acceptable within a CBD with a variation of heights than a predominant residential area.

The superimposition clearly shows the out of character tree of 25m in relation to the surrounding area.

The proposed application locality is directly adjacent to residential erven. It is also located in the area adjacent to a pre-school facility e.g. Paddakoor. The impact of a base station and a 25m high tower will have a definite visual impact on the residential erven that cannot be mitigated. The application locality will be closest to the pre-school parking area and not the business building as such and thus have different users of the property which entail vehicles and children.

The other aspect is that the applicant indicated several customer complaints from residents and businesses. However, no proof in this regard was submitted in terms of numbers and locality.

The applicant mentions that various complaints have been received regarding poor reception that leads to dropped calls, etc. However, no evidence of this nature has been submitted to justify its allegations. The applicant should rather investigate alternative locations outside the urban area that would have much lesser impacts and would be more appropriate. The applicant's motivation and comments on objections are unfortunately not supported and the application should be refused as it is regarded as being undesirable from a Town Planning point of view.

13. RECOMMENDATION

1. that the application in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 1746, Sandbaai for a consent use in order to accommodate a 25m high free standing cellular communications base station and associated equipment, **be refused** in terms of the provisions of Section 61 of the By-Law.

2. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 1746, Sandbaai for the following departures:

    - to exceed the applicable 8,5m height restriction in order to accommodate the 25m high transmission tower; and

    - to relax the northern lateral building line from 4,5m to 0m and the eastern lateral building line from 3m to 0m to accommodate the cellular communications base station,

    be refused in terms of the provisions of Section 61 of the By-Law.

3. that the applicant and the objectors be notified of their respective appeal right in terms of Section 78 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 with regard to the above decision.

14. REASONS FOR RECOMMENDATION

- Substantial internal as well as external objections were received, which is not sufficiently addressed by the applicant.
- The transmission tower will impact negatively on the predominant residential character of the area due to the height thereof – especially visually.
- Suitable locations outside the urban area of Sandbaai should rather be investigated by the applicant.
- The application is regarded as being undesirable from a Town Planning perspective.
- The application does not contain sufficient merit to be considered favourably.
- The applicant did not proof the insufficient capacity of the existing mobile infrastructure for the area.
- The applicant did not submit proof of complaints in terms of numbers and locality of complaints to verify need and desirability.

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan
Annexure D:	Objections
Annexure E:	Comment on objections
Annexure F:	Telkom
Annexure G:	Department of Environmental Affairs and Development Planning
Annexure H:	Services Report
Annexure I:	Letter of support

SIGNATURE

REGISTERED PLANNER:

Name : **H VAN DER STOEP**

SACPLAN Reg No: **A/1708850/2013**

Signature : _____

Date: _____

ANNEXURE A 1/1
Locality Plan - Erf 1746 Sandbaai
Date: 2017-09-23
OVERSTRAND
MUNICIPALITY
LOUIS TRICHARD STREET
JAN VAN RIEBEEK CRESCENT
GRYSBOK CRESCENT
LONG STREET
MAIN ROAD
1289
1746
2825
2847
2156
2295

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

LIST OF DEFINITIONS AND ABBREVIATIONS

This section represents the definitions and abbreviations that will be found in this application.

DEFINITIONS:

Please note: *For the purpose of this application and its associated descriptions and motivation, and unless it appears otherwise in the text, the terms used herein are as follows:*

Table 1 - Definitions

PROPERTY:	Erf 1746, Sandbaai, Hermanus
APPLICANT:	Warren Petterson Planning
OWNER:	Sobrey Eiendoms Beleggings Bk
CONSENT USE	means a land use permitted in terms of a particular zoning with the approval of the City
DEPARTURE	means a permanent departure or a temporary departure
SURVEYOR-GENERAL	means the Surveyor-General as defined in the Land Survey Act

ABBREVIATIONS:

Please note: *For the purpose of this application and its associated descriptions and motivation, and unless it appears otherwise in the text, the terms used herein are as follows:*

Table 2 - Abbreviations

SPLUMA	Spatial Planning and Land Use Management Act, 2013
RBTS	Rooftop Base Telecommunication Station
FBTS	Freestanding Base Telecommunication Station
TI	Telecommunication Infrastructure
TOA	Top of Antenna
SG-DIAGRAM	Surveyor-General Diagram
OMSDF	Overstrand Municipal Spatial Development Framework, 2006
OMIZS	Overstrand Municipality Integrated Zoning Scheme, 2013
IDP	Integrated Development Plan, 2014

TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

SECTION A: BACKGROUND

A.1. THE APPLICATION

Application is hereby made for the following:

- ✓ **Consent Use in terms of the zoning scheme** in terms of section 16(2)(o) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2015 for the purpose of erecting a 25m FBTS.
- ✓ **Permanent Departures** regulation in terms of section 16(2)(b) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2015 for the purpose of the relaxation of the side building line from 3m to 0.0m and relaxation of the rear building line from 4.5m to 0.0m in order to allow for the above mentioned consent.
- ✓ **Permanent Departures** regulation in terms of section 16(2)(b) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2015 for the purpose of the relaxation of the height restriction from 8.5m to 25.0m in order to allow for the above mentioned consent.

A.2. DETAILS OF THE DEVELOPMENT AREA

Table 3 - Details of the Development Area

TITLE DEED DESCRIPTION	ERF 1746, SANDBAAI, OVERSTRAND MUNICIPALITY, CALEDON DIVISION, WESTERN CAPE PROVINCE]
TITLE DEED NUMBER	T91565/1997
PROPERTY SIZE (m^2)	4245 SQM
CURRENT ZONING (per OMIZS, 2013)	BUSINESS ZONE 3: LOCAL BUSINESS
OWNER OF PROPERTY	SOBREY EIENDOMS BELEGGINGS CC

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

SECTION B: CONTEXTUAL INFORMANTS

The following section includes information relating to the locality, current land use, zoning and surrounding area.

B.1. LOCALITY

The property within the Municipality of Overstrand is located directly adjacent Long Street.

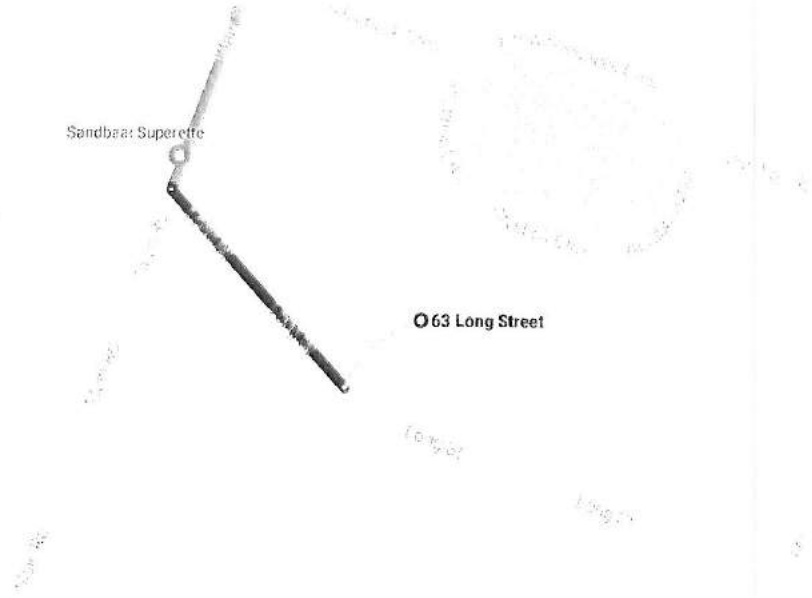


Figure 1 - Location of the property adjacent to Long Road

B.2. CURRENT LAND USE AND ZONING

Table 4 - Current land use and zoning

CURRENT LAND USE	One (1) building utilised as a shop with relevant outbuildings
ZONING	BUSINESS ZONE 3: LOCAL BUSINESS

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

ANNEXURE B 4/24

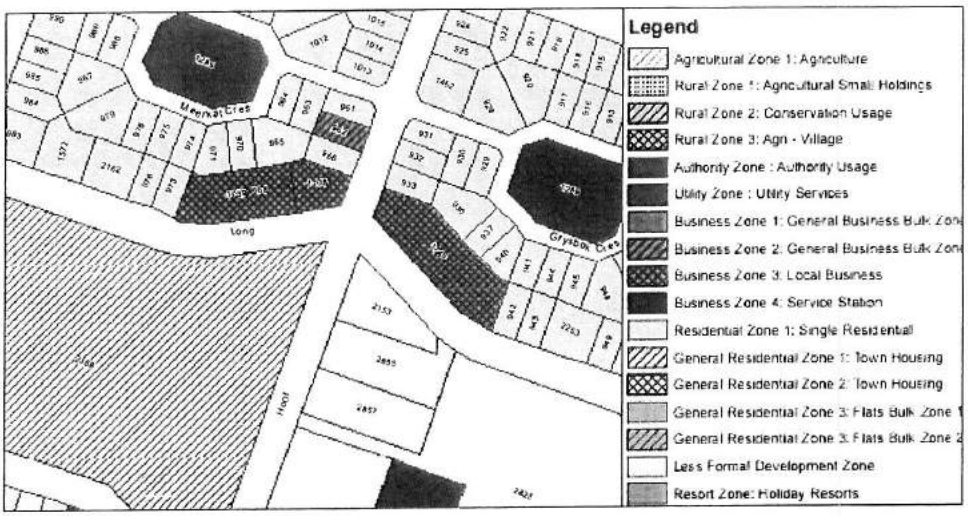


Figure 2 - OMIZS (2013) - Extract of Sandbaai Zoning

The property in question with the zoning of 'Business Zone 3: Local Business' has the following primary rights and rights by means of a consent use application:

7.2 BUSINESS ZONE 3: LOCAL BUSINESS (B3)

Use of the property

7.2.1 The following use restrictions apply to property in this zone:

(a) **Primary uses** are: shops, flats (above ground floor), offices;

(b) **Consent uses** are: bottle store, business premises, clinic, conference facility, flats (on ground floor), town housing, guest house, hotel, informal trading, institution, place of assembly, place of entertainment, place of instruction, place of worship, recreational facilities, residential building, restaurant, rooftop base station, sale of alcoholic beverages, service station, service trade, transmission tower.

Figure 3 - Business Zone 3: Local Business (OMCS, 2013)

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

B.3. SURROUNDING AREA

The R43 Road to the west and the Main road to south serve as the main distributors. Suburbs near the property are Hemel-en-Aarde (Northern direction), Onrus River (Western Direction), Zwelihle (Eastern Direction) and Hermanus (further east).

The surrounding land uses in the area are predominantly utilised for residential, local business and open space purposes. On the subject property, to the west is utilised for business purposes.

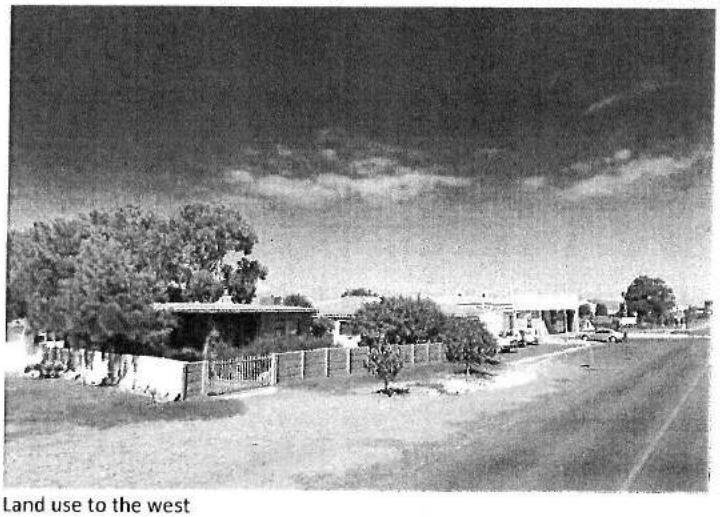


Figure 4– Land use to the west

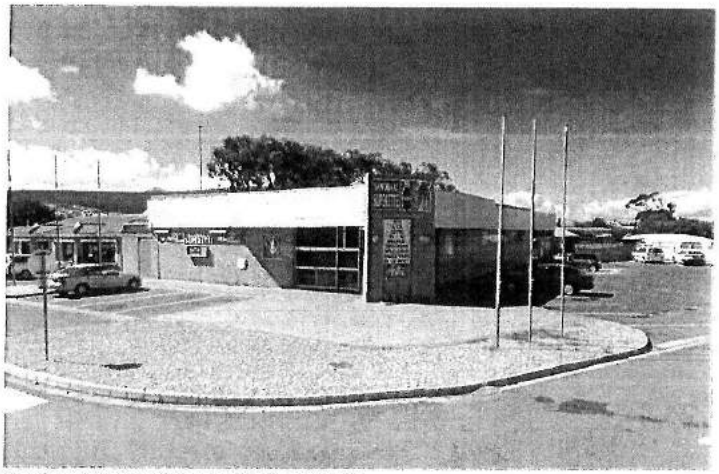


Figure 5 - Sandbaai Superette on subject property

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

SECTION C: DEVELOPMENT PROPOSAL

C.1. APPLICATION SPECIFICATIONS

The client (Rich Rewards Trading 43) wishes to apply for consent, a permanent departure (relaxation of height restriction) and a permanent departure (relaxation of common building line) in order to erect a FBTS.

C.1.1 Development Concept

The application comprises the following proposed development parameters:

- ✓ A 25m Tree type mast with domes to camouflage the antennas,
- ✓ 4 x 3-sector antennas attached to the mast,
- ✓ Microwave dishes attached to the mast,
- ✓ 4 x Equipment containers, and
- ✓ A 2.4m high palisade fence.

The total ground coverage of the FBTS 100m².

C.1.2 Building Line Relaxation

In terms of the property's zoning of 'Business Zone 3: Local Business', a rear and a side common building line restriction of 4.5m and 3m. The FBTS is proposed in the north eastern corner of the property within these 4.5m (rear) and 3m (side) building lines. The building line relaxation affects the northern and eastern common boundaries indicated on the SG diagram nr.3933/1997 (see annexure E).

(e) **Building lines**

(i) The street building line is 0 m; provided that a 3,5 m building line applies where fuel pumps are erected;
(ii) The side building line is 0 m provided that where any Business Zone 3 abuts another zone, the side building line is 3,0 m;
(iii) The rear building line is 3,0 m; provided that where any Business Zone 3 abuts another zone, the rear building line is 4,5 m;

Figure 6 - Building Lines for 'Business Zone 3: Local Business' (OMIZS, 2013)

- ✓ A **permanent departure** application is hereby made regulation in terms of section 16(2)(b) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2015 for the relaxation

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

of the **side** building line of Erf 1746, Sandbaai, Hermanus from 3m to 0.0m to allow for the erection of a FBTS.

- ✓ A **permanent departure** application is hereby made regulation in terms of section 16(2)(b) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2015 for the relaxation of the **rear** building line of Erf 1746, Sandbaai, Hermanus from 4.5m to 0.0m to allow for the erection of a FBTS.

The FBTS is positioned within the building line. However, this will not obstruct the existing utility services, landscaping etc.

C.1.3 Height Restriction Relaxation

In terms of the property's zoning of 'Business Zone 3: Local Business', a maximum height above base level of 8.5m to top of roof (please read together with the OMIZS, 2013:68). The FBTS is proposed at a height of 25m.

(c)	**Height**	
	(i)	The maximum height of a building, measured from the base level to the top of the roof is 8,5 m;
	(ii)	The maximum number of storeys is 2; and
	(iii)	Earth banks and retaining structures shall comply with 16.6.

Figure 7 - Height Restrictions (OMIZS, 2013:68)

- ✓ A **permanent departure** application is hereby made in terms of section 16(2)(b) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2015 for the relaxation of the height restriction of Erf 1746, Sandbaai, Hermanus **from 8.5m to 25m** to allow for the erection of a FBTS.

The FBTS is exceeding the current maximum height above base level with 16.5m. However, this will not obstruct the existing utility services, landscaping etc. and will be mitigated as a tree to better blend with the surrounding environment.

C.2. ACCESS

Access to the proposed FBTS will be obtained from the entrance to the property found on the southern side of the property, situated adjacent to Long Street, Sandbaai, Hermanus.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

Figure 8 - Access to the site

C.3. SECURITY

The entire base station site will be surrounded by a 2.4m tall Palisade fence with an access gate that will be locked at all times. The proposed equipment will be secure inside the equipment units that will be kept locked at all times. The antennae will be secure given their position at the top of the mast.

These measures rule out the possibility of any public access to the equipment and serve to protect the equipment from being vandalized. Similar security measures are implemented at similar installations and have proved to be very effective.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

ANNEXURE B 9/24
T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

C.4. POWER

Power for the FBTS will be obtained from the available on-site electrical supply to the property. Advances in technology (telecommunication related equipment) enable the FBTS to utilise less electricity.

C.5. ENVIRONMENTAL REGULATIONS

Environmental and social sustainability are regulated by *The National Environmental Management Act (Act 107 OF 1998) (NEMA) - published in Government Notice No. R546.* When read together with the National Environmental Management Act Regulations Listing Notice 3 of 2014 (*Government Notices No. 983, 984 and 985, promulgated 06 December 2014*), an Environmental Impact Assessment (EIA) or Environmental Authorization (EA) is only applicable in the following circumstances:

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) is to be placed on a site not previously used for this purpose; and

ii) will exceed 15 metres in height

But excluding attachments to existing buildings and masts on rooftops.

The requirements in the Western Cape are defined in NEMA Listing Notice 3 of 2014:

(f) In Western Cape:

i) All areas outside urban areas; or

ii) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas.

iii) Areas zoned for use as public open space or equivalent zoning within urban areas.

The proposed development does not constitute a listed activity as the site has been previously used for this purpose. An Environmental Authorization (EA) is therefore not required. (See Annexure F).

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

SECTION D: POLICY AND LEGISLATION

D.1. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013

This application complies with the land development principles (Chapter 2, SPLUMA, 2013) as referred to in section 42 of the *Spatial Planning Land Use Management Act, 2013* (Act 16 of 2013) (SPLUMA):

Table 5 - Compliance of application with Principles 7a-7e of SPLUMA, 2013

	HOW DOES THIS APPLICATION COMPLY WITH THIS PRINCIPLE?
Principle 7a: Spatial Justice	In a broader sense, spatial justice refers to an intentional incorporation of spatial (geographical) aspects. This refer to the fair and equally distributed services and enhanced accessibility of these services. The aim of this proposal is to provide excellent communication service to the inhabitants of an area.
Principle 7b: Spatial Sustainability	Spatial sustainability is an explicit concept which describe the relations between environmental, economic and socio-cultural facets related to a societal environment. Enhanced signal in an area will promote all three the dimensions of sustainability (economic, social and environmental facets). Economically, businesses in the area will benefit from enhanced connectivity. The social facet is addressed as more people will have access to emergency services (e.g. Healthcare, Police, Fire response etc.). The third dimension (Environmental facets) will be promoted as the sensible placement of telecommunication base stations and the possibility of co-location will limit the amount of base stations should there be sufficient signal in an area.
Principle 7c: Spatial Efficiency	Spatial efficiency relates to the concept of minimum distance to be travelled between a specific location and intended destination. FBTS and RBTS is placed in an area (optimally situated between planned and existing stations) with a reason. This reason is to incorporate various factors (e.g. amount of users, quality of service etc.) when considering the placement in order to promote effectiveness and is not merely placed by random.
Principle 7d: Spatial Resilience	Spatial resilience can be defined as the ability of a region to withstand possible arising shocks (e.g. economic crisis, social disruptions etc.). However, FBTS and RBTS will be a service that will always be necessary. In a state of crisis, communication plays an integral role in a societal environment.
Principle 7e: Good administration	This installation will be lawful and reasonable, following an equal and fair public participation process in order to incorporate the views and opinions of all relevant parties.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

ANNEXURE B 11/24
T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

D.2. INTEGRATED DEVELOPMENT PLAN, 2014

The IDP (2014) refers to the enhancement of TI in order to provide the Overstrand Municipal area with enhanced communicative technologies especially with regard to fibre-optic communication connectivity required for a pro-poor Tourism as stipulated on page 90 (IDP, 2014.)

> The International Centre for Responsible Tourism advocates "Pro-poor Tourism" – an approach towards tourism which ensures that "local poor people are able to secure economic benefits from tourism in a fair and sustainable manner Robson, S and Higton, S, 2004). Pro-poor tourism can benefit local poor people in three ways: It can bring economic gain through employment and micro-enterprise development; infrastructure such as roads, water and electricity supply, telecommunications and waste management can be improved; and poor people can be engaged in decision-making.

Figure 9 - Extract: Page 90 of the OMIDP, 2014

Furthermore, improved TI will contribute to the better coordination of Disaster Management as it will allow emergency service to be contacted and connected to any area in distress when needed – as stipulated on page 230 of the OMIDP, 2014.

> 12.2.3 DISASTER MANAGEMENT COORDINATOR:
>
> a. Establish and maintain required telecommunications links
> b. Identify available resources for disaster management purposes,
> c. Establish and maintain a resources database.
> d. Ensure effective media liaison.
> e. Coordinate all communication to and from incident.
> f. Compilation of pro-active departmental disaster management programmes to support risk reduction or elimination.
> g. Rendering support and advice throughout all phases of disaster management planning activities,
> h. Disaster Management Plan forms an integral part of the IDP,

Figure 10 - Extract: Page 230 of the OMIDP, 2014

This application is in line with this vision of the Overstrand Municipality as the TI installed on the said property will provide these sought-after services (e.g. Pro-poor Tourism and Disaster Management).

TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

D.3. LOCAL SPATIAL DEVELOPMENT PRINCIPLES, 2006 (Greater Hermanus)

Table 6 - Local Spatial Development Principles, 2006

Description	Level of compliance
Principle i. – Promote:	
Conservation of sensitive natural resources, including the mountain backdrop and associated Fynbos reserves, a varied coastal strip and associated marine reserves and a series of river and estuarine systems;	This application will contribute to the conservation of the surrounding environment as emergency services such as the fire department can be contacted in case of a fire. This will in return provide for less drop-calls in emergency situations.
Conservation of cultural heritage resources, including the character of the historical fishing/ holiday settlement areas of Hermanus and Onrust, the number of buildings of historical, architectural and social value, as well as the scenic beauty of the rural landscape of Hemel-en-Aarde Valley;	This application will contribute to the conservation of cultural heritage resources. Due to the historical background of tourism in this area, a FBTS will enhance the experience of tourists. Tourists will have access to enhanced accessibility to voice- and data coverage for social (emergency services such as police and ambulances) and cultural activities (enhanced accessibility to informative services).
The equitable distribution of community facilities throughout the Greater Hermanus area;	This installation will provide accessibility to enhanced technology (e.g. LTE, 4G, Optic Fibre etc.) which will be accessible to inhabitants of Sandbaai and Zwelihle. Especially during festive seasons and holidays with the increase in users, voice- and data are not equally distributed.
The provision of a range of residential housing types and appropriate densification strategies in order to retain the character of Greater Hermanus, while ensuring appropriate growth to address the growing population's housing needs;	With the promotion of housing typologies and increased need for housing in the Greater Hermanus area comes the needs for increased TI. A growth in population equals a growth in network-users. Current TI fails to provide for this increase in network-users.
Greater Hermanus as a tourism destination;	Tourism will benefit from enhanced connectivity and coverage. Current TI in the area of Sandbaai fails to provide sufficient network accessibility in holiday seasons. Therefore, poor signal is experienced which may hold social and safety risks (e.g. Failure to contact emergency services).
Principle ii. – Restrict:	
Industrial development to clean industries and service industrial activities.	N/A in terms of this application
Principle iii. – Maintain:	
The unique village character of Greater Hermanus;	Enhanced voice and data coverage will contribute to communication services which will in return

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

	contribute in retaining the village character of Greater Hermanus.
The open space corridors created by the Onrus River and other drainage channels;	The property in question has a zoning of "Business Zone 3: Local Business". Therefore, the property is not an open space.
The network of primary, secondary and linkage scenic routes, e.g. the coastal footpath along the cliffs of Hermanus, Marine Drive, Rotary Way, the route through the Hemel-en-Aarde Valley and the R43.	This proposed FBTS will contribute to the maintenance of the coastal footpath as voice- and data accessibility will allow for any damage or issues (e.g. floods, fire etc.) to be reported timeously.
Principle iv. – Contain:	
The urban footprint of Greater Hermanus within a well-defined urban edge.	The urban edge will not be influenced by this application.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

SECTION E: MOTIVATION

This section is seen as the motivation of the application as it provides information with regard to the need and desirability, development parameters, site characteristics, visual impact, health and safety and alternative candidates relating to this specific application.

E.1. BACKGROUND

Over recent years' cellular communication in South Africa has evolved from merely a means of convenience to an essential business tool, means of communication and safety measure. Initial high tariff rates limited the accessibility of the product and its service. However, over time more reasonable consumer tariffs and packages have been introduced, making cellular communications more accessible to a much larger sector of the population.

Data usage on the mobile networks is also becoming faster, more affordable, and more accessible. User behaviour patterns are continuously changing in reaction to cheap internet, new data intensive smartphones, data intensive applications and websites, and an increasingly social-media-driven society. These factors resulted in the average consumer data usage doubling every year.

The current cellular infrastructure is not equipped to handle this level of high demand. As a result, the networks become congested with connection problems and dropped calls on the voice network and limited or unstable internet connections on the data network.

Cellular service providers are taking steps to improve their network by keeping abreast with the advances in communication technology and providing increased capacity in terms of coverage in the areas where there is an increased demand. MTN, Vodacom and Cell C strives to make this technology available to a wider spectrum of the population.

Newer technology such as LTE provides faster internet to more users which alleviates the pressure on the base station, however its range is very limited. A single old generation GSM voice based base station could cover dozens of kilometres. The new LTE base stations have a maximum coverage range of 500m depending on the number of users.

The congestion of existing sites together with the decrease in its coverage range necessitates that the distance between base stations decreases, resulting in the need for construction of new freestanding and rooftop cellular base stations.

It is estimated that cellular network operators in South Africa will build more than 4000 new base stations over the next 5 years.

The proposed site is located at a nominal point as identified by network planners. By utilizing sites located at the networks' nominal points the number of future base stations is limited and an effective service network can be developed.

TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

E.2. DEVELOPMENT MOTIVATION

Please read together with previous sections in this application. This consent use, height restriction relaxation and building line departures in order to allow for the erection of a FBTS should be supported based on the following grounds:

E.2.1. Need and Desirability

In a modern-day society, the dependency on communicative technology becomes increasingly higher. This is due to the society's utilisation of more mobile devices and more than one device per household which mainly relies on internet connectivity (e.g. smartphones, portable computers, tablets/ipads etc.). These devices are used for multiple purposes including socialisation, business related uses and accessibility to important emergency services. Due to factors including densification, urbanisation and influx of seasonal guests especially over festive seasons and holidays, in a tourist attractive place like the Sandbaai, Hermanus, dropped calls and poor network coverage (related to both voice and data) are experienced. This application is motivated by several customer complaints (from residents, businesses and commuters) received by MTN, Vodacom and Cell C in and around the area of Hermanus. MTN, Vodacom and Cell C identified several positions in the area that need to be equipped with base stations to alleviate the pressure and to cater for the ever-increasing demand.

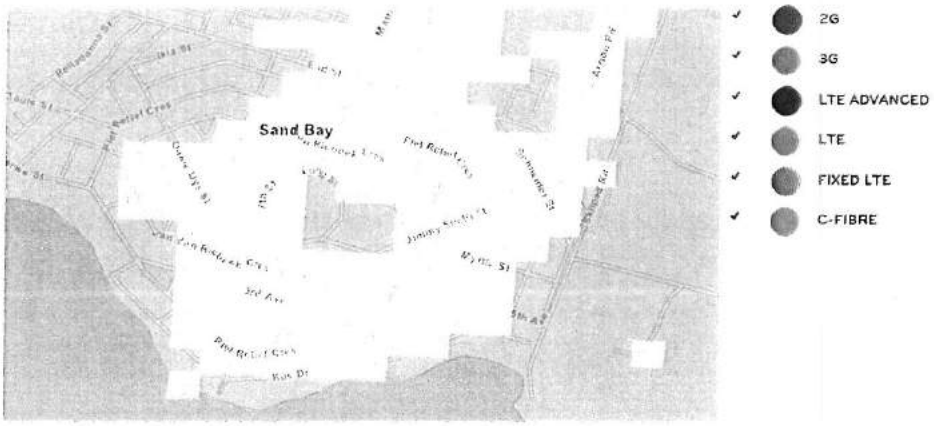


Figure 11 - LTE, LTE Advanced, Fixed LTE coverage

Figure 11 illustrates the current coverage in Hermanus. It should be noted that some areas have very limited LTE, LTE Advanced, Fixed LTE coverage. Therefore, a FBTS as proposed in this application will increase the amount of coverage in this area (*Refer to the website https://www.cellc.co.za/cellc/coverage-map for coverage maps*).

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

The increase in network strength brought by the proposed FBTS will aid the local businesses and can unlock growth potential which will have a positive economic impact. Residents, businesses and commuters will have a more secure connection to emergency services and armed response which will have a huge social impact.

The FBTS will be erected at a cost of approximately R1.5mil. These high costs are a very good reason to rather co-locate on existing freestanding base stations or to settle for a rooftop base station in lieu of building a new freestanding base station.

The mix of land uses range from low density residential to open space. The proposed base station will not interfere with the current use of the property and there are no negative impacts on the surrounding land uses and environment. No trees need to be removed to build the base station and no buildings with heritage value will be affected.

The proposed use will have no impact on the external engineering services, on transport or traffic related considerations, or on the biophysical environment. Every possible measure has been taken to make the design as aesthetically pleasing as possible.

It is our submission that the proposed use will have no detrimental impact on the surrounding properties and will provide an essential service to the surrounding community.

E.2.2. Site selection methodology

The current roll out of telecommunication infrastructure by cellular network providers is undertaken to upgrade and improve network coverage and quality to all customers. Telecommunication networks experience peak demand in the evenings between 18:00 and 23:00. This is because during these times people are at their homes and use internet intensive devices. Thus, a large portion of the network upgrade is aimed at residential areas. Business and other activity areas have been prioritised over the past 20 years, for commercial reasons and given the fact that legislation and policies steered proposals of this nature, towards non-residential areas. Due to the tourism value of the said area, upgrading the coverage of LTE, 4G technology and accessibility to Fibre will be beneficial for Sandbaai within the Greater Hermanus area. This area includes tourist and economic attractions which include wineries, estates and route towards tourist destinations along the coast. Telecommunication networks experience peak demand in the holidays and festive seasons. Thus, a large portion of the network upgrade is aimed at areas with tourism and economic potential.

When choosing a site for a telecommunication base station, service providers are guided by nominal points indicating the areas where poor signal is being experienced.

E.2.2.1. Choice of site

These points are selected because of an increase of customer complaints, within an area. As an increase in the number of users occurs, the area which is covered by the existing network decreases,

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS
Warren Petterson Planning
P.O. Box 152
Century City
7446
T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

leading to poorer network coverage. Figures 12-14 strive to explain how the need for an increase in cellular infrastructure evolves in a typical urban area.

Cellular infrastructure explained:

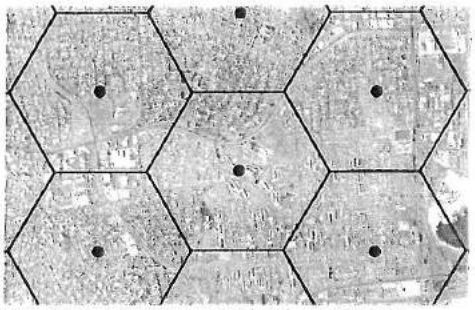


Figure 12 - Initial coverage (cell) provided by Telecommunication Base Stations

Figure 12 is an illustration of optimum network and data coverage. This is explained by envisioning the octagonal shape of a honeycomb (cells).

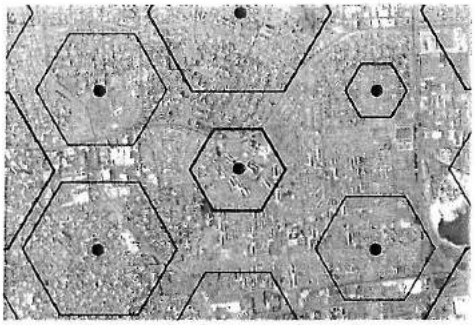


Figure 13 - Coverage decreases due to increase in network users – cell size decreases

As network users increase, the cells shrink which leads to gaps within this network of cells. This leads to dropped calls, weak/ limited signal and the failure to access the latest technologies in communication innovations.

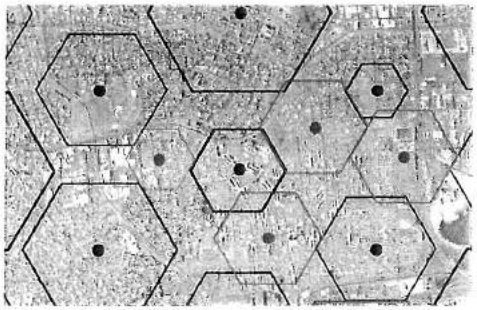


Figure 14 - Additional telecommunication base stations required to fill the gaps

Gaps between cells require new/additional telecommunication base stations to be placed in these gaps to retain good network coverage

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS
Warren Petterson Planning
P.O. Box 152
Century City
7446
T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

Locations for telecommunication infrastructure are primarily chosen within areas where a need exists for coverage (refer to Figure 13). If a need for coverage does not exist in a specific area, no company would invest capital to build a telecommunication base station in the said area. The fact that there are only a few telecommunication base stations in the surrounding area supports the statement that there is a clear need for coverage in the area.

The need for coverage is however not the only determining factor when identifying a possible position for a telecommunication base station. Other determining factors include altitude, zoning and the visual impact of the proposed base station.–Distance away from existing base stations in the surrounding area is also an influencing factor.

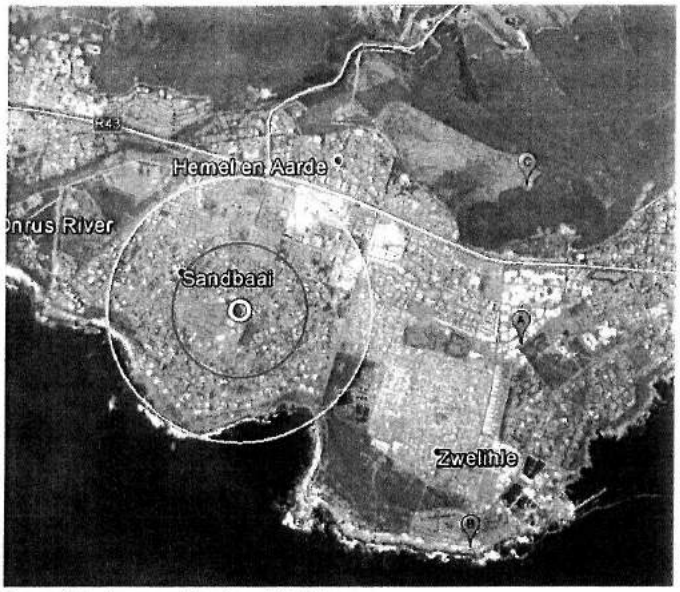


Figure 15 - Surrounding Base Stations

Table 7 - Surrounding Base Stations as alternatives

	FBTS/RBTS	Site location	Distance	Lack of sufficiency
A	FBTS	Steenbras Road, Zwelihle.	+/-2000m Eastern Direction	Failure to provide for the necessary coverage necessity due to distance away from proposed mast
B	FBTS	Church Street	+/-2500m South-Eastern Direction	Failure to provide for the necessary coverage necessity due to distance away from proposed mast
C	FBTS	Unnamed Road	+/-2500m North-Eastern Direction	Failure to provide for the necessary coverage necessity due to topography and distance.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

ANNEXURE B 19/24
T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

Considering the information in Figure 15 and Table 7 the need for the proposed FBTS is clear. Existing TI are not sufficient to provide coverage as the closest BTS is approximately 2000m away from the proposed FBTS.

Alternative sites were considered during the initial stages of the proposal but this option is deemed the most acceptable option in terms of visual impact and based on the requirements of the network providers, contractors and land owner.

Alternative sites considered:

Option 1- Preferred site, in compliance with regulations. Site will be optimally placed to provide signal for the surrounding businesses and commuters utilising Long Street.

Option 2- This options is not viable do to development in planning.

Option 3- Site is in compliance with regulations and policies in order to construct a Cellular Communications Base Station, however the property does not have enough space for a telecommunication Base Station.

Option 4- Site is in compliance with regulations and policies in order to construct a Cellular Communications Base Station, however the property does not have enough space for a telecommunication Base Station.

Option 5- Property is found to be visually unsuitable as it is too visible.

Figure 16 - Alternative candidates in close proximity to the nominal

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

E.2.3. Site characteristics

Special consideration is given to geographical aspects so that each base station is positioned to ensure optimum functionality. This reduces the number of base stations necessary to provide an optimal network. At the same time, special attention is also given to ensure that there is minimal impact on the local, social, physical, natural and visual environments.

This site was selected for several reasons, namely:

- It is situated optimally between planned and existing sites,
- There is a huge demand by cellular users in this area and the surrounding base stations are unable to provide an acceptable level of coverage to the area,
- It is accessible to contractors during construction and maintenance,
- The proposal and location of the base station is the best solution to the coverage problem of the area with the least negative impacts,
- The proposal is secure due to its locality, and
- Most importantly it will serve the complaint area (the area with the lowest levels of cellular reception due to locality and high volumes of users) optimally.

It is important to note that the nature of such development is dependent on a "willing landlord" scenario. The theoretically best position is determined by the radio engineers and the closest properties that adhere to the above guidelines are targeted. Often several properties are targeted before a willing landlord is discovered that terms can be agreed with.

E.2.4. Impact of the building line relaxation

When referring to the Vermont Onrusrivier Zoning Map (2014) it should be noted that the neighbourhood of Sandbaai is mainly utilised for residential purposes ('Residential Zone 1: Single Residential'). Other land uses include Public Open spaces ('Open Space Zone 2: Public Open Space') and Community activities ('Community Zone 1: Community Facilities'). From all the erven in Sandbaai, only two (2) are zoned as 'Business Zone 2: General Business Bulk Zone 2' and is currently used for business uses with limited open space available for a FBTS. Twelve (12) erven are zoned as 'Business Zone 3: Local Business' with the intend to use the sites for local shops and/ or businesses. The subject property falls within these erven zoned as 'Business Zone 3: Local Business'. This site was selected due to its large undeveloped land together with its optimal position between planned and existing sites. Proposing the FBTS in the north-eastern corner of the property is deemed as an appropriate action to maximize the business potential of the said property.

Due to the large amount of undeveloped land, the owners may in future expand their business and practice the rights of the said zoning ('Business Zone 3: Local Business'). Therefore, the placement of the FBTS at its current suggested position will enable the owner to fully practice their right in future,

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS
Warren Petterson Planning
P.O. Box 152
Century City
7446
T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

without losing valuable developable land. In effect, additional properties zoned for business uses may be limited, increasing the amount of land utilised for residential purposes.

Therefore, the placement of the FBTS in the north-eastern corner is not a careless act and was the result of careful consideration by radio-planners, site acquisition specialists and the owners. We therefore believe that the building line encroachment will not have an influence on the surrounding properties.

E.2.5. Impact of the height restriction relaxation

This application strives to limit the amount of Telecommunication Infrastructure by providing an opportunity for various service providers to share the proposed 25m Tree type mast. However, this section of the motivation strives to define the terminology of telecommunication infrastructure involved in this proposed installation according to the City of Cape Town Telecommunication Mast Infrastructure Policy (2015) – *this policy is used due to its thorough nature and may provide great insight over the subject.*

Antennas – *means any system of wires, poles, rods or devices, used for transmission or reception of electromagnetic waves and includes satellite dishes with a diameter exceeding 1.5m. It excludes domestic TV antennas less than 2m in diameter/ height and where the associated antennas mounting structure is less than 3m in length. (TMIP, 2015:02)*

Satellite dish - *means any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shaped as a shallow dish, cone, horn or other and us used to transmit and/ or receive electromagnetic signals. (TMIP, 2015:03)*

Equipment room – *means a structure to house communication equipment associated with Telecommunication equipment associated with Telecommunication Mast Infrastructure. This can be a separate building or container used exclusively for the equipment or it can be a room within a building. (TMIP, 2015:02)*

As noted within the definition of the different main elements of the proposed mast, it should be noted that **no surveillance cameras** are permitted or included within any Telecommunication Mast Infrastructure. Therefore, the mast itself will have no infringement on the privacy of any surrounding properties.

In terms of maintenance, masts such as the proposed FBTS is serviced not more than once every six (6) months. This service is mainly conducted within the ground level equipment containers. In the unlikely event of dishes and/or antennae to be moved or replaced, a skilled specialist will access the infrastructure via the proposed platform. Taking in account the minimum amount of maintenance and/ or emergency visits, the possible infringement of privacy is extremely insignificant.

Therefore, the impact of the height encroachment is deemed to have limited to no effect on surrounding properties and land uses. This FBTS will create the opportunity for various service providers to co-locate as no other structures in the vicinity exist with the similar height in order to provide sufficient voice and data coverage. Kindly refer to the following section on the visual impact of the proposed installation and the manner in which the mast will be mitigated.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

E.2.6. Visual Impact

The proposed FBTS will create an opportunity for other service providers to co-locate, as other structures of this height do not exist in this area.

The impact of the site, proposed at the minimal height of 25m mitigated as a tree within the residential nature of the area.

In addition, the proposed equipment and mast will be colour coded (painted green) to match the backdrop to further mitigate the visual impact and ultimately blend in with its surroundings.

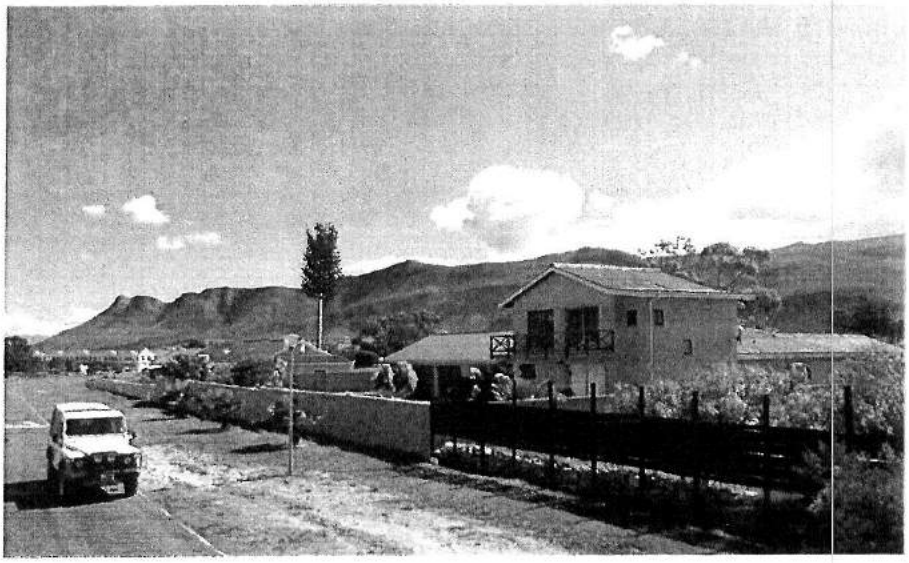


Figure 17 – Superimposition from the east of the proposed FBTS

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

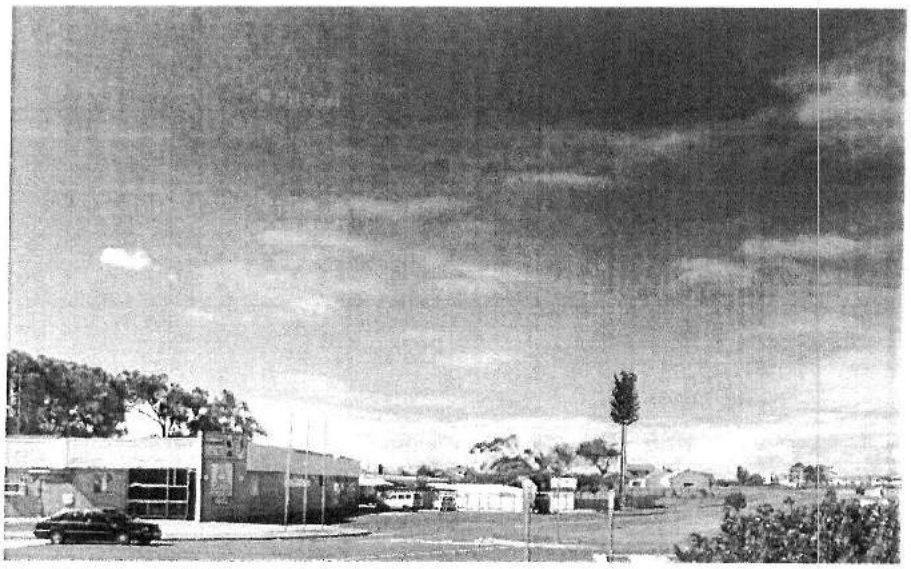


Figure 18 – Superimposition from the West of the proposed FBTS

Illustrated in Figure 16 and 17 are superimpositions of the proposed FBTS which indicates that the mast. Which will neatly blend in with the surrounding environment.

E.2.7. Health concerns

There has been increasing public concern about health risks associated with cellular communication. Current scientific research is yet to produce conclusive evidence suggesting adverse health effects associated with, working with or living close to cellular technology. Although antennae and base stations emit radio waves, their frequency is not considered high enough to pose a health risk. Antennae mounted on towers, masts or any other structures are usually substantially elevated above ground level, and as radio waves are emitted at this level thereby further reducing the amount of radiation at ground level. Furthermore, regular tests regarding the compliance to safety regulations add to reducing the health risk factor.

South Africa's Department of Health has published EMF exposure limit guidelines. These are based on guidelines endorsed by the ICNIRP (International Commission on Non-Ionising Radiation Protection), an independent scientific organization established in 1992. Emissions from the base stations and antennae comply with these guidelines.

In a statement made by the Department of Health dated 14 October 2011 on the Health Effects of base stations states the following (see attached Annexure G):

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

"The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as height of the mast, distance to the mast, and duration of exposure."

There are no conclusive studies linking emissions at these levels to any health effects and scientific research that may reveal such a link is ongoing. The steps taken by the cellular communication companies to ensure the safety of the public against any possible harmful emissions, along with the above facts, concerns about health issues can be allayed.

SECTION F: CONCLUSION

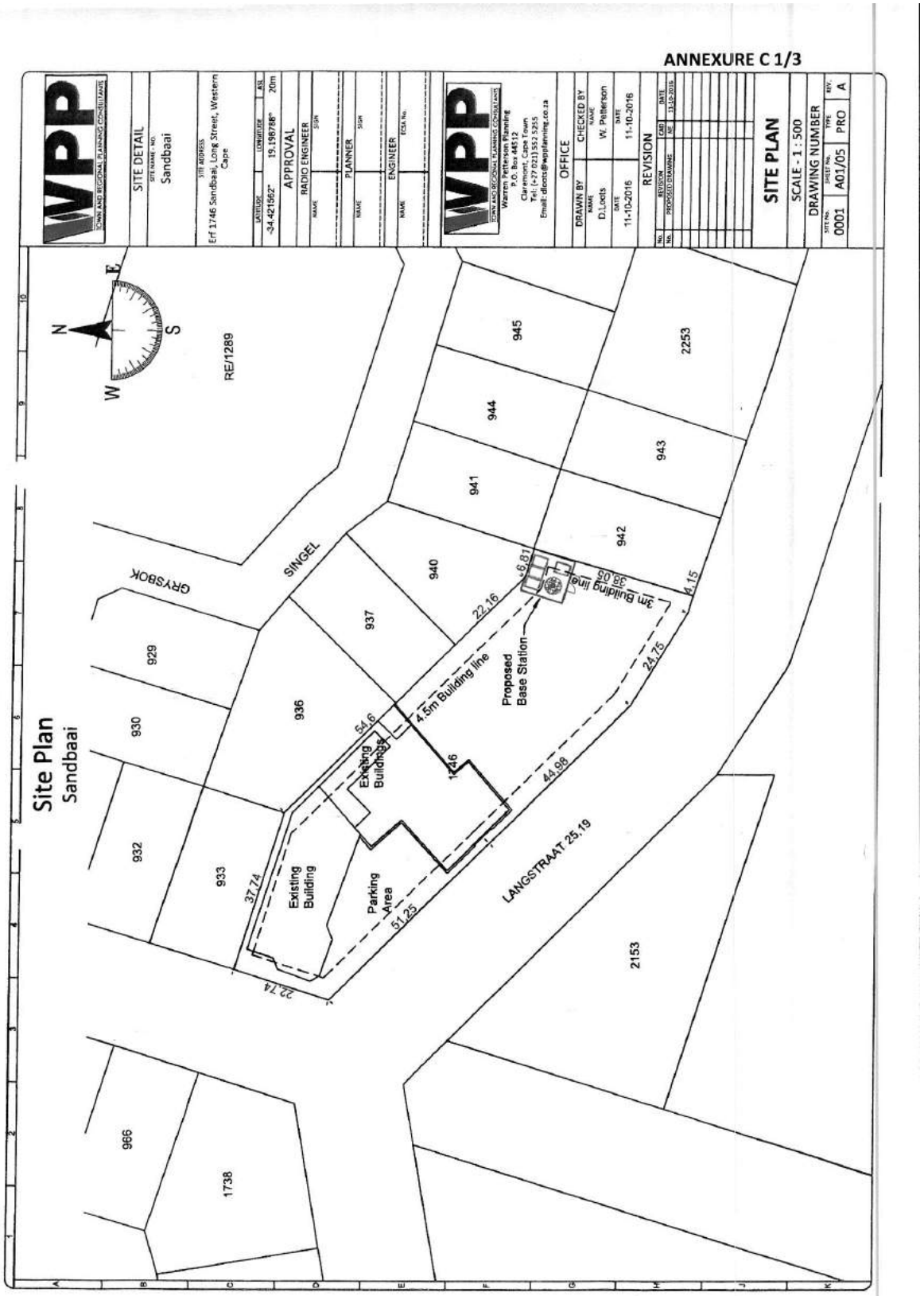
We would like to emphasise the positive contribution this base station will have on the immediate area of Erf 1746, Sandbaai, Hermanus as well as the surrounding community and passing commuters:

- Most households in the surrounding area depend on the services of the cellular telecommunications providers, including internet and social networking media (Facebook, Twitter etc.). With such a high demand for their products, it follows that service providers are responsible for supplying a high level of network coverage.
- Kindly note that the residents in the area are not the only ones being provided with these services. Visitors to the area, businesses and daily commuters will benefit by having access to improved communication facilities.
- Mobile communication has become an important safety and security element in modern society. In an emergency, such as housebreaking, medical alert or fire, a member of a household can quickly and easily contact the emergency services for help. However, if the coverage of mobile service providers' is poor, then contacting emergency services becomes a difficult task.

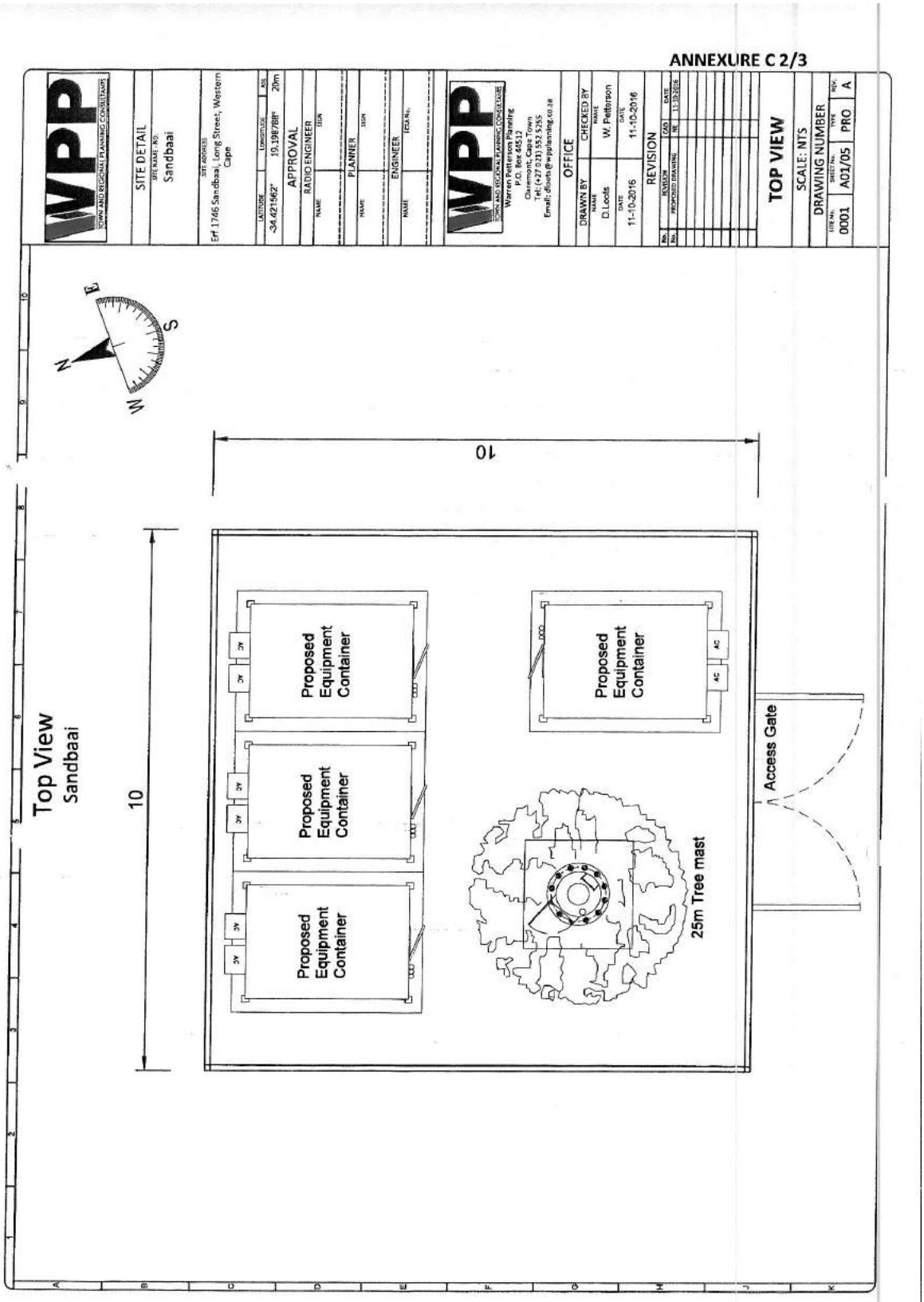
Finally, we would like to emphasize that communications companies deliver an important service to the wider public, and in terms of their license with ICASA they have to meet certain standards in order to retain their licenses. One of these standards is to supply adequate network coverage to their demanding customers. The proposal also allows for all other service providers to share this installation and refrain from constructing another base station in this area.

Please notify us should any additional information be required. We look forward to your positive consideration of this application.

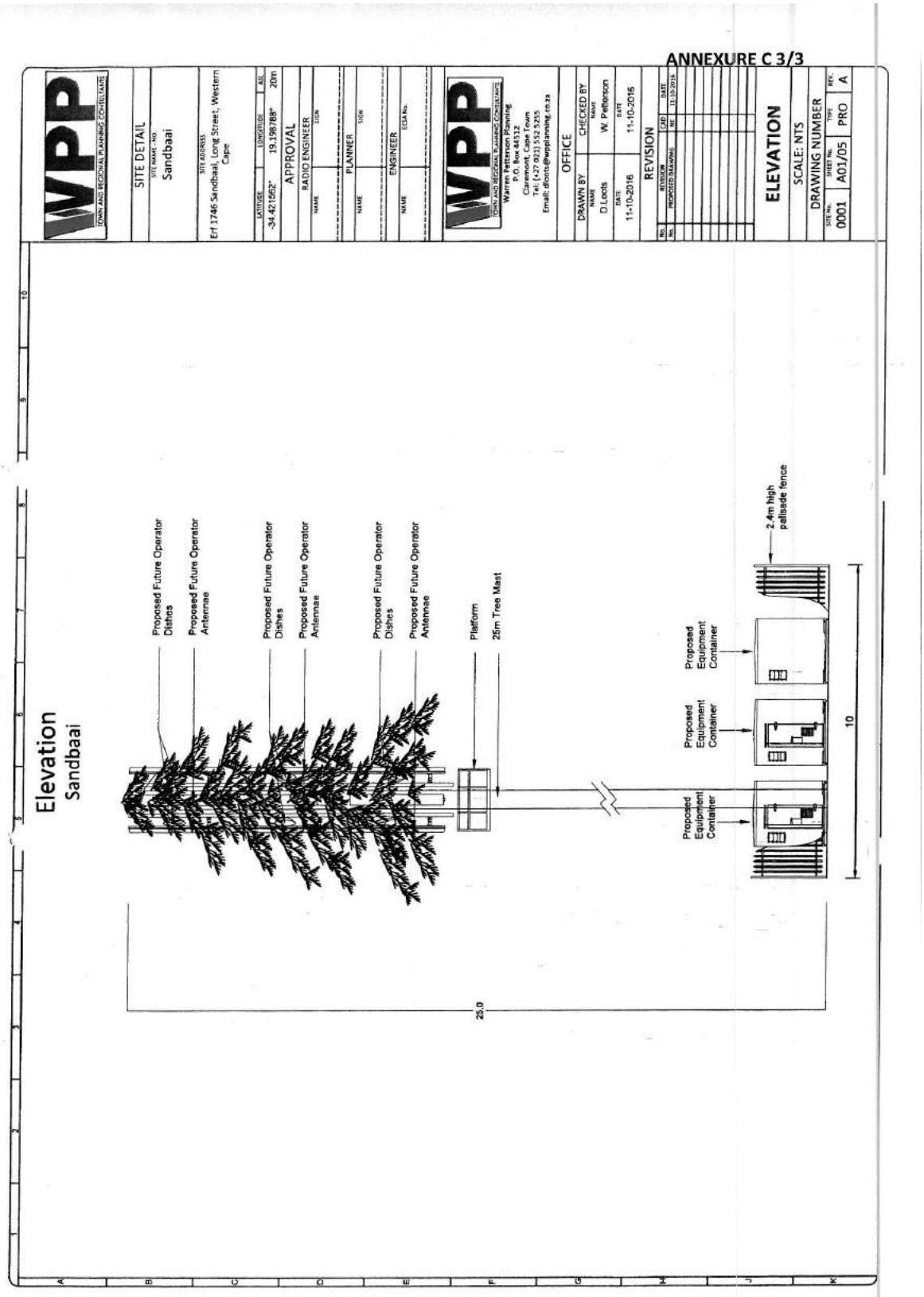
ANNEXURE C 1/3



ANNEXURE C 2/3



ANNEXURE C 3/3



ANNEXURE D 1/6

OVERSTRAND MUNISIPALITEIT
26 OCT 2017
OVERSTRAND MUNICIPALITY

Jimmy Smith Straat 10
Sandbaai
7200

Erf 280
26-10-2017

TP- A Theart
(H Boshoff)

Vir aandag Mnr Boshoff:

Die Munisipale Bestuurder
Overstrand Munisipaliteit
Posbus 20
Hermanus

Geagte Mnr

IS ERF 1746, Hoek van Hoofweg en Langstraat, Sandbaai:
Aansoek om vergunningsgebruik en afwykings. Munisipale Kennisgewing NR. 132/ 2017

Ek teken beswaar aan teen bogemelde aansoek vir transmissietoring asook vir die afwyking.

'n Aansoek om 'n vergunnings gebruik vir 'n transmissietoring waarvoor slegs 15 M toegelaat is, is op my perseel erf 280, Jimmy Smith Straat gedoen, wat 'n geruime tyd geneem het om aftehandel.
'n Impakstudie is gedoen en ministeriële goedkeuring is verkry.
Nogtans is die aansoek afgekeur met die hoofrede dat daar nog nie'n beleid in plek is aangaande transmissie torings nie.
Sien afskrif van aangehegde brief rakende die besluit.
Graag wil ek dus verneem of daar nou 'n beleid in plek gestel is en wat die beleid behels.
Die toring waarvoor nou aansoek gedoen word is op 'n baie sensitiewe area, n.l naby 2 speelskole asook feitlik in die middel van die dorp. Waarde van omliggende eiendomme sal beslis geraak word.
Dit gaan 'n oogseer wees.
Ek wil graag voorstel dat transmissietoring liewer uit die dorpsgebied gehou word en op hoogliggende gebiede opgerig word.
Indien die aansoek wel goedgekeur sou word, sal dit dan nie neerkom op bevooregting van die een aansoek bo die ander nie, wat geld vir die een moet geld vir die ander ook.
Aangeheg is 'n lys van 'n aantal inwoners wat gekant is teen die voorgestelde toring en beswaar daarteen aan teken.

~~Die Uwe~~

JA Swanepoel
Eienaar Erf 280
Jimmy Smith Straat 10
Sandbaai

FILE NO: 6L 1746 -HSB
SCAN NO:
COLLABORATOR NO: 094713

ANNEXURE D 2/6

ATT: JAN SWANEPOEL x 2
086 275 9672

Munisipaliteit • U-Masipala • Municipality
OVERSTRAND

Navrae:
Enquiries: H Olivier (Town Planner)

Verwysing:
File Reference: 280 HSB (3075)

Datum:
Date: 10 April 2017

TOWN PLANNING / STADSBEPLANNING
HERMANUS

Highwave Consultants Pty Ltd
Mr. P. Pretorius
25 Huguenot Way
Oakwood, Pinehurst
DURBANVILLE
7550

REGISTERED MAIL

Dear Sirs

ERF 280, 10 JIMMY SMITH STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE AND DEPARTURE : MESSRS HIGHWAVE CONSULTANTS (PTY) LTD ON BEHALF OF JA SWANEPOEL

With reference to your application regarding the above dated 6 October 2015, it is hereby confirmed that the matter was considered by the Mayoral Committee during a meeting held on 29 March 2017, and that it was resolved as follows:

RESOLVED:

*"1. that the application for Consent Use **not be approved**; and*

2. that a policy to guide applications for mobile phone facilities be developed for consideration by Council."

Your attention is therefore drawn to your right of appeal to the Overstrand Municipality in terms of Section 62 of the Act on Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) within 21 days of date of registration of this letter. It needs to be noted, however, that the Council has resolved that all appeals in terms of Section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) must be accompanied with a deposit of R2700.00, which deposit is refundable in total should the appeal be upheld.

Yours faithfully

pp
S MULLER
DIRECTOR : INFRASTRUCTURE & PLANNING

Tel: 028 313 8900
Fax: 028 313 2093
E-mail : loretta@overstrand.gov.za

PO Box 20 / Posbus 20
HERMANUS
7200

ANNEXURE D 3/6

4.

ERF 280, 10 JIMMY SMITH STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE AND DEPARTURE : MESSRS HIGHWAVE CONSULTANTS (PTY) LTD ON BEHALF OF JA SWANEPOEL

280 HSB (3075)
H Olivier **(028) 313 8900** **Hermanus Administration**
30 December 2016

EXECUTIVE SUMMARY

An application has been received on 6 October 2015 from Messrs Highwave Consultants (Pty) Ltd on behalf of the property owner, JA Swanepoel, on Erf 280, Sandbaai for a consent use in order to erect a 15m high camouflaged transmission tower on the property concerned.

Application is also made for a departure to relax the 8,5m height restriction to 15m to accommodate the transmission tower.

RESOLVED:

1. that the application for Consent Use **not be approved**; and

2. that a policy to guide applications for mobile phone facilities be developed for consideration by Council.

RESPONSIBLE OFFICIAL : **H OLIVIER**

TARGET DATE FOR IMPLEMENTATION : **12 APRIL 2017**

TARGET DATE TO INFORM APPLICANT : **12 APRIL 2017**

TARGET DATE TO INFORM OBJECTORS : **12 APRIL 2017**

ANNEXURE D 4/6

ERF 1746, HOEK VAN HOOFWEG EN LANGSTRAAT SANDBAAI:
AANSOEK OM VERGUNNINGS GEBRUIK EN AFWYKINGS TEN EINDE 'N 25 M TRANSMISSIE TORING OP BOGEMELD ERF OP TE RIG.

Hiermee wil die ondergetekenes, inwoners van Sandbaai hul teenkanting teen die oprigting van bogemelde toring ten sterktste uitspreek en wel om d e volgende redes:
Moontlike gesondheidsgevare veral vir die kinders var die twee speelskole naby die voorgestelde toring en waardevermindering van eiendom veral in d e onmiddelike omgewing. Die voorgestelde transmissie toring kan eerder in 'n hoogliggende gebied buite die dorp opgerig word, en nie byna in die hoofstraat in die middel van die Sandbaai nie. Dit sal 'n seeroog wees.

NAAM	ADRESS	HANDTEKENING
Sanet Bothma	Hoofweg 142, Sandbaai	
S. Swanepoel	43 Jimmy Smit Sandb	
D. SWANEPOEL	17	
S. LYSSEN	HOOF WEG SANDBAAI	
Carla Agenbag	Flat C, 10 Jimmy Smith Str	
Marais Kotzé	Jan Van Riebeecksingel 11	
J.A. Swanepoel	39 Jan van Riebeeck Zingel	
A. SWANEPOEL	PATRYSSINGEL 6, SANDBAAI	
B Peterson	63 Long Street Sandbaai	
T. ROBERTS	8 DE VILLIERS SBAAI	
M ADAMS	14 LOUIS RICHARDT	

ANNEXURE D 5/6

OVERSTRAND MUNISIPALITEIT
31 OCT 2017
OVERSTRAND MUNICIPALITY

Erf 937
WJ Beukes
6 Grysbok Crescent
Sandbaai
7200

27 October 2017

To: Mr. H Boshoff, Town Planning
Overberg Municipality

TP - A Theart
(H. Boshoff)

Re: **Objection to the erection of a Transition Tower and Objection to departures of height and building line restrictions on erf 1746.**

Dear Sir / Madam

The property I own and reside in shares its boundary wall with erf 1746. I am objecting to their proposal for the following reasons:

- **Negatively Effects Property Value:** Properties that are close to such towers are know to have a decrease in property value of as much as 20%. There is a large scale Crèche and Wine-sales operating from this same erf that is already making my property less desirable.

- **Health Concerns:** No proof exists that these towers do not cause harm to humans. There is a mall space and 2 industrial areas nearby, surely these are better options!
  Nowhere is there mention of the crèche with its150 children on this same erf. To go on what our Department of Health said more than 6 years ago is insane, and this department has an already questionable reputation.
  Is the health of the residents, children and elderly of Sandbaai worth the gamble?

- **My rights:** Currently we choose to limit our connectivity, wirelessness, etc in our home. We are not convinced of these being as safe as they claim to be. With a tower we will have no choice but to be surrounded by these radio waves 24 hours a day. How can you enjoy being home when you feel you are being poisoned by the neighboring tower?

- **Bad track record:** If the building lines and height restrictions are removed there will be nothing restricting the owners in future developments.
  The existing shop and some of the classrooms are not adhering to this 4,5m restriction. This is clearly seen in the diagram they supplied titled "Site Plan".
  Without restrictions we may land up with a skyscraper on the building lines and be able to do nothing about it. Based on previous encounters involving this erf, one must expect the unexpected.

Please note that although the proposal mentions there was already a tower on this property, it is important to know that it had been erected illegally/ without the correct process having being followed.

I would appreciate it if the council could reject this application for the erection of a Transition Tower on erf 1746, along with the departures requested. This is not the only, nor the best location for a tower.

Kind regards

Willem Beukes
Cell: 082 765 1095

FILE NO: EL 1746 Sandbaai
SCAN NO:
COLLABORATOR NO: 1096461

TP 31 OCT 2017

ANNEXURE D 6/6

TRA Theart
CH Olivier

Re: Erf 1746 Sandbaai

OVERSTRAND MUNISIPALITEIT
03 NOV 2017
OVERSTRAND MUNICIPALITY

J.A. Swanepoel

39 Jan van Riebeeck Cresent Sandbaai, Erf 1012

0846308275, [illegible]

Overstrand Munisipal Manager Hermanus- Munisipal [illegible]

Dear Sir

I received a notice about the above proposed Departures etc on Erf 1746 Sandbaai.

I want to object to any of this as I think it will have a negative effect on the property value of the area and I see no value this will bring to the immediate area. I have had no problems with cellular reception whatsoever and this seems to be the only value this can bring. I think the other areas identified would be better suited for this tower. Its also my opinion that it might be more difficult to sell my property with such a tower in the immediate area as there is a stigma attached to cellular towers and health issues although it cant be proved.

If you have any questions or wish to contact me please email me on [illegible]

Regards

Jan Swanepoel

FILE NO:	Erf 1746 Sandbaai
SCAN NO:	
COLLABORATOR NO:	1098045

TP 3 NOV 2017

ANNEXURE E 1/10

TP A Thoo
CH Boshoff

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

Director: Infrastructure & Planning
Overstrand Municipality
Town planning Department
16 Patterson Street
Hermanus
7200

OVERSTRAND MUNISIPALITEIT
24 NOV 2017
OVERSTRAND MUNICIPALITY

FILE NO: EC 1746
HSB
SCAN NO:
24 November 2017
COLLABORATOR NO:
1105869

Attention: S Müller

Dear Sir

RESPONSE TO OBJECTIONS RECEIVED ON THE APPLICATION FOR LOCAL AUTHORITY CONSENT USE, HEIGHT RESTRICTION RELAXATION AND TWO (2) BUILDING LINE DEPARTURES APPLICATIONS FOR FREESTANDING CELLULAR COMMUNICATIONS BASE STATION ON ERF 1746, SANDBAAI, HERMANUS.

Your letter dated 16 November 2017 refers.

During the public participation process of this application, three (3) letters/emails of objection were received from the surrounding property owners with one (1) letter including a petition list with eleven (11) signatures. No negative comments/ objections were received by any internal departments of the Overstrand Municipality.

The Overstrand Municipality Integrated Zoning Scheme (2013) specifically makes provision for freestanding installations on business zoned properties (Subject property zoning: 'Business Zone 3: Local Business') by means of Council's Consent. This is one (1) of only fourteen (14) properties earmarked for business activities in the Sandbaai area (Erven 497, 426, 427, 428, 431, 280, 283, 284, 1624, 1570, 962, 1738, 1739 and **1746**) with sufficient available space for such an installation. We believe this proposed development will be greatly beneficial for the inhabitants of Sandbaai – which includes local businesses, holidaymakers and residents – as well as surrounding communities and commuters. This benefit relates to the fact that an improvement will be experienced in terms of network provision and coverage. In its end, this will enhance the level of health and safety (accessibility to emergency services e.g. ambulances, police, fire department etc.), social interaction (accessibility to social media e.g. Facebook, Instagram, Snapchat etc.) and economic efficiency (accessibility of businesses and individuals to faster, efficient and reliable internet and communication connectivity). This mast will provide infrastructure for 2-3 service providers (e.g. Cell C, Vodacom and/or MTN). As Sandbaai is a tourist attractive destination, the load on voice and data coverage over the festive and holiday season is extremely high. This results in increasingly high numbers of dropped calls and limited data coverage (e.g. failure of WhatsApp messages and other social media applications including Facebook, to operate properly).

In light of this, we feel that each application should be evaluated according to its individual merit. Therefore, we are of the opinion that this application should be approved based on the proposed mitigation measures for the cellular base station illustrated in this letter.

The main concern raised by the objectors relates to (i) *health*, (ii) *visual impact*, (iii) *property value*, and (iv) *permanent departures*. We have addressed these concerns in the writing below.

TP 24 NOV 17

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

INTRODUCTION

The use of cellular mobile telephones, computers, tablets etc. among the public in South Africa has become a necessity, widely accepted and frequently utilised. The distribution of users is not limited in the urban area but also spread across the country with variation in density. This include holiday settings such as Hermanus and surrounding towns in the Overstrand Municipality.

Modern mobile telecommunication is based on a cellular system (refer to figures 1-3). Each cell is covered by a base station that keeps track of the mobile phones within its range, connects them to the telephone network and handles carry-over to the next base station if a customer is leaving the coverage area (Figure 1). Early mobile telecommunication systems had very large cells with tens of kilometres radius and were predominantly located along highways due to offering service mainly for car-phones. With the introduction of digital mobile phone systems cell sizes got much smaller and base stations were established in densely populated areas (Figure 3). The limited power of mobile phones made it necessary to reduce the distance to the customers. The cell size depends on (1) the radiation distance of the mobile phone; (2) the average number of connected calls; (3) the topographic characteristics of the covered area and the surrounding buildings, vegetation and other shielding objects; and (4) the type of antenna used.

The current roll out of telecommunication infrastructure by cellular network providers is undertaken to upgrade and improve network coverage and quality to all customers. Telecommunication networks experience peak demand in the evenings between 17:00 and 23:00. This is because during these times people are at their homes and use internet intensive devices. Thus, a large portion of the network upgrade is aimed at residential areas. Business and other activity areas have been prioritised over the past 20 years for commercial reasons and given the fact that legislation and policies steered proposals of this nature, towards non-residential areas.

When choosing a site for a telecommunication base station, service providers are guided by nominal points indicating the areas where poor signal is being experienced.

CHOICE OF SITE

These nominal points are selected because of an increase of customer complaints, within an area. When there is an increase in the number of users in an area. The coverage provided by the existing network decreases, leading to dropped calls and lack of data services. Figures 1-3 strive to explain how the need for an increase in cellular infrastructure evolves in a typical urban area.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

Cellular infrastructure explained:

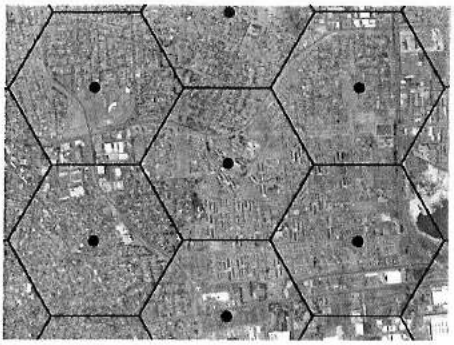


Figure 1 - Initial coverage (cell) provided by Telecommunication Base Stations

Figure 1 is an illustration of optimum network and data coverage. This is explained by envisioning the octagonal shape of a honeycomb (cells).

As network users increase, the cells shrink which leads to gaps within this network of cells. This leads to dropped calls, weak/ limited signal and the failure to access the latest technologies in communication innovations.

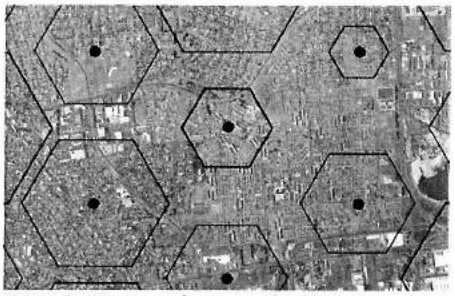


Figure 2 - Coverage decreases due to increase in network users – cell size decreases

Gaps between cells require new/additional telecommunication base stations to be placed in these gaps to retain good network coverage

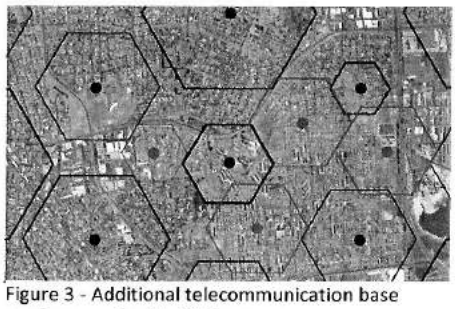


Figure 3 - Additional telecommunication base stations required to fill the gaps

Locations for telecommunication infrastructure are primarily chosen within areas where a need exists for coverage (refer to Figure 2). If a need for coverage does not exist in a specific area, no company would invest capital to build a telecommunication base station in the said area. The fact that there are only a few telecommunication base stations in the surrounding area supports the statement that there is a clear need for coverage in the area.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

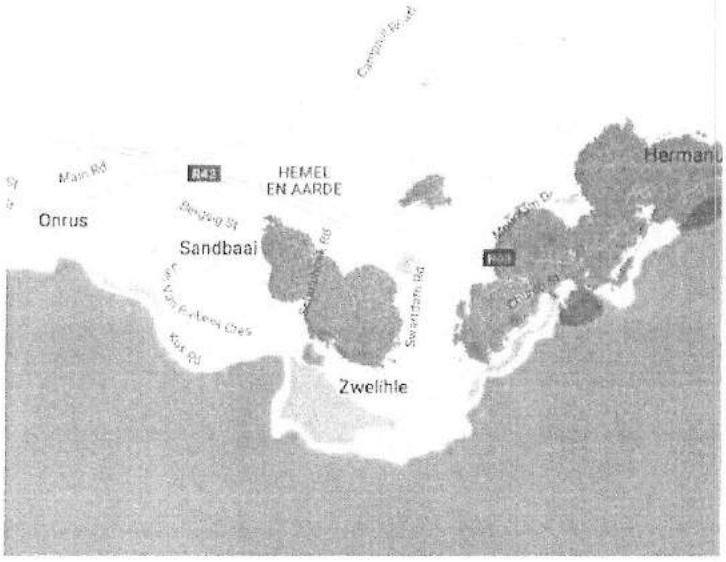


Figure 4 – Cell C LTE coverage in Sandbaai (Refer to the website https://www.cellc.co.za/cellc/coverage-map for coverage maps)

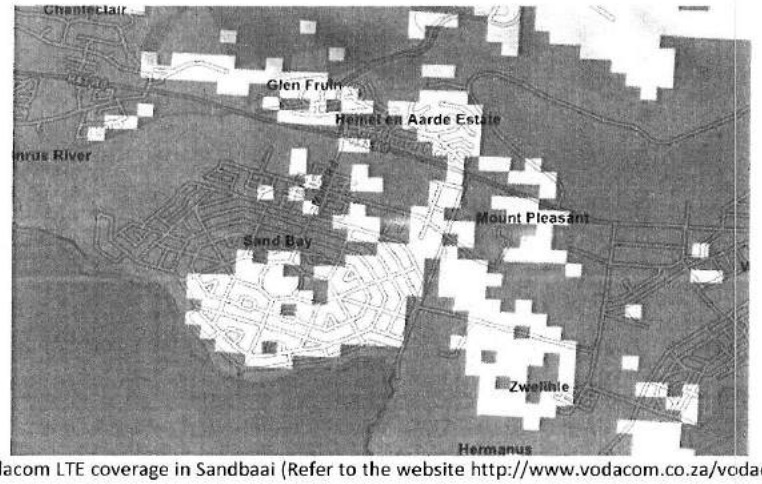


Figure 5 – Vodacom LTE coverage in Sandbaai (Refer to the website http://www.vodacom.co.za/vodacom/coverage-map for coverage maps)

Figures 4 and 5 illustrates the current coverage in Sandbaai, Hermanus for two service providers (Cell C and Vodacom). It should be noted that some areas have very limited LTE, LTE Advanced, Fixed LTE coverage. Therefore, a FBTS as proposed in this application will increase the amount of coverage in this area

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

The objectors questioned why the mast cannot be relocated to the outskirts of Sandbaai or highlands outside the town. However, relocating the mast to this area will not provide sufficient LTE and 4G coverage (refer to Figures 1-5) for the area of Sandbaai, (the target area) which include local businesses, residents and a large influx of holidaymakers over festive and holiday seasons. Due to a potential growth in population caused by current and future development, repositioning the base station to another location, as suggested, the efficiency of the mast declines. The mast will fill a larger gap in the network at its proposed position – please refer to section (ii) *Visual Impact*, which will discuss the manner in which the mast will be mitigated.

(I) HEALTH

Recent development shown the concerned among the public related to the health effect of RF radiation emitting from the Freestanding Base Telecommunication Station (FBTS). This is obvious from the frequent report in the newspaper and the electronics media concerning the complaint of residence nearby FBTSs. As results, the telecommunication company has faced many problems and protest from the public in the installation of new FBTS.

Along with popularity of mobile telephones and other devices, the increase in number of FBTSs installations in the country provide better coverage services to consumer have raised anxiety to the general public about whether it have an adverse effect on human health. They are generally perceived as hazardous because of the radiation they produced. Misconceptions are held by the general public in South Africa about the radiation (non-ionising radiation) of the electromagnetic waves used for telecommunications especially from FBTSs. This perception has often led to public opposition on the construction and existence of these facilities in many parts of the country. The general public often misunderstand the concept that non-ionizing radiation (produced by the FBTS) can cause cancer and other health related issues. Although both forms of energy are correctly called radiation, their biological effects are vastly different. Half-true or inaccurate information written in web sites, newspaper and circulated materials by some groups of people with vested interest has caused a lot of opposition by public on the development of telecommunication infrastructures.

Current research on telecommunications base stations has reached a point whereby scientists are satisfied that the base stations do not pose a health threat. Research on handsets is however ongoing, as it is deemed that placing the handset against your head could pose a greater threat to health. Mobile phones are low powered radiofrequency transmitters. They operate at frequencies between 450 and 2700 MHz. The handset only transmits power when turned on. Using the phone in areas of good reception decreases exposure as it allows the phone to transmit at reduced power.

In a statement made by the World Health Organisation (WHO) it is stated that effects from base stations and wireless networks are so low that the temperature increases are insignificant and do not affect human or animal health.

The WHO in 2004 said:

> *"In the area of biological effects and medical applications of non-ionizing radiation approximately 25,000 articles have been published over the past 30 years. Despite the feeling of some people that more research*

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

needs to be done, scientific knowledge in this area is now more extensive than for most chemicals. Based on a recent in-depth review of the scientific literature, the WHO concluded that current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields." – World Health Organization (WHO) – website: *http://www.who.int/peh-emf/research/database/en/*

Radio waves are emitted by numerous instruments including microwave ovens and television screens inside our households. Walking along any street exposes us to RF emissions. RF emissions are part of modern day society and scientists continuously monitor the impacts of these.

ICNIRP (International Commission on Non-Ionizing Radiation Protection), an independent scientific organization established in 1992 published guidelines providing a means of limiting and guiding human exposure to electromagnetic fields. These guidelines have become the world standard for human exposure to electromagnetic fields. ICNIRP considers both the thermal and non-thermal effects of RF exposures as well as all other identified hazards of RF exposure. Cellular equipment needs to comply with all the regulations of ICNIRP as well as the WHO and also National Legislation governing the use of this equipment and the emissions of radio waves. Cellular companies monitor the health impact of their base stations carefully, and spend large sums of money researching this topic annually.

South Africa's Department of Health has also published EMF exposure limit guidelines. These are based on guidelines endorsed by the ICNIRP. Emissions from all existing and proposed base stations are in compliance with these guidelines and are far below international standards.

A statement made by the Department of Health dated 23 June 2015 on the Health Effects of cellular communications base stations states the following (see letter attached in application):

" Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects".

Also mentioned in the statement of the Department of Health another WHO fact sheet was published in June 2011 and reviewed in October 2014 (i.e. *Electromagnetic fields and public health: mobile phones* viewable online at http://www.who.int/mediacentre/factsheets/fs193/en/) and subsequently concluded the following:

"A large number of studies have been performed over the last two decades to assess whether mobile phones pose a potential health risk. To date, no adverse health effects have been established as being caused by mobile phone use."

Further on in the document (attached in application), the Department of Health goes on to say that:

"The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as distance to the mast, duration of exposure, height of the mast, etc."

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

Furthermore, a test done by the City's Department: City Health – Specialised Services at a similar installation in Camps Bay proved that emissions from base stations are a mere fraction of a percentage point of the ICNIRP guideline. The test was also conducted by EMSS, a private company specialising in this RF emission testing. This study as an example is available on request. The City of Cape Town is more than welcome to take its own readings once the cellular communications infrastructure is operational.

We are therefore of the opinion that all health aspects regarding the proposed base station were taken into consideration and that this proposal will not be in violation of any individual's constitutional right to an environment that is not harmful to their health or general wellbeing.

A condition may be included in the approval stating that should it be proven that there are negative health effects from base stations (in accordance with specific guidelines), and this base station falls within those guidelines, it will be rectified or if not possible, be decommissioned.

(II) VISUAL IMPACT

The visual impact of the proposed base station is argued to be acceptable and every possible measure has been implemented to mitigate the visual impact of the proposed base station. The height of the mast was proposed as 25 meters, however, **this mast may be lowered to 21 metres**, the lowest possible height at this point that the antennae can still provide sufficient coverage to the complaint area.

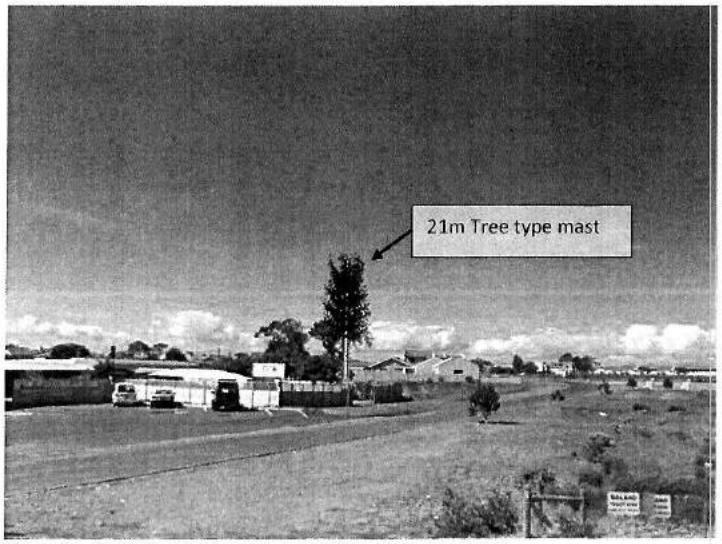


Figure 6 – Superimposition: Proposed 21m Tree type mast

A tree mast design (Figure 6) was chosen for the proposed base station as it is deemed more acceptable within an urban environment. The complaint area is characterized by low rising buildings and there are no tall structures that

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

could support the proposed infrastructure in order to serve the complaint area effectively. We are of the opinion that erecting a single tree mast at the proposed location is the most desirable option.

Alternative mast designs may be considered as illustrated in Figures 7 and 8:

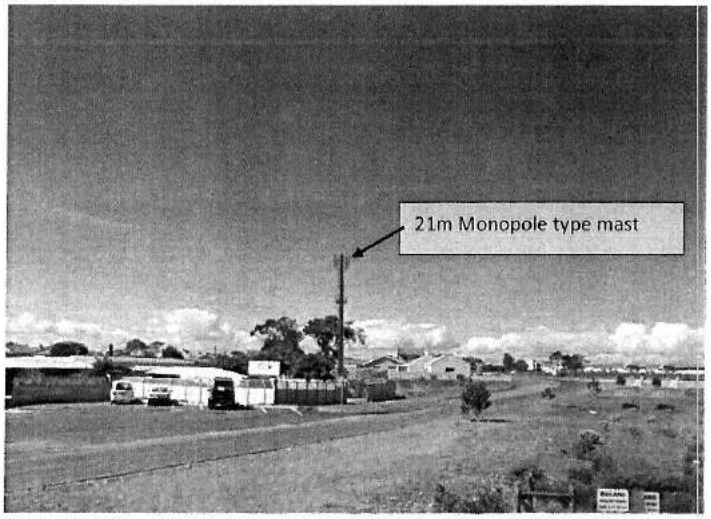


Figure 7 – Superimposition: 21m Green Monopole (Alternative Design)

Figure 8 – Superimposition: 21m Lattice mast (Alternative Design)

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

Placing the mast in any other location would mean that more masts would be required to cover the complaint area. In addition, the equipment and other infrastructure can be painted a suitable colour in order to further mitigate the base station and ultimately blend in with its surroundings. The visual impact of the proposed base station is argued to be acceptable because of the fact that every possible mitigating measure has been implemented. (Please refer to Figure 6 - superimposition).

(III) PROPERTY VALUE

Concerns further relate to nearby property values being negatively affected. There is no evidence suggesting that base stations reduce the property values in any given area. If anything, value will be added by improved communication and subsequent virtual accessibility and safety in an area. Properties throughout the Western Cape have been enjoying above expected value increases.

In areas of visual sensitivity such as the property in question, the adoption of a visually appealing solution is crucial. Therefore, the proposed mast is suggested as a 21m 'Tree type' in order to better blend in with the surrounding environment.

We believe that this mast will contribute to the socio-economic environment, as sufficient mobile coverage (voice- and data) will allow for businesses, residents and seasonal holidaymakers to have enhanced access to faster, efficient and reliable internet and communication connectivity. Efficient internet connectivity and mobile coverage will therefore benefit surrounding properties rather than negatively impact.

(IV) PERMANENT DEPARTURES

Objectors questioned the reason of the permanent regulation departures which include the relaxation of the side building line from 3m to 0.0m, relaxation of the rear building line from 4.5m to 0.0m and the relaxation of the height restriction from 8.5m to 25.0m (Please note that the height restriction will now be from 8.5m to 21.0m).

These permanent departures are only relevant for this specific application in order to allow for the installation of a FBTS. The shop and other buildings/ land uses were built on previous building plan approval(s). Therefore, this application holds no connection with any other land use approvals on Erf 1746, Sandbaai, Hermanus.

A condition may be included in the approval letter stating that the departures may only be allowed for this particular development and not for any other future development on the property.

WPP
TOWN AND REGIONAL PLANNING CONSULTANTS

Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: (086) 537 9187
C: (084) 551 0045
E: wessel@wpplanning.co.za

CONCLUSION

We would like to emphasise the positive contribution this base station will have on the immediate area of Sandbaai, Hermanus as well as the surrounding community:

- Most households in the surrounding area depend on the services of the cellular telecommunications providers, including internet and social networking media (Facebook, Twitter etc.). With such a high demand for their products, it follows that service providers are responsible for supplying a high level of network coverage.
- Please note that the residents in the area are not the only ones being provided with these services. Visitors to the area, businesses and daily commuters will benefit by having access to improved communication facilities.
- Mobile communication has become an important safety and security element in modern society. In an emergency, such as housebreaking, medical alert or fire, a member of a household can quickly and easily contact the emergency services for help. However, if the coverage of mobile service providers' is poor, then contacting emergency services becomes a difficult task.

Finally, we would like to emphasize that communications companies deliver an important service to the wider public, and in terms of their license with ICASA they have to meet certain standards in order to retain their licenses. One of these standards is to supply adequate network coverage to their demanding customers. The proposal also allows for all other service providers to share this installation and refrain from constructing another base station in this area.

Please notify us should any additional information be required. We look forward to your positive consideration of this application.

Kind regards,

Wessel Strydom
Pr. Pln. A/2514/2017

ANNEXURE F 1/4

OVERSTRAND MUNISIPALITEIT
10 NOV 2017
OVERSTRAND MUNICIPALITY

open serve

FILE NO: EL 1746
Sandbaai
SCAN NO:
COLLABORATOR NO: 1100711

TP-ATheart (H olivier)

Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404

Candice Spamme
Tel: 021 414 5582
Fax: 086 480 0617
Email: spammec1@telkom.co.za

Our Ref.: WWIP_WHMN3714_17
Your Ref.: 1746 HSB 3523

10 November 2017

Attention: S Muller

Overstrand Municipality
HERMANUS

WAYLEAVE: PROPOSED CONSENT USE AND DEPARTURES – ERF 1746, MAIN ROAD, SANDBAAI

With reference to your application received **September 2017**.

I hereby inform you that Open Serve approves the proposed work indicated on your drawing in principle. This approval is valid for 12 months only, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

As per sketch attached, Open Serve infrastructure **will be affected**, consequently the conditions below and on the attached legend will apply.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

MUNISIPALITEIT OVERSTRAND
10 NOV 2017
TOWN PLANNING
U-MASOPALA ★ MUNICIPALITY

61 Oak Avenue, Highveld, Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001

ANNEXURE F 2/4

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

As important cables are affected, please contact our representative Frederik Swart at telephone number 028 514 1199 / 081 363 7815 / FrederikS@openserve.co.za at least 48 hours prior of commencement on construction work.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Open Serve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

Yours faithfully

pp

Selwyn Bowers
Operations Manager
Wayleave Management: Western Region

ANNEXURE F 3/4

This wayleave, Reference Number WWIP WHMN3714 17 is valid for 12 months from date hereof and is subject to the following conditions:

1. No mechanical plant or vibrator type compactors may be used within three meters of any Open Serve Plant (I.E. any Telecommuncation equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approximate and Frederik Swart at Telephone No 081 363 7815 must be contacted at least 48 hours prior to commencement of the work, upon which the actual location of the Open Serve Plant will be indicated on site.
3. A written request must be submitted to Open Serve for consideration, should the of the work, upon which the actual location of Open Serve Plant will be applicant require our plant to be relocated. The cost of such a relocation will be recoverable from the applicant.
4. It is the responsibility of the applicant to verify the existance of the indicated plant and to notify Open Serve immediately, should the applicant locate any Open Serve Plant which is not indicated on the plans.
5. Should the applicant expose any Open Serve plant, the safeguard thereof will be the applicant's full responsibilty.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for any damage or loss as a result thereof.

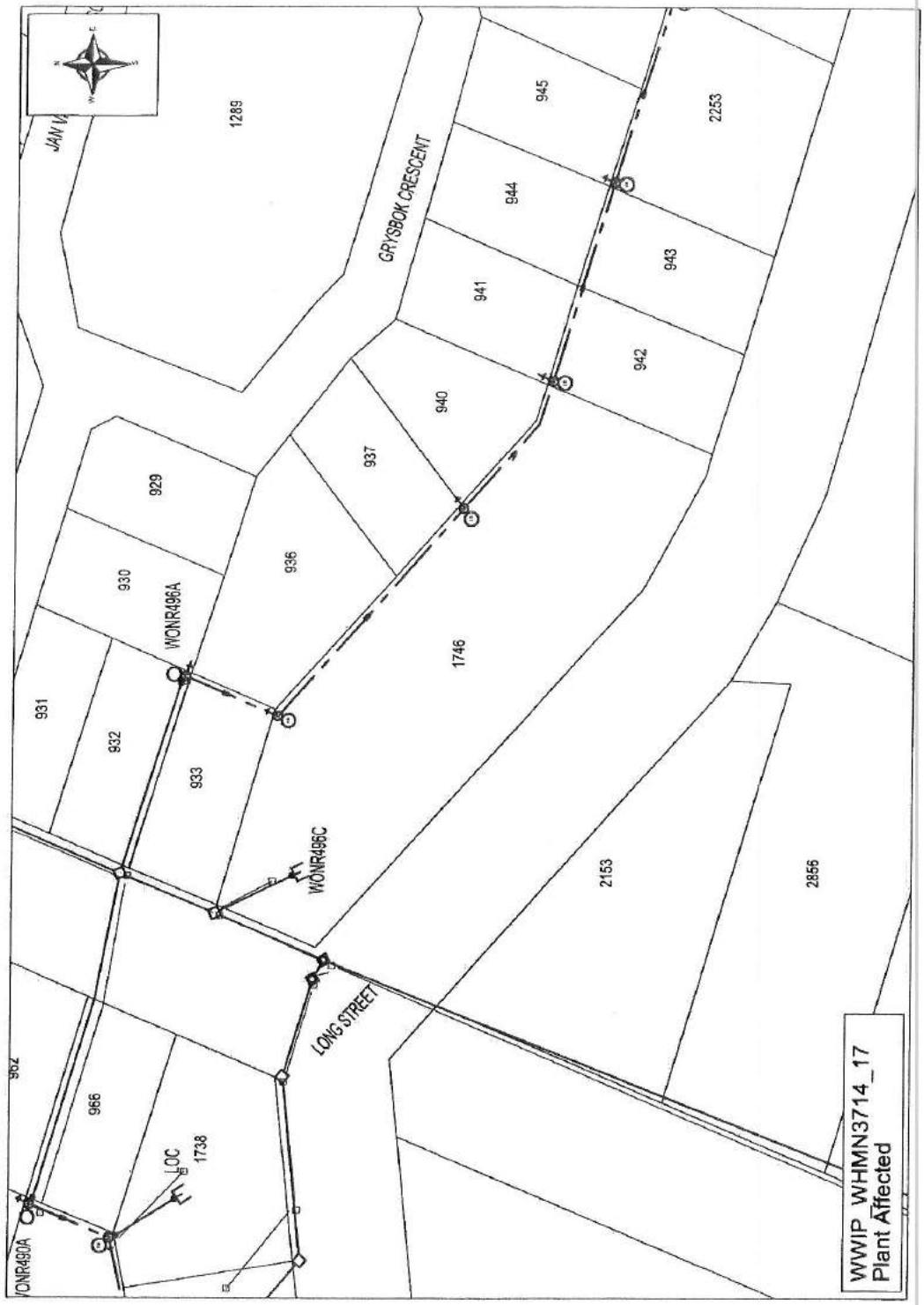
Date: 2017/11/10

By: C Spammer
For Regional General Manager
Western Cape

Legend	Green
1. Underground Pipe	
2. Underground Cable	
3. Manhole	
4. Street Distributio Cabinet (SDC)	
5. Jointing Pit / AJB	
6. Jointing Pillar (PJ)	
7. Pipe Junction Box (B/S)	
8. Robot Control	
9. Pole	
10. Stay	
11. Strut	
12. Aerial Cable (A/C)	

open serve

ANNEXURE F 4/4



Western Cape Government
Environmental Affairs and Development Planning

DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 2)

ANNEXURE G 1/2

OVERSTRAND MUNISIPALITEIT
06 NOV 2017
OVERSTRAND MUNICIPALITY

REFERENCE: 16/3/3/6/E2/35/1335/17
ENQUIRIES: BERNADETTE OSBORNE
DATE: 2017 -10- 30

FILE NO:
SCAN NO:
COLLABORATOR NO: 1096780

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

Attention: H. Boshoff

Tel: (028) 313 8900
Fax: (028) 313 2093

Dear Sir / Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED APPLICATION FOR CONSENT USE AND DEPARTURE ON ERF NO. 1746, SANDBAAI.

1. Your document and letter dated 26 September 2017, as received by the Department on 6 October 2017, refer.

2. On 7 April 2017 the Minister of Environmental Affairs promulgated amendments to the regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), viz, the Environmental Impact Assessment ("EIA") Regulations, 2014 (Government Notice ("GN") No. 324, 325, 326 and 327, in Government Gazette No. 40772 on 7 April 2017).

3. Based on the information provided it is this Department's understanding that the proposal entails the following:
   - The proposed application for consent use and departure on Erf No. 1746, Sandbaai, to accommodate a 25m high tree type mast with a development footprint of 100m².
   - No impact on the biophysical environment is anticipated.
   - The site is located inside the urban area of Hermanus and is zoned Business Zone 3: Local Business.

4. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in GN No. 324, 325 and 327, gazetted on 7 April 2017. Please be advised that the development of a 25m high tree type mast on a site within an urban area not zoned for use as public open space or equivalent zoning **does not** constitute any listed activities in terms of the NEMA EIA Regulations, 2014 (as amended). Environmental authorisation is therefore **not** required from this Department prior to the undertaking of the said activity.

2nd Floor, 1 Dorp Street, Cape Town, 8001
tel: +27 21 483 3679/4349 fax: +27 21 483 3633
E-mail: Bernadette.Osborne@westerncape.gov.za

Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp

ANNEXURE G 2/2

5. However, should any revision of the proposed development constitute a listed activity(ies) in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in GN No. 324, 325 and 327 an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.

6. The applicant must comply with any other statutory requirements that may be applicable to the development.

7. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that –*"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."*

8. This Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.

Yours faithfully

HEAD OF DEPARTMENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 2
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

ANNEXURE H 1/1

COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR: APPLICATION FOR CONSENT USE & DEPARTURE: ERF 1746, SANDBAAI (3523)

Electricity	:	In order
Water	:	In order
Sewer	:	In order
Stormwater	:	In order
Roads and traffic	:	In order

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;

2. that only the existing electricity connection will be available for the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;

3. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;

4. that stormwater be allowed to discharge through Erf 1746, Sandbaai, unobstructed;

5. that no on-street parking be allowed.

DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

15 | 4 | 2018
DATE

TP- A Theart
C Holivier)

Loriaan Isaacs - RE: Erf 1746 Sandbaai, Proposed application for consent use / departure (cell tower)

OVERSTRAND MUNISIPALITEIT
28 SEP 2017
OVERSTRAND MUNICIPALITY

From: "Jacqui" <info@paddakoor.co.za>
To: "'Loriaan Isaacs'" <loriaanisaacs@overstrand.gov.za>
Date: 28 September 2017 11:49 AM
Subject: RE: Erf 1746 Sandbaai, Proposed application for consent use / departure (cell tower)

Dear Loriaan,

Paddakoor Akademie hereby consent to the Cell Tower on Erf 1746.

Regards

Mrs. J. Benzien

MUNISIPALITEIT OVERSTRAND
TP 28 SEP 2017
TOWN PLANNING
U-MASOPALA MUNICIPALITY

From: Loriaan Isaacs [loriaanisaacs@overstrand.gov.za]
Sent: Tuesday, 26 September 2017 8:16 AM
To: mlwandrag@gmail.com; info@paddakoor.co.za
Subject: Erf 1746 Sandbaai, Proposed application for consent use / departure (cell tower)

Dear Sir / Madam

Enclosed please find a copy of the above-mentioned application for your information / attention. Your comment on this proposal by not later than **Friday, 3 November 2017** will be appreciated.

For additional information and / or clarification, contact the town planner, Mr. Helgaardt Boshoff on 0283138900.

Regards

FILE NO: E 1746 Sandbaai
SCAN NO: 09
COLLABORATOR NO: 1080204

Loriaan Isaacs

Senior Clerk: Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 **P**: P O Box 20

T: 028 313 8900 | **F**: 028 313 2093 | **E**: loriaanisaacs@overstrand.gov.za