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ERF 2666, 201 PORTER DRIVE, BETTY'S BAY: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, CONSENT AND DEPARTURE: MESSRS HIGHWAVE CONSULTANTS ON BEHALF OF ASK SECURITY CC

2666 KBB (3466/2019)

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1 February 2021

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Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 28 October 2019 from Messrs Highwave Consultants on behalf of Ask Security CC on Erf 2666, Betty's Bay for the following:

- **Removal of Restrictive Title Deed Conditions** in terms of Section 16(2)(f) of the By-Law for the removal and amendment of restrictive title deed Condition C., Condition D.A.(a), Condition A.(c) and Condition E.(b) as contained in Title Deed T56156/2011 and Pivot Deed T12265/1954 to permit the proposed application.

The restrictive title deed conditions read as follows:

Condition C. (page 2): ENTITLED to the benefit of the conditions referred to in the Servitude Endorsement dated 24 June 1940 in Certificate of Consolidated Title No. T3720/1937:

"By Deed of Transfer No 6068/40 dated 24/6/40 certain conditions relating to (b) prohibition of Petrol Station on land (d) wood and iron buildings, (e) slaughter poles, cattle kraals and manufacture of bricks, tiles, etc. have been imposed on the property thereto conveyed for the benefit of the owner and its successors in title of the remainder of the property held hereunder as will more fully appear on reference to the Deed of Transfer"

Condition D. (page 3):

'A.(a): That only one building for use as shops, business premises (which shall not include a licenced hotel, off sales liquor licence bottle store, garage or cinema) a dwelling house, residential building, place of worship and/or a building combining two or more uses, together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.

"A.(c) That no building or structure or any portion thereof, excepts boundary walls and fences shall be erected nearer than 3,15 metres to the back and side boundaries of this erf excluding the portions of the side boundaries for a distance of 9,45 metres from the building line to the street."

"Condition E.(b)"

No wood and iron buildings or any description shall be erected on this erf not shall corrugated iron be used for roofing purposes"

- **Departure** in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Planning, 2015 from 8,5m to 15m for the purpose of erecting a transmission apparatus.

- **Consent Use** in terms of Section 16(2)(c) of the Overstrand Municipal By-Law on Municipal Planning, 2015 for the erection of a transmission apparatus.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, while the proposed Site Development Plan is attached as Annexure C. Title Deed T56156/2011 is attached as Annexure D.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The property is 862m² in extent and located in Betty's Bay Extension 1 and zoned Business Zone 3: Local Business. The erf is surrounded by business erven and located on the corner of Coral Drive and Porter Road. Access to the property is from Coral Drive.

4. SUMMARY OF APPLICANT'S MOTIVATION

The motivation can be summarized as follows:

4.1 Introduction:

Over recent years cellular communication in South Africa has evolved from a merely convenience to an essential business tool. The current cellular infrastructure is not equipped to handle this level of high demand. The applicant 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. The new LTE base stations have a maximum coverage range of 500m depending on the number of users. The proposed site is located at a nominal point as identified by Blue Sky Towers (Pty) Ltd network planners. By utilising sites located at the networks' nominal points the number of future base stations is limited and an effective service network can be developed.

The proposed erection of a transmission tower will not have an impact on parking, building lines, coverage or floor factor as prescribed by the development parameters for Business 3.

4.2 The location was identified against the following engineering rules and principles:

- Optimal position between the existing and planned base stations to provide efficient data and voice messages.
- Proximity to the R44 and surrounding schools, business and residential units which will benefit from more effective voice and data coverage
- The area is characterised by very slow internet.
- Surrounding geographical aspects are in line with the requirements.
- Minimized physical, natural and visual impact due to the vegetation in compliant area.
- Ability to reduce the number of base stations in the surrounding area.

- Ability to provide sufficient security to the equipment.
- Capacity to share infrastructure with majority of the operators.
- Property position will address complaints received in the area.
- Sufficient space to erect a freestanding base telecommunications station.

In order to achieve the optimal data and voice coverage objectives base stations in this specific area needs to be approximately 500m apart. The fresnaye effect also influences the quality of the voice and data coverage caused by the amount of steel and concrete of buildings in the surrounding area and thus results in a reduced coverage area.

4.3 Need and Desirability:

The use of voice and data coverage in modern times is an integral part of the household, business and commercial community to communicate. With the Covid 19 pandemic and subsequent lockdown, which has resulted in the increased pressure on the telecommunication network grid as more people depends on fast and effective voice and data coverage in order to work from home, conduct school work and studies.

A speed test was conducted on 15 June 2020 at 9:37 in the morning and the internet speed and connectivity were very slow.

When selecting the site, social consideration is given to the geographical aspects so that the cellular infrastructure is positioned to ensure optimal functionality and availability to the customer. Since the introduction of LTE in South Africa in 2012 there was a greater need for access to faster data, due to the higher penetration of LTE data in commercial and business areas, has led to lower subscription fees.

The erection of the base station does not impact on the current land uses of the property. The construction and maintenance phase of the proposal will provide a positive economic and social impact by ensuring job creation effecting the surrounding community in a positive way the increase of commuters utilising the R44 running through the town and surrounding area created a high demand of effective voice and data requirements.

4.4 Cellular infrastructure/location:

When there is an increase in the numbers of users in an area, the coverage provided by the existing network decreases and leads to dropped calls and slower internet speed.

As network users increase, gaps developed between the radiuses of connectivity. New installations are needed to fill the gaps to ensure optimal coverage. The fact is that there is a few telecommunications base stations in the surrounding area support the statement that there is a clear need for coverage in the area. The RF plots are provided by the client and the location of the application indicate that expected increase in coverage by the proposed installation, see Figure 12.

4.5 Visual Impact:

Special consideration has been given to the placement of the proposed transmission tower in order to minimize the visual impact as far as possible. The proposed 15m

water tower type transmission tower will offer the opportunity for operators to collate resulting in the reduction of future transmission towers. The client Blue Sky Towers has opted for the water tower type design in order to be sympathetic to the character of the area and blend with the activities found on the property. This type of development can accommodate multiple network operators at the same height.

During the drought recently experienced in the Western Cape, water tanks and related facilities became an everyday sight, and the proposed water tower will not be out of place. The footprint required for a water tower type mast is smaller than a standard mast type and it can be painted to mitigate the visual impact. The visual impact is further reduced due to the existing vegetation and billboard. The applicant is open to suggestions with regard to other tower solutions.

4.6 Health:

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

4.7 Services:

Access: Access to the property is obtained from Coral Road.

Electricity: The availability of the erf will be utilised. The client will ensure that the proposal will be in line with the above-mentioned electrical supply

Water: Not required

Sewerage: Not required

4.8 Removal of restrictive conditions is motivated as follows:

Condition C (page 2): ENTITLED to the benefit of the conditions referred to in the Servitude Endorsement dated 24 June 1940 in Certificate of Consolidated Title No. T3720/1937:

"By Deed of Transfer No 6068/40 dated 24/6/40 certain conditions relating to (b) prohibition of Petrol Station on land (d) wood and iron buildings, (e) slaughter poles, cattle kraals and manufacture of bricks, tiles, etc. have been imposed on the property thereto conveyed for the benefit of the owner and its successors in title of the remainder of the property held hereunder as will more fully appear on reference to the Deed of Transfer"

The amendment of the condition is requested to only remove the wood and iron condition to enable to erect a transmission tower.

Condition D. (page 3):

'A.(a): That only one building for use as shops, business premises (which shall not include a licenced hotel, off sales liquor licence bottle store, garage or cinema) a dwelling house, residential building, place of worship and/ or a building combining two or more uses, together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.

"A.(c) That no building or structure or any portion thereof, excepts boundary walls and fences shall be erected nearer than 3,15 meters to the back and side boundaries of

this erf excluding the portions of the side boundaries for a distance of 9,45metres from the building line to the street.”

The opinion is that the condition is archaic and should include the land uses considered as primary rights and permitted by means of council’s special consent. The building is an existing house already in contravention with the restrictive condition related to the building lines.

It is suggested that the condition be replaced by the following: “The land shall only be used for purposes as are permitted by the Town Planning Scheme of the local authority and subject to conditions and restrictions stipulated by the zoning scheme.”

Condition E.(b) ties with Condition C., which already has been dealt with and the removal will not have any impact on the surrounding area or the township itself.

4.9 Departure of the height restriction is motivated as follows:

The departure from the height restriction of 8,5m to 15m is to accommodate potentially four mobile network operators and to extent the coverage area. This will not be possible on the allowable height of 8,5m.

4.10. Alternative site considerations:

Erven 2659 and 2667: Both properties are zoned Business 3. However, insufficient unused space is available to accommodate the proposed development. The rooftops of the buildings are too low to provide for a sensible installation.

Erf 5139: The erf is zoned Business 4. However, the available space is required for parking bays. The rooftop of the existing building is not high enough to accommodate a rooftop installation.

Erf 2687: The erf is zoned Community Zone 1. The property is undeveloped, the potential for community related uses will be more beneficial to the surrounding neighbourhood in question in order to ensure maximum future development.

5. Consistency with SPLUMA and LUPA Principles:

Spatial Justice:

In a broader sense, spatial justice refers to tan intentional incorporation of spatial aspects. This refers to the fair and equally distributed services and enhanced accessibility of these services. The aim of the proposal is to provide excellent communication service to the inhabitants of an area.

Spatial Sustainability:

Enhanced signal in the area will promote all three dimensions of sustainability e.g., economic, social and environmental aspects. Economically, businesses in the area will benefit from enhanced connectivity. The social facet is addressed as more people will have access to emergency services. The third dimension will be promoted as the sensible placement of transmission towers and possibility of co-location will limit the number of base stations. The development will create an opportunity for two to three Mobile Network Operators.

Spatial Efficiency:

The concept of minimum distance to be travelled between a specific location and intended destination. Telecommunication infrastructure is place in an area with a reason, to ensure effectiveness and not merely placed by random.

Spatial Resilience:

Telecommunication infrastructure will always be a service that is necessary, especially in a state of crises; communication plays an integral role in a societal environment.

Good Administration:

To follow an equal and fair public participation process, in order to incorporate the views and opinions of all relevant parties.

6. Policy Documents:

Western Cape integrated Development Plan:

A change in intensified land use and form is anticipated since Betty's Bay has been identified as an easily accessible activity corridor where increased public movement and transportation is both being expected and supported by the District Municipality. The positioning will lead to an increase tourism, commercial and business activities, which will require the need to erect a base station which in turn will address the increased communication needs.

Western Cape Economic Development Strategy:

The document supports the fundamental telecommunications infrastructure and to provide the best possible available coverage. This will lead to growth of the commercial sector and at the same time retain and advance skilled persons. An extract of the document reads as follows: *"High data access and low telecommunications costs are key input factor for local community, business and industry to achieve sustainable growth". "Taking into account the high accessibility of mobile telephones and the growth in the mobile telecommunications market, the provincial government will actively seek to create technology parks in nodal areas in order to increase the digital literacy of citizens".*

As confirmed by the policy, basic access to voice and data coverage is defined as a basic need for the public and falls under the umbrella of electricity, water, sanitation and access.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	Yes	4 March 2021	9 April 2021
Government Gazette	Yes	5 March 2021	9 April 2021
Registered notices	Yes	4 March 2021	9 April 2021
Ward Councillor	Yes	3 March 2021	9 April 2021
Total comments	17		
Total letters of support	NONE		

Was public participation undertaken in accordance with Section 46 - 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
Building Control	19/03/2021	No objection. All structures to comply with all other applicable law.
Fire Department	11/03/2021	No objection. Advise to provide a 9kg dry chemical powder fire extinguisher.
Engineering Services	06/04/2021	See Annexure G.


7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION, THE APPLICANT'S RESPONSE AND THE MUNICIPAL TOWN PLANNER'S RESPONSE THEREON


Seventeen (17) letters of objections were received, and are attached as Annexure E. The applicant was provided an opportunity to comment on the objection received, and their comments are attached as Annexure F.

Objections were received from the following individuals (includes a petition list and two late objections):

LIST OF OBJECTORS:

1. *Betty's Bay Conservancy*
2. *M. Borchers*
3. *H. Carruthers*
4. *S. Crawford*
5. *H. de Vos*
6. *H. Foot*
7. *C. Jaussaud*
8. *B. Jenman*
9. *R. Kaljee & R. Stone*
10. *C. Lawrence*
11. *M. Lucas*
12. *W. Lucas*
13. *H. Mynhardt*
14. *W. Roberts & others*
(Petition list with 38 signatures)
15. *J. Roodt (Received late)*
16. *C. Valentini (Received late)*
17. *W. Roberts*

OBJECTION 1 - Environmental (Visual, noise, protected areas)		
Objectors	Objection	Applicant's Response
1, 12, 13	<i>"The Applicant does not give an accurate picture of what is planned in the future but makes reference to a requirement of masts every 500m. Please provide accurate maps and information regarding the position of current masts in the area, this application and any future proposed masts in relation to this application."</i>	The proposed mast will assist in alleviating network pressures in Betty's Bay. Currently there are no masts within a 1km radius of the proposed site. No additional masts are proposed at this stage.
	<p><u>TOWN PLANNER'S RESPONSE</u></p> <ul style="list-style-type: none"> ➤ The requirement of masts every 500m relates to an urban environment. ➤ Current masts are located at Stoney Point (1,78km) and Erf 3095 (6,42km) from the application site. The town of Betty's Bay is a rural urban environment and cannot be evaluated in a similar manner as to main town centres in the Overstrand e.g., Hermanus, Kleinmond and Gansbaai. ➤ The alleviation of network pressures has not been addressed by the Consultant. 	
Objectors	Objection	Applicant's Response
1, 13	<i>"Camouflaging as mast as a water tower will not seem out of place. Betty's Bay did not experience the drought like Cape Town did and so water tanks and towers were not common."</i>	The proposed mast can be mitigated to address this concern. A 15m slim line monopole can be erected instead of the proposed water tower.
	<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>The objector is correct in as far as the proposed water tower is concerned, it does not blend in with the area.</p>	
Objectors	Objection	Applicant's Response
1	<i>"What vegetation in the area and on the erf is close to 15m to achieve this minimalised impact? The picture shows the proposed tower standing well above the trees and short billboard."</i>	<p>It is acknowledged that the proposed water-tower design will have an impact from a visual perspective.</p>  <p>The applicant acknowledges this concern and proposes a 15m slim line monopole design as a mitigative measure to address said concerns.</p> <p>It should further be noted that development of any nature will have a visual impact on the surrounding</p>

	 <p><i>Fig. 14 — Artist impression of proposed development as observed from Porter Drive The visual impact of the transmission tower will be further reduced by the existing vegetation found in surrounding the area. The position of the development behind an existing billboard will further lessen its visibility from a street-point-of-view</i></p>	<p>area. Infrastructure is required to provide users in the area with sufficient network coverage. Albeit for work or personal use.</p>
<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>The objector is correct that the reference to vegetation is not factual; however, the applicant is also correct in that any structure above the development parameter of 8,5m will have a visual impact.</p>		
<p>Objectors</p>	<p>Objection</p>	<p>Applicant's Response</p>
<p>1,12</p>	<p><i>"The applicant state that "The mast & equipment containers will be place inside a ±55m² compound enclosed off by a 2.1m high palisade fence." This is not aesthetically pleasing." "The container should be cladded with "nutec" material to render the aesthetics more acceptable. In this regard, I propose to not change the title deed for this provision but to allow this installation to take place on a per-application basis"</i></p>	<p>The objector's opinion is noted. The suggestion made to clad the container installation is well received and can be accommodated. It should however be noted that the upliftment will still be required to accommodate the steel structures.</p>
<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>The removal of the restrictive condition can be amended to accommodate the application. The cladding of 50% of the Container is a requirement from the Municipality.</p>		
<p>Objectors</p>	<p>Objection</p>	<p>Applicant's Response</p>
<p>1</p>	<p><i>"The height will be an issue for the views of the property across the R44 on the mountains' side."</i></p>	<p>Visual impacts for any new development are inevitable. The objector's comment was reviewed and it is proposed that the water type tower be replaced by a slimline monopole design.</p>

	<u>TOWN PLANNER'S RESPONSE</u>	
	Noted.	
Objectors	Objection	Applicant's Response
1, 12, 13	<p><i>"Tower installations should as far as practically possible be placed on the mountains' side of the R44. The reason for this being that:</i></p> <p><i>a. It creates the height advantage for line-of sight requirements</i></p> <p><i>b. It blends with the mountain terrain.</i></p> <p><i>c. More towers can be installed without affecting the views and/or opinions of the community.</i></p> <p><i>d. The title deed restrictions are there for the sole purpose of keeping the aesthetics of the area intact as far as possible. Powerlines, tower installations, telephone wires, etc. does not contribute to the intention thereof.</i></p>	<p>The mast location is determined not only by the impact it will have visually, but also its functionality. The applicant acknowledges the visual impact and as a response thereto recommends a 15m slim line monopole design.</p> <p>The recommendations made by the objector to relocate the mast are noted, but unfortunately not viable.</p> <p>The base station containers will for the most part be out of sight, and therefore implying that it will negatively impact the surrounding area is unsubstantiated.</p>
	<u>TOWN PLANNER'S RESPONSE</u>	
	<p>The objection is noted; however, the application is for the application site. Telecommunication infrastructure was not envisaged by the original developers and is part of daily life, especially in disaster management.</p> <p>The base station will be prominent feature on Porter Drive and not out of sight as indicated by the consultant.</p>	
Objectors	Objection	Applicant's Response
1	<p><i>"The relaxing of the "wood and steel" limitation is intended to allow them to put down containers. This is not very aesthetic. Surrounding buildings may have wood ad steel in their construction but they are not a "wood or iron building" as is the case for the proposed tower."</i></p>	<p>The premise that wood and steel is not aesthetic is a matter of opinion. The purpose to uplift the restriction is to erect a base station as stated in the motivation. As previously stated, the applicant can add cladding to the outside of the containers as mitigation.</p>
	<u>TOWN PLANNER'S RESPONSE</u>	
	<p>The container if approved will have to be 50% cladded as prescription of the Overstrand Municipality. The applicant can be requested to clad the whole container.</p>	
Objectors	Objection	Applicant's Response
1	<p><i>"Does the developer plan to aid the entire area by being</i></p>	<p>The applicant provides infrastructure that service providers such as MTN,</p>

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	<i>involved in a joint venture with existing installations or merely entering the market to push out the competition. If the latter is true, there will probably be multiple installations going up in the area which will negatively impact resident's views."</i>	Vodacom, Cell C and Telkom can utilise collectively, reducing the amount of infrastructure required. In the case of Erf 2666, Betty's Bay the applicant aims to provide a collective service.
	<u>TOWN PLANNER'S RESPONSE</u>	
	It should be noted that co-location will be a requirement.	
Objectors	Objection	Applicant's Response
1	<i>"Surrounding geographical aspects are in line with the requirements: What geographical aspects are referred to?"</i>	<ul style="list-style-type: none"> - Height above sea level. - Proximity to larger transmission towers outside of town. - Location with relation to network users. - Availability of property.
	<u>TOWN PLANNER'S RESPONSE</u>	
	The motivation did indicate the requirements as per Section 5(c) when identifying the ideal location of infrastructure. Although these aspects were indicated in the motivation report, it was not address with regard to this specific location.	
Objectors	Objection	Applicant's Response
1	<i>"How will this property position address "complaints in the area?"</i>	<p>The proposed mast is ideally placed in terms (Height above sea level, Proximity to larger transmission towers outside of town, Location with relation to network users).</p> <p>Betty's Bay is frequented by tourists, during seasonal influx the services provision (i.e., Vodacom, MTN, Cell C, etc.) is lacking. Providing a mast will alleviate pressure on the existing telecommunications infrastructure.</p> <p><i>Two of the objectors further acknowledged the need for improving the internet speeds.</i></p>
	<u>TOWN PLANNER'S RESPONSE</u>	
	The position will fill the areas do not have coverage especially LTE and 4G as per the various operator's web sites. The complaints were however not quantified by the consultant.	
Objectors	Objection	Applicant's Response
1	<i>"Applications like these are normally accompanied by more than one choice of location. This application is supported by ASK as it would have some financial advantage to ASK."</i>	The alternative sites in question were highlighted on p. 27 of the motivational memorandum submitted to the Municipality.

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	<u>TOWN PLANNER'S RESPONSE</u>	
	Alternative options were submitted in the Motivational Report.	
Objectors	Objection	Applicant's Response
1	<i>"ASK has ground available and thus it ticks the boxes for the developer."</i>	The property in question as previously stated was selected based on a selective list of criteria, as stated.
	<u>TOWN PLANNER'S RESPONSE</u>	
	It is correct that ASK has land available and it makes business sense to accommodate an extension of the activities on your own property, if possible. A service that they at present provides to the community of Betty's Bay.	
Objectors	Objection	Applicant's Response
1	<i>"The premises are located lower than the road thus they must raise the tower to get the best suggested coverage. A better option is if there was a higher property that could be rezoned for the same purpose, without visual restriction from neighbouring properties, this eliminating the need to increase the height to 15m."</i>	The property in question as previously stated was selected based on a selective list of criteria, as stated. Development, regardless of the position will have a visual impact. Although a higher geographic location would be ideal, the impacts of a mast on top of a higher vantage point will increase the impact thereof.
	<u>TOWN PLANNER'S RESPONSE</u>	
	The objection is duly noted; however, the application is for erf 2666 for evaluation. The consultant agrees that a higher property will be more ideal, but did not indicate any investigation of properties more closely to the mountain side as possible alternatives	
Objectors	Objection	Applicant's Response
1	<i>"There is also a noise abatement issue with standby generators that needs to be considered."</i>	Generators albeit built-in or freestanding generators are used by consumers to generate power during load shedding. The comment is acknowledged; however, the use of generators is not prohibited.
	<u>TOWN PLANNER'S RESPONSE</u>	
	Noted, however the area is a business node and thus the business will most probably make use of generators to keep the business activities available to the public, especially the Caltex garage in close proximity of the application erf.	
Objectors	Objection	Applicant's Response
4, 6, 9, 14	<i>"We, the people who live here, have specifically chosen Betty's Bay for the reasons listed below, just to mention a</i>	The statements made by the objector that suggest that a singular telecommunications mast application will be to the detriment of the village is

	<p><i>few. This lists is in no way complete. To live in a World recognised biosphere with and in touch with nature, including the animals To get away from cities and urban sprawl and ALL that goes with them. To love in a healthy climate and area of peace and tranquillity unaffected by atmospheric pollution including light, noise and microwave towers. To get away from the concrete jungle and commercialism. To enjoy seeing mongoose and other various wildlife walking through our gardens. To get away from traffic, convenience shopping and crowds. Many if not all of us specifically chose Betty's Bay and relocated from the far corners of this country in search of this haven as it is. Why, oh why would you want to 'sell out' all the benefits that have thus far caused Betty's Bay to be what it is and make it like every other place in South Africa.? We are known as one of the few, Top Ten quiet, special villages for people to visit, a World acclaimed PROTECTED Biosphere, a place where nature still has its own place. Please rather help us keep our Village pristine and unique and do NOT erect towers and stop industrial development."</i></p>	<p>unsubstantiated. The applicant acknowledges that the application will have a visual impact, and in this regard proposes a mitigated response by changing the type of mast from a water type tower to a slim line monopole. Erf 2666, Betty's Bay is earmarked for Business Zone 3: Local Business. One of the additional uses listed in the Overstrand Municipality Zoning Scheme, 2013 specifically states that the property can be utilized to erect a transmission tower, with consent from the municipality. The uses proposed do not deviate from the permissible rights as set out in zoning scheme. The zoning scheme was approved to include these provisions and should have been disputed during the commenting period for the Overstrand Municipality Zoning Scheme 2013. Furthermore, it should be noted that the Overstrand SDF, 2020 includes Environmental Overlay Zones regulations that specifically exclude areas of development that are considered to of high biodiversity significance. Erf 2666, Betty's Bay is not affected by these overlay zones and therefore does not directly impact on protected areas as set out in the Environmental Overlay Zones.</p>
	<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>The objection is noted; however, communication is of utmost importance during disasters, such as the fires a few years back, crime and medical related services. The Consultant makes reference to the SDF and Overlay Zones but did not address these documents as part of its motivation. The interpretation is not correct; nothing prohibits an application to depart from the Overlay Zone Regulations.</p>	
Objectors	Objection	Applicant's Response
10	<i>"The restrictions have set out to protect and control the degradation of the Betty's Bay Environment. "</i>	Noted.

	<u>TOWN PLANNER'S RESPONSE</u>	
	The Telecommunication infrastructure was not even conceived during 1942 when the Betty's Bay Extension 1 was established. The viewpoint of the original developers thus was different in terms of protection and control possible degradation of the Betty's Bay environment.	
Objectors	Objection	Applicant's Response
16	<i>"Placing a large 15 metre tower in the very centre of Bettys Bay is acting in opposition to the very essence of the Town and its appeal. It is taking away from the unique appeal of Betty's Bay in order to profit a company and increase its bottom line."</i>	The provisions of the Overstrand Municipality Zoning Scheme 2013 allow for transmission towers to be erected on a Business Zone 3 erf, with consent from the Municipality. The applicant acknowledges that the transmission tower will have a visual impact, as would any development that is permitted on a Business 3 zoning. However, the applicant is willing to mitigate based on the objections raised and is proposing an alternative slim line monopole mast.
	<u>TOWN PLANNER'S RESPONSE</u>	
	The application is located in an existing business node with associated infrastructure and structures. The 15m tower will have a visual impact, but mitigation is proposed by the applicant.	
Objectors	Objection	Applicant's Response
11, 13, 14, 16	<i>"The tower is in sight of our property. All properties in Central Betty's Bay look towards erf 2666 at sunset in order to watch the sunset. Watching the sunset is an enjoyable right of every person in Betty's Bay. The proposed tower will stick out like a sore thumb right in the area of where all central properties look to enjoy the sunset it will be unavoidable."</i>	The comment made by the objector is noted. As previously stated, the applicant is willing to change the transmission tower type to a slim line monopole reducing the overall visual impact.
11, 13, 14, 16	<i>"Tree mast will look out of place as well as any other structures"</i>	The opinion of the objector is noted.
	<u>TOWN PLANNER'S RESPONSE</u>	
	11:Erf 2034: 2,9km 13: Erf 2885: 4,2km 14: Erf 4150:1,8km	

	16: Erf 3779:0,6km	
	The tower will have an impact and there is no alternative suggested by the objectors since any tower in Betty's Bay will have a visual impact.	
Objectors	Objection	Applicant's Response
11	<i>"Utilising the height advantage of the mountain behind the proposed site would be far more beneficial."</i>	The urban areas are already disturbed whilst the mountains are within the Environmental Overlay Zones. Therefore, this is not a viable option.
	<u>TOWN PLANNER'S RESPONSE</u>	
	Noted, the mountains are in the EMOZ, but not the erven and this aspect has not been investigated by the Consultant.	
<u>OBJECTION 2- Services Provision</u>		
Objectors	Objection	Applicant's Response
1,11	<i>"The applicant contradicts themselves regarding the number of service providers they aim to provide for. Please provide clarity on this: 2 or 3 or 4 or all."</i>	In this regard the applicant submits that all network providers will be able to make use of the proposed infrastructure. As mitigation to other objections, a slim line monopole is suggested, which can accommodate 6 antennae. As many of the concerns related to the application are predominantly centred around the overall visual impact, the mast type will be changed from a water tower to a slim line monopole. This will reduce the number of service providers that can utilise the tower (Vodacom, MTN, Cell C etc.)
	<u>TOWN PLANNER'S RESPONSE</u>	
	The applicant indicated that the tower can accommodate up to 6 antennae.	
<u>OBJECTION 3 - Transmission infrastructure and coverage</u>		
Objectors	Objection	Applicant's Response
1	<i>"The applicant includes these diagrams to depict "expected increase in coverage" as a result of the proposed tower. The writing on the legend is not clear as to what the colours depict. Please supply a legible version."</i>	The applicant acknowledges the request:

		LEGEND: -50 to -65 dbm (Fair – Good Coverage & Availability)  -65 to -85 dbm (Good – Medium Availability)  -85 to -95 dbm (Weak coverage & availability)  -95 to 105 dbm (Very weak Coverage, Dropped Calls) 
	<u>TOWN PLANNER'S RESPONSE</u> Noted.	
Objectors	Objection	Applicant's Response
1, 11	<i>"What is noticed is that much of the proposed increased "coverage" between the 500 – 1000m radius falls onto the mountainside, sea and lake area – out of the residential area, and so of reduced use."</i>	Please note that the coverage map indicated is an illustration of the total extent that could be achieved. Service providers adjust the infrastructure on the masts to efficiently provide coverage, where required.
	<u>TOWN PLANNER'S RESPONSE</u> Noted.	
Objectors	Objection	Applicant's Response
1, 12	<i>"The suggested installation of 3 x transmission dishes suggests that this is: a. The first of multiple sites, or b. A hub for existing sites."</i>	The transmission dishes act as both receivers and transmitters. The dishes are required to send and receive signal to and from other towers within the vicinity. The application for a transmission tower pertaining to Erf 2666, Betty's Bay is the only application submitted for comments in the Betty's Bay area thus far.
	<u>TOWN PLANNER'S RESPONSE</u> The Consultant did not address the concern adequately. The application site will fill the gap LTE and 4G that is presently not covered by the existing 2 towers in Betty's Bay.	

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Objectors	Objection	Applicant's Response
1	<i>"What is the intention regarding the fibre installation? Is it the connection to the outside world / internet or intended for distribution to individual properties?"</i>	As indicated on the revised plans (Annexure B) that now includes a slim line monopole design, no fibre is proposed at this stage.
	<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>Noted.</p>	
Objectors	Objection	Applicant's Response
1	<i>"The internet speed and coverage charts are somewhat misleading and were included in the application to try and prove that the situation is dire. They get full marks for introducing the sympathy vote but the facts presented are not the truth."</i>	This statement is conjecture and should be disregarded.
	<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>The objector has a point, since although the speed is indicated as low it does not indicate that there is no coverage. It should be noted that the surrounding business did not comment to indicate whether internet speed is a problem in that area.</p>	
Objectors	Objection	Applicant's Response
11	<i>"There are alternatives to towers with multiple dishes, telephone lines and power lines in many cities and small towns moving away from such installations in favour of underground installations, our neighbouring Hermanus being one of them."</i>	Wireless services and underground options still require transmission from one area to the next.
	<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>Noted.</p>	
Objectors	Objection	Applicant's Response
11	<i>"The application refers that it will be a shared installation, this needs to be expanded on and does it mean that the connectivity tower at the Stoney Point penguin colony will be removed?"</i>	The mast will not be replacing any existing masts. The proposed infrastructure will accommodate all service providers but can only host 6 Antennae.

	<u>TOWN PLANNER'S RESPONSE</u>	
	The application is for a new mast and is not replacing any existing masts.	
Objectors	Objection	Applicant's Response
16	<i>"We are at the dawn of satellite internet. More than 50 000 internet satellites have already been launched into low orbit. Soon in the near future satellite internet will be the main service provider of internet to the planet. Installing large towers is not technologically necessary as within a short period satellite internet will be available to everyone in Betty's Bay at low cost and the towers will be an unnecessary eyesore. (You are welcome to google satellite internet or Starlink or Amazon satellite internet which will reveal to you the large scale Billion \$ installations currently happening right now.)."</i>	The comment raised by the objector is noted.
	<u>TOWN PLANNER'S RESPONSE</u>	
	Noted, however this will not address the present need for telecommunication infrastructure in South Africa.	
<u>OBJECTION 4 - Health</u>		
Objectors	Objection	Applicant's Response
1	<i>"The applicant quotes data from a WHO report from 2004 that refers to data from 30 years prior: "... have been published for over the past 30 years... the WHO concluded that current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields." That refers to data from 1974 – 2004. This is not current evidence based on the vast increase in number of transmission towers in recent years. It also mentions the statement of the Department of Health another WHO fact sheet was published in June 2011 and reviewed in October 2014 which is 10 and 7 old respectively.</i>	A statement made by the Department of Health dated 19 January 2018 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

	<i>Where is the current evidence?"</i>	<p>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."</p> <p>Further on in the document (attached to this response – Annexure A: Letter from Health Department), 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."</p> <p>We are therefore of the opinion that health related 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.</p>
	<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>The Overstrand Municipality is not in a position to dispute the WHO and the Department of Health viewpoint on this matter.</p>	
Objectors	Objection	Applicant's Response
2, 5, 6, 7,8,16, 10	<p><i>"I wish to place on record my strong objection to the erection of Huawei 5G towers in the vicinity of Betty's Bay, or anywhere else near here.</i></p> <p><i>The hazard of this radiation is well documented, and it is heinous to claim that they have not been proved. Several First World countries have stopped rolling these out these towers because of the danger of these frequencies, and their effects on health. I need not itemise what these dangers are: inter alia they affect nervous systems, cause headaches and fatigue, and can cause tumours. Medical science is increasingly aware that frequencies play an enormous role in body health. To introduce this enormous threat in a proclaimed Biosphere such as Betty's Bay, where the</i></p>	<p>We wish to confirm that our client's intention is to provide sharable infrastructure for at least three of the four Mobile Network Operators (MNO), e.g. Vodacom, Cell C, MTN and Telkom Mobile. These MNO's are well established in South Africa and intend providing fast and reliable voice and data connectivity.</p> <p>This development complies with the required Health and Safety regulations as stipulated by ICNIRP.</p>

	<i>environment and inhabitants should be able to enjoy unspoiled nature, is criminal to say the least.</i>	
	<u>TOWN PLANNER'S RESPONSE</u> Objection and Applicant's response noted.	
Objectors	Objection	Applicant's Response
5	<i>Objection to unlimited and unregulated electromagnetic radiation activities and infrastructure allowed.</i>	The Overstrand Municipality Zoning Scheme 2013 makes provision the applicant to apply for consent to obtain the required land use rights to erect a transmission tower. The municipality, at their own discretion may then make a ruling as to it will be suited for the area. Therefore, simply stating that the infrastructure for transmission towers is unregulated is conjecture and should be disregarded.
	<u>TOWN PLANNER'S RESPONSE</u> The Telecommunication sector is regulated by the Department of Communication and Digital Technologies.	
Objectors	Objection	Applicant's Response
3	<i>"Please add this to my comment. In their proposal they said the WHO said it is safe. This is a lie, see attached link – The cell phone companies are lying" https://emfadvice.com/do-emf-meters-measure-5g-radiation/</i>	The statement made by the objector is conjecture. The site is not an accredited research source and therefore the information provided cannot be regarded as accurate.
	<u>TOWN PLANNER'S RESPONSE</u> Noted, however the Municipality is not in a position to comment.	
Objectors	Objection	Applicant's Response
6	<i>"We are not in favour of 5G and all its effects that it has. A lot of countries in the Western World banned 5G, it is only in South Africa that it is allowed"</i>	This statement made by the objector is unsubstantiated.
	<u>TOWN PLANNER'S RESPONSE</u> Noted.	

Objectors	Objection	Applicant's Response
3,6,9,14,16	<p><i>"This Rf technology is dangerous to human beings in 2 forms, 1 – Thermal radiation emitted from this equipment would be extremely dangerous to people and children and 2, wave form propagation of this type of Rf transmission also has an adverse effect on your immune system and cognitive thinking as well.</i></p> <p><i>I have experienced this first hand when they were testing this technology here in Bettys Bay since last year beginning of lock down.</i></p> <p><i>I have concrete proof that the technology is damaging, in spite of what the draft proposal states that the WHO says it is safe is utter nonsense, the parties who drafted this proposal have cleverly only given their side that technology is good and all the benefits to people, however ASK already do provide safe wireless internet here and the reason to say that we do not have a decent comms infrastructure here is just not true at all, ASK themselves provide it – there is an overwhelming amount of evidence that this technology is very harmful to human beings immune systems and their Biology."</i></p>	<p>The objections raised do not site any sources to substantiate the argument. If the objectors suggest that there is evidence to support his claims the factual statements should have been included and sited.</p>
	<p><u>TOWN PLANNER'S RESPONSE</u></p> <p>No proof was submitted by the objector.</p>	
<u>OBJECTION 5 – General</u>		
Objectors	Objection	Applicant's Response
1	<p><i>"On page 4 the applicant refers to Betty's Bay as a small holiday town, and that surrounding erven are residential, business related community related.</i></p> <p><i>Yet later its states that both the Overstrand Local Municipality & the operators interests to address the problem of weak voice and data coverage and to provide the</i></p>	<p>It should be noted that telecommunications service provision, similar to electricity provision is a general public service. The proposed infrastructure for telecommunications may be proposed in Betty's Bay but does not only serve the residents of Betty's Bay.</p> <p>The infrastructure proposed is not to "impose" a mast on the residents of Betty's Bay but is a required service that is necessary to upgrade and maintain existing</p>

	<p>surrounding traffic commercial & business community with the basic need of effective voice and data coverage, as it has become an integral part of our daily lives.</p> <p><i>This is contradictory and pleas will the applicant identify what “surrounding high traffic commercial & business community” they refer to.</i></p> <p><i>The increase of individuals and commuters utilising the R44 road running through the town of Bettys Bay and surrounding area created a high demand for effective voice and network data requirements. Does a 15m tower need to be imposed on Betty’s Bay residents to service commuter’s passing through on the R44?”</i></p>	<p>telecommunications networks.</p> <p>Most of the objections submitted to the Municipality were done via email. A convenience made available to them partly by the infrastructure they are now opposing.</p> <p>Betty’s Bay forms part of the Greater Hermanus Area. For the telecommunications infrastructure to function efficiently for the surrounding commercial and business community of the Greater Hermanus upgrades as proposed in this application is required.</p> <p>Furthermore, it should be noted that the R44 is used by tourist, commuters and residents of Betty’s Bay, therefore it is emphasized that the mast is required to provide a general public service.</p>
	<p><u>TOWN PLANNER’S RESPONSE</u></p> <p>It should be noted that there is void presently pertaining LTE and 4G coverage in the specific area where the application is proposed according the Web sites of the various Operators of telecommunications.</p>	
Objectors	Objection	Applicant’s Response
1	<p><i>“This is a business opportunity for the developer. There is no charity involved. They mentioned lower rates, etc. but there will be no discount by anybody for anybody because of this development. Faster downloads only mean faster accumulative charges. this will never change!”</i></p>	<p>The opinion of the objector is noted. The statement made in this regard is unsubstantiated.</p>
	<p><u>TOWN PLANNER’S RESPONSE</u></p> <p>The rates of the various operators are not a mandate of the Municipality.</p>	
Objectors	Objection	Applicant’s Response
1, 11, 12	<p><i>“The proposed tower would present a significant footprint at 15m that would have to withstand the very strong wind conditions. The structure and the fibreglass panel’s rigidity / ability to remain attached to the tower in adverse weather conditions over the entire lifetime of this installation are and issue. There is a potentially dangerous situation resulting</i></p>	<p>The structural integrity of the mast will be inspected at building plan stage. It is noted that the mast may be a cause for concern and therefore it is proposed that the mast be reduced to a slim line monopole.</p>

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	<i>from panels flying off in adverse weather conditions for which Betty's Bay is renowned and being a safety hazard for roads, buildings and people."</i>	
	<u>TOWN PLANNER'S RESPONSE</u>	
	The structure's integrity will have to comply with the national Building Regulations.	
Objectors	Objection	Applicant's Response
1	<i>"Is this merely a competitive installation which may possibly not improve the coverage for this area to the extent promised? Betty's Bay doesn't need 3 or 4 individual service providers installing their own towers to compete with one another commercially. The area should be safeguarded from blatant and blind planning and development."</i>	As previously stated, the applicant is a third-party infrastructure provider that provides infrastructure for all service providers wanting to improve coverage in the area. Eliminating the need for service providers to each erect their own infrastructure, but rather provide a mast that collectively hosts interested providers.
	<u>TOWN PLANNER'S RESPONSE</u>	
	The installation cannot be competitive due to the fact that the nearest tower is more than 1km from the application site which does not provide sufficient coverage for the area. The community of Beatty's Bay has the right to choose a service provider and should not be restricted to only one provider as proposed.	
Objectors	Objection	Applicant's Response
2,8,15	<i>"I also object to the secretive manner in which the operation has been carried out. There has been no attempt to engage in public discourse in which informed members of the community can voice their objections. If notices have been posted in the library this is extremely disingenuous, as the library is hardly being frequented by the public since the Covid19 restrictions. If you have notified ratepayers by means of their rates accounts, then that is also a problem, since I have not received any emailed rates accounts for several months now, despite informing the municipality of this fact. Public meetings need to be held, and any further development should cease until all the issues have been aired."</i>	Please be advised that due course was followed in notifying the public as per the requirements of the Overstrand Amended By-Law on Land Use Planning 2020. Rates and taxes account disputes should be addressed by the Municipality.

	<u>TOWN PLANNER'S RESPONSE</u>	
	The Overstrand By-Law on Municipal land Use Planning clearly stipulates the public participation process, which was followed by the applicant. The planning legislation does not provide for a pandemic and legislative requirement must still be met.	
Objectors	Objection	Applicant's Response
3	<i>"This amendment is purely for financial gain, as I read through the documents at the library. They have not considered at all the real dangers, they wrote this document for their financial benefit, despite what they have written as "positive" for all of us here."</i>	The statement made by the objector is conjecture and should be disregarded.
	<u>TOWN PLANNER'S RESPONSE</u>	
	Any business is based on financial gain and if not, it would be classified as a business.	
Objectors	Objection	Applicant's Response
11, 12	<i>"I would like the applicant to substantiate the claim for reduced cost" "The applicant is requested to prove this statement with signed agreements or contracts"</i>	Additional infrastructure will reduce the strain and upkeep on the existing infrastructure, and make provision for more users in Betty's Bay. If more users are accommodated the overall service provision cost can be reduced. The applicant is not obligated to disclose sensitive information containing client information.
	<u>TOWN PLANNER'S RESPONSE</u>	
	The reduced cost is the provision of and maintaining of service infrastructure if operators can co habitat instead of having to erect their own towers.	
Objectors	Objection	Applicant's Response
11, 13	<i>"It appears that ASK is looking for a cheap, quick fix by using the existing property to gain competitive advantage without any thought or consideration for the aesthetics of the surrounding area of for the community of Betty's Bay. There are other, better alternatives that should be investigated and considered before allowing this to go through."</i>	The statement made by the objector that ASK is using the mast to get competitive gains is conjecture. In order to improve coverage transmitters are required to allow mast to send and receive transmission signals back and forth. Wireless LTE for example also obtains signal from transmission towers.

	<u>TOWN PLANNER'S RESPONSE</u>	
	The objector does not indicate the better alternatives for a tower.	
Objectors	Objection	Applicant's Response
16	<i>"Property values of surrounding plots. Any estate agent or professional property valuer will immediately let you know without hesitation that the surrounding properties where the proposed Tower is in sight will immediately be devalued. The Municipality will then have to justify that it feels it is right and correct to devalue other people's properties which can be seen as unfair and unjust towards these property owners."</i>	The objection is noted.
	<u>TOWN PLANNER'S RESPONSE</u>	
	The surrounding properties are zoned business, and it is unclear how the property values will be impacted upon by the proposed tower.	

8. MUNICIPAL ASSESSMENT OF COMMENTS (Town Planner's comment on objections/and response thereon)

See Paragraph 7 above.

9. INTERNAL AND EXTERNAL DEPARTMENTS

The application was supported by all internal municipal departments.

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

N/A

Spatial Sustainability

The application will not have and impact on the Biophysical nature and or agricultural land. The application does have an impact on the visual nature of the Business Node due to its locality and extensive height in relation to the existing built environment.

Efficiency

Municipal services will not be required. The application enables the erf to be used optimally and thus be more efficient in the utilisation thereof.

Spatial Resilience

Spatial resilience is the measure of adaptation to change, which is evident in the telecommunication infrastructure development. The reliance on effective and much needed communication during disasters and the evident change it results in. The re-look at the existing infrastructure in its effectiveness, is providing acceptable communication levels.

Good Administration

Administrative procedure was followed as prescribed by the Municipality.

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 SDF 2010 and IDF 2014 indicate that any land use application must where possible be located within the Urban Edge. The documents promote mixed uses in the existing nodes. However, it also recognises the environmentally sensitive nature of the town and that applications be evaluated taking the sensitive nature into consideration.

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

N/A

10.6 Impact on Municipal Engineering Services

Existing services will be used.

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

N/A

10.8 Existing and proposed zoning comparisons and considerations

The Land Use Scheme does make provision for a consent use for the application and the zoning is not affected, however the height is a transgression.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vests in the personas of the owner of a dominant tenement.

N/A

The personal benefits which accrue to the holder of rights in terms of the restrictive condition.

The holder of the rights does not accrue any personal benefits.

The personal benefits which will accrue to the person seeking the removal of the restrictive conditions, if removed.

The applicant will be able to develop the application property as per the Land Use Scheme.

The social benefit of the restrictive condition remaining in place.

The benefit should the conditions remain in place is that the status quo remains.

The social benefit of the removal of the restrictive condition.

The social benefit is that should all the conditions be removed; it has the possibility to provide a variety of services to the community.

Whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.

The removal of the conditions will not remove any rights enjoyed by the beneficiaries.

12. THE DESIRABILITY OF THE PROPOSAL

The objections have been addressed extensively under Paragraph 7; however, a few aspects need to be addressed in more detail. They are as follows:

Consent for a transmission tower and departure of the height restriction:

The application does not address any of the forward planning policies of the Overstrand Municipality such as the Spatial Development Framework and Growth Management Strategy.

Existing towers in the vicinity has not been identified and discussed. There are two towers located respectively on Erven 3095 and 2411, Betty's Bay. The latter is located at Stony Point and provides full coverage. It is unclear why the objectors located in the coverage area of the latter objected to the proposed application since they have full coverage and is not impacted upon in terms of availability of coverage. The visual impact remains a point of dispute for all the objectors

The locality of the proposed tower is problematic. It is proposed to be located alongside Porter Drive, which is a highly visual street scape. The container is proposed on the eastern erf boundary, directly adjacent to Porter Drive. The container will not form aesthetically part of the built environment of the erf and is highly visible and out of place. The tower is placed in the developable footprint on the corner of Porter Drive and Coral Road, which is highly visible. No attempt has been made to rather locate the proposed development to the rear of the erf towards the western side of the erf, towards Coral Road to minimise the impact with the backdrop of the existing buildings. It is noted that any telecommunication tower will be visually intrusive on the environment due to the topography and setting of the township. Although a location closer towards the mountain will be less visual, it is an option that some of the objectors mentioned and agreed by the Consultant. However, the impact of such a proposal cannot be evaluated since the Consultant has not included the option as an alternative.

Irrespective of where an application will be lodged in Betty's Bay, the visual impact will always be a point of discussion. There is no erf or locality that will not be impacted upon; however, an extensive alternative investigation may have led to better viable options as to the present site.

The motivation was very general in terms of the need for the tower and did not really address the benefit or needs of the town of Betty's Bay. It did however indicate that it is to cater for the LTE and 4G coverage in the area, which is not available at the specific location if one looks at the coverage maps of the operators in the various web sites. It goes on further elaborating about the development and need of telecommunication in South Africa, addresses the Western Cape IDP and Economic Development Frameworks, but did not address any of the Overstrand Municipal Planning Documents. Clearly ignoring the area of jurisdiction, the application is lodged in, as irrelevant. The motivation indicated that it will addresses the need of

better communication network for the area, but did not elaborate, except the internet coverage map and a speed test on 15 June 2020. Thus, it is unclear whether there is a need for a 15m tower transmission tower in the area.

The visual aspect is further exacerbated by the proposed water tank that the applicant indicated in its motivation will fit in with the surrounding area. It is clear that the consultant was not in the vicinity recently, since the proposed water tank tower does not fit in with the built environment of the area. The motivation indicated that the tower would cater for 3 dishes, but in the response to the objections report indicated that the tower will be able to cater for 6 dishes. The impact of possible 6 dishes will further exacerbate the visual and place of sense that the transmission tower will have.

Telecommunication infrastructure is a primary right on industrial erven, which is not provided for in Betty's Bay, thus the only acceptable available zoning is the business, community, nature reserve and public open space zoned erven as a consent use.

The response that the mountains fall within the EMOZ that prohibits development is not totally correct. There are erven that fall outside the restriction, which an application could be lodged to depart from the Regulations

Health

The applicant must adhere to the guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) as was adopted by the National Department of Health.

The guidelines stipulate the following - the adherence of a 5m occupational safety zone restricting any unauthorised and or public in front of an antennae and that antenna be positioned in such a manner that there are no habitable structures within a 50m zone directly in front of the antennae at the same height. This is to ensure exposure to electromagnetic energy which may be harmful to people.

The applicant did submit such a drawing, No. 2958-D-008 and 009 indicating the safety zones for a 15m tower. However, it is unclear to what extent the applicant can still comply with the guidelines should the tower be lowered and located more to the rear of the building to lessen the impact on the visual and sense of place of the node. After the public participation process and comments received, the applicant did not consider lowering the tower to a more appropriate scale.

Removal of the title deed restrictions

The conditions relate to the wood and iron clause, building lines and specific land uses such as alcohol off-sales and garages which is prohibited with the establishment of the township.

The amendment of Condition C. to remove the wood and iron clause application is supported since it is outdated, and the composition of the material has changed substantially due to technological advances made in these industries.

The removal of Condition D.(c) deals with building lines. Porter Drive was earmarked on the Main Road for Betty's Bay, but with the building of the R44, the function of Porter Drive has made the excessive building lines superfluous. The

removal is supported to accommodate the existing building on a business zoned erf. The building lines as per the Land Use Scheme, is sufficient to deal with traffic flow and sight distances.

The removal of Condition D.(a) is not supported since it is clear that the sale of alcohol and garages and licensed hotel are elevated in terms of land uses allowed. The application did not apply for any of the restrictive land uses, and thus cannot be evaluated since the impact cannot be determined.

Conclusion

In investigating the coverage of the service providers of MTN, Vodacom and Cell C on the internet on 8 December 2021, it clearly shows that none of the aforementioned providers have fixed LTE and LTE connectivity in the application area.

However, a lower tower to address the overlap of coverage to provide for LTE and 4G may be more appropriate in the rural setting of Betty's Bay. The same applies to the location and the mitigation measures proposed, a slim pole with possible 6 dishes is also not appropriate in terms of scale and visual impact.

13. RECOMMENDATION

1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 on Erf 2666, Betty's Bay for a departure to exceed the applicable 8m height restriction to accommodate a proposed 15m high transmission apparatus, **not be approved**, in terms of the provisions of Section 61 of the By-Law.
2. that the application in terms of Section 16.(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 on Erf 2666, Betty's Bay for a consent use in order to erect a 15m transmission apparatus, **not be approved**, in terms of the provisions of Section 61 of the By-Law.
3. that the application in terms of Section 16.(2)(f) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 on Erf 2666, Betty's Bay for the removal of restrictive title deed Condition A.(c) as contained in Title Deed T56156/2011 in order to erect a 15m transmission tower, **not be approved**, in terms of the provisions of Section 61 of the By-Law.
4. that the application in terms of Section 16.(2)(f) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 on Erf 2666, Betty's Bay for the removal of restrictive title deed Conditions C., Condition A.(c) and Condition E.(b) as contained in Title Deed T56156/2011 and pivot deed T12265/1954, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (b) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.

5. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of not approval.

14. REASONS FOR RECOMMENDATION

POINTS 1 – 3

- The motivation is vague and did not address the Betty's Bay per se.
- Other towers were not indicated and their specifications.
- No visual impact was considered in terms of the existing built environment.
- Needs as indicated in the motivation report was not verified or quantified.
- Alternatives were investigated in the business node itself and none outside this perimeter.
- It is unclear how the proposed development coincides with the Spatial Planning Documents of the Overstrand since it was not addressed or discussed in the application.
- The removal of Condition D.(A)(c) has not addressed the specific land uses restricted by the condition. The applicant did not apply for any of the restricted land uses and thus the removal of the uses impact cannot be determined.

POINT 4

- The removal of the conditions relates to wood and iron clauses that is not applicable any more due to technological advances, not available in the establishment of the township in 1942.
- The building lines relates to Porter Drive as a main road of Betty's Bay.
- This has lapsed with the building of the R44, Clarence Drive, and thus no longer applicable or practical.
- Little of the erf remain to be developed should the building lines remain in place.
- The Land Use Scheme building lines is sufficient in dealing with development on the erf.

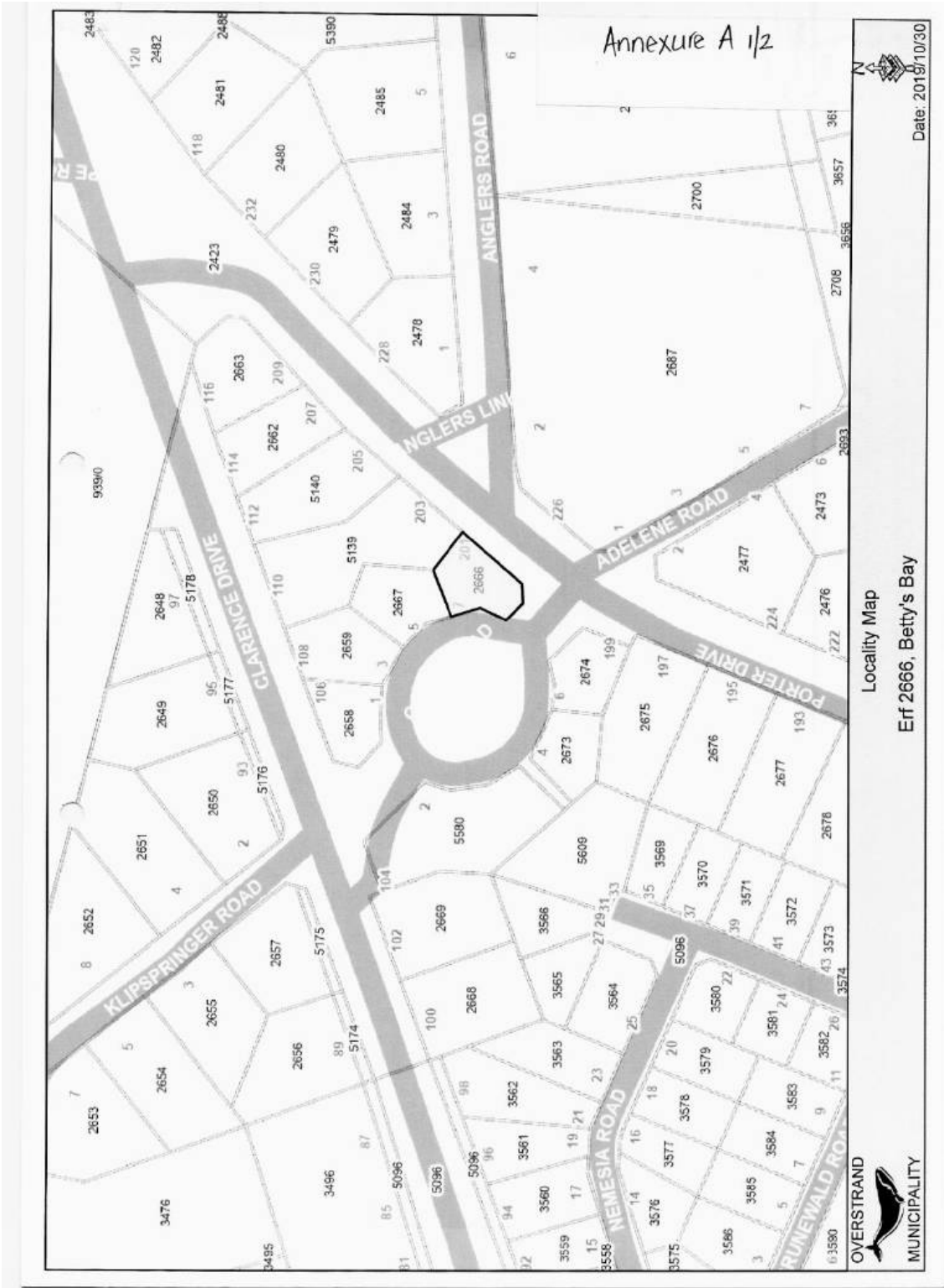
15. ANNEXURES

- Annexure A: Locality Plan
- Annexure B: Motivation Report
- Annexure C: Site Development Plan
- Annexure D: Title Deed T56156/2011
- Annexure E: Objections received
- Annexure F: Applicant's response to the objections received
- Annexure G: Services Report

SIGNATURE**REGISTERED PLANNER**Name: **H VAN DER STOEP**SACPLAN Reg No: **A/1708/2013**

Signature: _____

Date: _____



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ADDITIONAL INFORMATION/REMARKS/SERVICES

E	N/T	24/03/21	MAY TYPE TO SUBLINE MICROPOLE	DRAWN: ACS	DATE: 14/01/20
D	N/T	24/11/20	SITE RELOCATION	CHRD: AJM	DATE: 14/01/20
C	ACS	14/01/20	AND SITE SIZE AMENDMENT	APPR: AJM	DATE: 14/01/20
REV	BY	DATE	REVISION PER MUNICIPALITY	MOBY INDUSTRIES	2558
			DESCRIPTION	C/D FILE NO:	2558-D-002-D
				SPT SIZE:	A3
				SCALE:	NTS

ADDITIONAL INFORMATION/REMARKS/SERVICES

<p>REFERENCE DRAWINGS</p> <p>2558-D-001 LOCALITY PLAN MICRO</p> <p>2558-D-003 SITE PLAN</p> <p>2558-D-004 LAND USE PLAN</p> <p>2558-D-005 TOP VIEW</p> <p>2558-D-006 ELEVATIONS</p> <p>2558-D-007 SITE DEVELOPMENT PLAN</p> <p>2558-D-008 PUBLIC SAFETY LAYOUT</p> <p>2558-D-009 PUBLIC SAFETY ELEVATIONS</p>	<p>DATE: _____</p> <p>2558-D-001 LOCALITY PLAN MICRO</p> <p>2558-D-003 SITE PLAN</p> <p>2558-D-004 LAND USE PLAN</p> <p>2558-D-005 TOP VIEW</p> <p>2558-D-006 ELEVATIONS</p> <p>2558-D-007 SITE DEVELOPMENT PLAN</p> <p>2558-D-008 PUBLIC SAFETY LAYOUT</p> <p>2558-D-009 PUBLIC SAFETY ELEVATIONS</p>
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<p>SITE NAME</p> <p>BETTY'S BAY SECURITY</p>	<p>CLIENT</p> <p>BLUE SKY TOWERS</p>
<p>LOCALITY PLAN MICRO</p>	<p>PROJECT SERVICES (PTY) LTD</p> <p>ENGINEERS, PROJECT MANAGERS & CONTRACTORS:</p> <p>P.O. BOX 698</p> <p>HOWARD PLACE - 7450</p> <p>TEL: (021) 905 7165</p>
<p>DRAWING NO:</p> <p>2558-D-002</p>	<p>SITE ADDRESS:</p> <p>PORTULCA, BETTY'S BAY, WESTERN CAPE</p>
<p>REV</p> <p>E</p>	<p>LATITUDE: -34.3150°</p> <p>LONGITUDE: 18.8820°</p>

Annexure B 1/28

ERF 2666 BETTY'S BAY: CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS APPLICATION

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1. THE APPLICATION

Application is hereby made on behalf of our client Blue Sky Towers (Pty) Ltd to allow the following on Erf 2666 Betty's Bay.

- **Consent use application** in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 for the purpose of erecting 15m transmission tower disguised as a water tower.
- **Permanent departure application** in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 for the purpose of erecting 15m transmission tower disguised as a water tower. The departures include the following:
 - Relaxation of the height restriction from 8.5m to 15m;
- **Removal of restrictive title deed condition** in terms of Section 16(2)(f) of the Overstrand Municipal Land Use Planning By-law to remove restrictive title deed conditions.

This consent use, permanent departure and removal of restrictive condition application will allow for the installation of a 15m transmission tower which is a permitted by means of a consent use for 'Business Zone 3' zoned properties in terms of the Overstrand Zoning Scheme Regulations.

2. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

The subject property relating to the application is identified as Erf 2666 Betty's Bay with an extent 862m² (eight hundred and sixty-two square metres). The property is situated in Betty's Bay. The subject property is located at 2666 Porter Drive, Betty's Bay.

There are three title deed conditions contained in the title deed no. T56156/2011 (and pivot deed, T12265/1954) that restrict the existing land use and proposed installation of a transmission tower on the subject property (refer to accompanying conveyancer certificate). Copies of the Title Deed and pivot deed for Erf 2666 Betty's Bay containing the details outlined below is contained in Annexure A. *(Please refer to Annexure A: Title Deed)*

TITLE DEED DESCRIPTION: ERF 2666 BETTY'S BAY IN THE OVERSTRAND MUNICIPALITY, DIVISION CALEDON, PROVINCE OF THE WESTERN CAPE

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ERF 2666 BETTY'S BAY: CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS APPLICATION

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TITLE DEED NUMBER: T56156/2011 and Pivot deed, T12265/1954.

TITLE DEED RESTRICTIONS: None that restricts the installation of a transmission tower. Drawings abide by the building lines imposed by the title deed.

PROPERTY SIZE: 862m² (eight hundred and sixty-two square metres).

ZONING: Business Zone 3: Local Business

PROPERTY OWNER: ASK SECURITY CC

SERVITUDES: The proposed development does not encroach or have an impact on the Registered servitude.

3. CONTEXTUAL INFORMANTS

a. Locality

The concerned property is identified as the Erf 2666 Betty's Bay located within the Overberg Region. The property is situated at 2666 Porter Drive, Betty's Bay.

b. Surrounding Area

Betty's Bay is a small holiday town situated on the Overberg coast of South Africa's Western Cape province. It is located 100 km from Cape Town beneath the Kogelberg Mountains on the scenic R44 ocean drive between Pringle Bay and Kleinmond. This village stretches over 13 km along the coast. Tourism plays a large role in the town's economy due to its popularity with holiday makers from across the Western Cape and Cape Town in particular. Other uses in the direct vicinity of the subject property includes residential dwellings, small local businesses and community related activities.

c. Land Use

The proposal entails the erection of a transmission tower on Erf 2666 Betty's Bay. The property is currently zoned "Business Zone 3" and is currently used for business-related activities coupled with relevant outbuildings. The surrounding land uses in the area are predominantly utilised for residential and business-related purposes (shopping complex in close proximity) with community related land uses in close proximity of the concerned property.

ERF 2666 BETTY'S BAY: CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS APPLICATION

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Fig. 1 – Aerial photo of development area with the green outlining of the proposed area of intervention

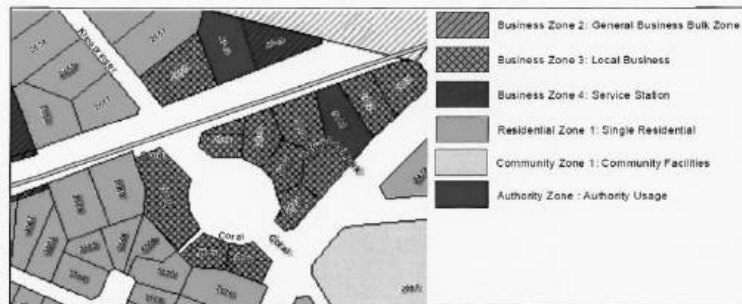


Fig. 2 – Zoning of compliant area (adapted from the Overstrand Zoning Scheme Regulations, 2014 – Betty's Bay Zoning (Map 1))

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ERF 2666 BETTY'S BAY: CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS APPLICATION

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d. Topographical character

The site is located between the contour lines 25m and 20m above sea level. The distance between the 25m and 20m points is 76.88m. Therefore, for every 15m, a drop of 1m is observed in the physical terrain. No significant slope is found on the property.



Fig. 3 – Distance between 5m contour lines (25m and 20m above sea level)

4. DEVELOPMENT PROPOSAL

a. Development

It is the intention of our client to apply for a consent use, permanent departure (height restriction relaxation) and removal of restrictive title deed condition application to allow for the installation of 15m transmission tower disguised as a water tower on the Erf 2666 Betty's Bay. The application entails the following proposed development parameters:

- Erection of a 15m transmission tower disguised as a water tower situated in the southern portion of the property.

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ERF 2666 BETTY'S BAY: CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS APPLICATION

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- Installation of 12 triband antennae hidden within the dummy water tank proposed at a height between 12m and 15m of the water tower type transmission tower.
- Installation of 3 transmission dishes on the proposed 15m water tower type transmission tower.
- Construction of 4 x telecommunications equipment containers at ground level.
- Lightning spike and Navigation lights.
- Portable fire extinguishers (3 x 9kg portable fire extinguishers); and
- The mast & equipment containers will be placed inside a +/-55m² compound enclosed off by a 2.1m high palisade fence.
- Optic Fibre route in 110mm underground nextube sleeve (underground) to the curb of the road.

(Please refer to attached Annexure H – Plans)

b. Access

Access to the proposed freestanding base station will be obtained from the existing entrance of the property located at Coral Road.

c. Permanent Departure: Height Restriction relaxation

According to the Overstrand Zoning Scheme Regulations a height restriction of 8.5m exist on a property zoned "Business Zone 3". This application aims at obtaining the Overstrand Municipality's permission to relax the restriction from 8.5m to 15m in order to install a transmission tower. With reference to section 5(f) of this motivational report, a great need for coverage exist in the compliant area. A mast of 8.5m will not be able to provide effective voice- and data coverage to the surrounding area. Our client, Blue Sky Towers, provides telecommunication infrastructure to multiple mobile network operators (e.g. Vodacom, MTN, Cell C and Telkom Mobile). The idea is that these network operators should collocate and share infrastructure. A transmission tower lower than 15m will not be able to provide sufficient space for potentially four mobile network operators.

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ERF 2666 BETTY'S BAY: CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF
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d. Removal of restrictive title deed condition

In respect of the aforesaid title deed (T56156/2011 and pivot deed, T12265/1954), it was confirmed by an appointed conveyancer of Madeleyn Incorporated that there are certain conditions imposed on the property's title deed that restricts the existing buildings and the proposed development.

One Condition that the need to be amended:

Condition C (page 2):

ENTITLED to the benefit of the conditions referred to in the Servitude Endorsement dated 24 June 1940 in Certificate of Consolidated Title No T3720/1937:

"By Deed of Transfer No 6068/40 dated 24/6/40 certain conditions relating to (b) prohibition of Petrol Station on land **(d) wood and iron buildings**, (e) slaughter poles, cattle kraals and manufacture of bricks, tiles, etc., have been imposed on the property thereto conveyed for the benefit of the owner and its successors in title of the remainder of the property held hereunder as will more fully appear on reference to the said Deed of Transfer."

As this condition contains important prohibitions, it is not our intention to remove this condition in totality. We only wish to request an amendment to the condition in the following fashion:

"By Deed of Transfer No 6068/40 dated 24/6/40 certain conditions relating to (b) prohibition of Petrol Station on land **(d) wood and iron buildings**, (e) slaughter poles, cattle kraals and manufacture of bricks, tiles, etc., have been imposed on the property thereto conveyed for the benefit of the owner and its successors in title of the remainder of the property held hereunder as will more fully appear on reference to the said Deed of Transfer."

Three Conditions to be removed in totality:

Condition D (page 3):

"A(a) That only one building for use as shops, business premises (which shall not include a licenced hotel, off sales liquor licence bottle store, garage or cinema) a dwelling house, residential building, place of worship and/ or a building combining two

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or more such uses, together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.

"A (c) That no building or structure or any portion thereof, except boundary walls and fences shall be erected nearer than 3,15 metres to the back and side boundaries of this erf excluding the portions of the side boundaries for a distance of 9,45 metres from the building line to the street front."

We acknowledge the need for a condition that restricts development on the said development. However, we are of the opinion that the condition in its current state is archaic and should include the land uses considered as primary rights and permitted by means of council's special consent. We also wish to highlight the fact that the existing house was bought by the current owner while it was already in contravention with the restrictive condition related to building lines. Therefore, it is a responsible decision to remove the restrictive condition as the existing building comply with the development parameters set for properties zoned "Business Zone 3" under the Overstrand Zoning Scheme Regulations. We therefore suggest that the condition be replaced by the following:

"The land shall only be used for purposes as are permitted by the Town Planning Scheme of the local authority and subject to conditions and restrictions stipulated by the zoning scheme."

Furthermore, Condition E ties with Condition C related to the prohibition of certain building materials.

Condition E. (b) read as follow:

"No wood and iron buildings or any description shall be erected on this erf nor shall corrugated iron be used for roofing purposes:"

Considering the surrounding properties and shopping complex found on Erf 2667 and 5139 Betty's Bay, this restriction is archaic as all the surrounding properties including the current structure on the property contains wood and/ or iron in their construction. Therefore, removing this restrictive condition will not have an impact on the character of the surrounding neighbourhood.

e. Security

The proposed water tower type transmission tower will be constructed on Erf 2666 Betty's Bay. Extra security will be added to the actual transmission tower through a 2.1m high palisade fence. The telecommunications radio and transmission equipment will be installed inside alarm monitored containers; these containers are secure as they are locked at all times. The antennae will be located 12-15m above ground level, inside a dummy water tank and are inaccessible to the public. Only authorised personnel will have access to the antennae by using a cage ladder. A mast gate with a high security lock will be installed ensuring increased security to mast. Access to the equipment and antennae will be limited to registered and qualified personnel only. Health and safety legislation also require restrictive security signage (0, 4 x 0,5m) to be attached to access gate and containers. The above safety and security measures have been put in place by telecommunication operators and legal entities to prevent access to the public and greatly reduce vandalism of the equipment.

f. Electricity Requirements

Electricity supply will be obtained from the available on-site supply, technological advances have also seen current telecommunications equipment reduce their electricity usage.

g. Environmental

Environmental and social sustainability are regulated by *The National Environmental Management Act (Act 107 OF 1998) (NEMA)* - published in Government Notice No. R324. When read together with the National Environmental Management Act Regulations Listing Notice 3 of 2017 (promulgated April 2017), 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 2017:

(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.

As this site falls within an **urban area** inside the town of Betty's Bay and **not** in an area designated for conservation use as prescribed in the Spatial Development Framework adopted by the competent authority, or zoned for conservation purposes and the height of the structure does not exceed 15m in height. Therefore, the intended development does not trigger a listed activity in terms of the 2017 NEMA regulations and therefore no environmental impact assessment or ROD (Record of Decision) is required. *(Please refer to Annexure G: A Copy of the Listing Notice 3 of 2017)*

5. MOTIVATION

a. 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.

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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. Blue Sky Towers (Pty) 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 Blue Sky Towers (Pty) Ltd 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.

The following information is provided to provide clarity on some of the telecommunication terminology. For ease of reference, kindly refer below to an extract from the Overstrand Zoning Scheme Regulations (2014):

"rooftop base station" means a cell phone base station where antennae are attached to the roof or side of an existing building; provided that any antennae support structure or equipment room that is not part of the building does not extend more than 2,5 m in height above the top of the building;

"transmission tower" - means any support structure and associated infrastructure more than 3m in height, that is used for the transmission and/ or reception of electromagnetic waves; and includes telecommunication, cellular telecommunication, radio, television and satellite transmission;

"utility service" - means a use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and includes a water reservoir and purification works, electricity substations and transmission lines, waste water pump stations and treatment works, renewable energy infrastructure such as wind turbines

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and solar panels, whether above or below ground or water, and may include such sustainable service delivery technology as the Council may approve, but does not include road, or transport use;

b. Proposed Development Parameters

The current and proposed allowable development parameters as per the Overstrand Zoning Scheme Regulations (2014) are indicated in the tables below:

Development Parameters	Overstrand Zoning Scheme Regulations (2014) (Business Zone 3 – pp. 65-66)	Proposed Development on Erf 2666 Betty's Bay
Floor Factor	1.5	COMPLY:
Coverage	75%	COMPLY
Setback	6.5m	COMPLY
Building Lines	Street Building Lines: 0.0	COMPLY
	Side building line: .0.0	COMPLY
	Rear building line: 3m	COMPLY
Parking	6 bays per 100m ² GLA	COMPLY: No parking spaces will be affected by this development
Height	8.5	DEPART: RELAX FROM 8.5M TO 15M to allow for a transmission tower

The proposed erection of a transmission tower will **NOT** have an impact on parking, building lines, coverage or floor factor as described in the Overstrand Zoning Scheme Regulations.

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BUSINESS ZONES BUSINESS ZONE 3: LOCAL BUSINESS (B3)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE LINE RETRAC	OTHER PROVISIONS
				To Top of Roof	Street building line	Side building line		
<p>PRIMARY USES shops, take-along ground floor, offices</p> <p>CONSENT USE Retail store, financial premises, clinic, conference facility, fast (on ground floor), food/beverage, game lounge, hotel, informal trading, restaurant, place of assembly, place of entertainment, place of instruction, place of worship, recreational facilities, residential building, restaurant, coffee/tea bar, station, sale of alcoholic beverages, service station, service kiosk, transmission tower</p>	1.5	75%	8.0m (2 stories)	0.0m 3.0m for fast parties	0.0m or 3.0m refer to F.2.2(a)	3.0m or 4.5m refer to F.2.2(a)	6.5m refer to 18.2	Windows and door openings, parking and access, loading bays, screening, external lighting, service station, site development
			Earth banks and retaining structures shall comply with 18.6					

Fig. 4 – Development parameters for Business Zone 3

c. Physical Characteristics

RF Engineers are subject matter experts and identify sites by utilizing a specific set of engineering rules and principles, Erf 2666 Betty's Bay was identified as a prime position on the following premise:

- Property offers the optimal position situated between existing and planned base stations to provide efficient data and voice coverage.
- Proximity to the R44 road and surrounding schools, business and residential units which will benefit from more effective voice- and data coverage (e.g. access to WIFI).
- The area is characterised by very slow internet (refer to Figure 5 for results of a speed test conducted on site)
- Surrounding geographical aspects are in line with the requirements.
- Minimized physical, natural and visual impact due to vegetation in compliant area.
- Ability to reduce the number of base stations in the surrounding areas.
- Ability to provide sufficient security to the equipment.
- Capacity to share infrastructure with majority of the operators.
- Property position will address the complaints received in the area.
- Sufficient space to erect a freestanding base telecommunications station.

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In order to achieve the optimal data and voice coverage objectives base stations in this specific area needs to be approximately 500m apart on average, this is due to the density of the surrounding areas as well as geographical and physical features. The fresnaye effect also influences the quality of the voice and data coverage caused by the amount of steel and concrete of the buildings in the surrounding area, this results in a reduced coverage area.

d. Health

Current research on telecommunications base stations has reached a point whereby scientists are satisfied that 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 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

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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. ICNIRP allows for an exposure measurement level of 41.000 (v/m) within a distance of 15m from the antennae. Cellular operator antennae operate at a level of not more than 0.04 (v/m) within a distance of 15m, in laymen's terms the levels are approximately 1/1000th of the prescribed exposure levels. It is therefore clear that the installation of these antennae does not pose a health risk. 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 following these guidelines and are far below international standards.

A statement made by the Department of Health dated 19 January 2018 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."

e. Need & Desirability

In modern times it has become a rare instance where a member of the public only utilizes one cellular phone, majority utilize a cellular phone for personal and an additional phone, iPad or dongle for business purposes, it's on this premise that we believe it to be in both the Overstrand local Municipality & the operators interests to address the problem of weak voice and data coverage and to provide the surrounding high traffic commercial & business community with the basic need of effective voice and data coverage, as it has become an integral part of our daily lives.

With the recent outbreak of the COVID-19 pandemic and subsequent lockdown, many people in South Africa were ordered to remain at their places of residence. This increased the pressure on the telecommunication network grid as more people depends on fast and effective voice- and data coverage in order to work from home, conduct schoolwork and studies and remain connected with loved ones over social media. Therefore, telecommunication services were further realised as an essential service.

A speed test was conducted on-site. On 15 June 2020 at 09:37 in the morning, the internet speed and connectivity at Erf 2666 Bettys Bay was described as **very slow** (refer to Figure 5). Any person with access to google or similar search engine are able to run a speed test in their area. The internet speed test measures the speed of your internet connection. Your connection speed includes things like download speed and upload speed.

You can test your internet download and upload speed:

1. Go to Google.com.
2. Search for internet speed test.
3. Tap or click Run Speed Test.

Google partners with Measurement Lab (M-Lab) to run this test.

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Fig. 5 – Screenshot of speed test conducted at Erf 2666 Bettys Bay (Source <https://www.google.com/search?q=speed+test&rlz=1C1CAFCEnZA812ZA812&oq=speed+test&aqs=chrome..69i57j0l5j5l2.2575j0j8&sourceid=chrome&ie=UTF-8>)

When selecting a site, special consideration is given to the geographical aspects so that the cellular infrastructure is positioned to ensure optimal functionality and availability to the customer. This reduces the number of base telecommunication stations necessary to provide the best possible experience for the end user.

Our client Blue Sky Towers (Pty) pride themselves in ensuring that a positive impact is created in terms of the social, environmental and economic wellbeing of the area. Since the introduction of LTE in South Africa in 2012 there has been greater need for access to faster data, due to the higher penetration of LTE data in commercial and business areas, this has led to lower subscription fees which in itself provide economic sustainability and development. LTE will

ultimately address high data traffic requirements and the surrounding community will be the main beneficiary.

The erection of a telecommunication base station does not impact on the current or surrounding land uses of the property. The construction and maintenance phase of the proposal will provide a positive economic & social impact by ensuring job creation effecting the surrounding community in a positive way.

The increase of individuals and commuters utilising the R44 Road running through the town of Betty's Bay and surrounding area created a high demand for effective voice and data requirements. Additionally, more people work-from-home, educate their children and stay connected with loved ones using telecommunication infrastructure during the nation-wide lockdown and curfew instated to combat the COVID-19 pandemic. The commissioning of the proposed telecommunication base station will allow people to continue accessing this essential service.

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.

f.1 Choice of site

When there is an increase in the number of users in an area, the coverage provided by the existing network decreases. A decrease in network coverage, typically leads to dropped calls and slower internet speed. Figures 6 - 12 strive to explain how the need for an increase in cellular infrastructure evolves in a typical urban area.

f.2 Cellular infrastructure explained:

Figure 6 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 7). Gaps between cells require new/additional telecommunication base stations to be placed in these gaps to retain good network coverage. Locations for telecommunication infrastructure are primarily chosen within areas where a need exists for coverage (refer to

Figure 7). 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.

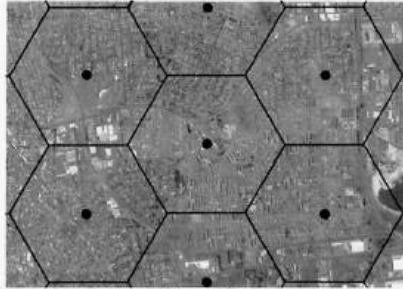


Fig 6 - Initial coverage (cell) provided by Telecommunication Base Stations

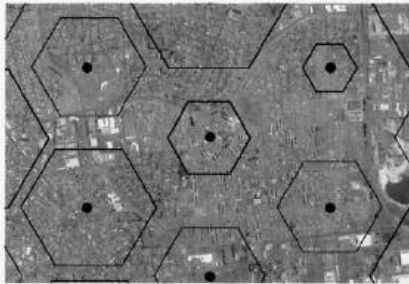
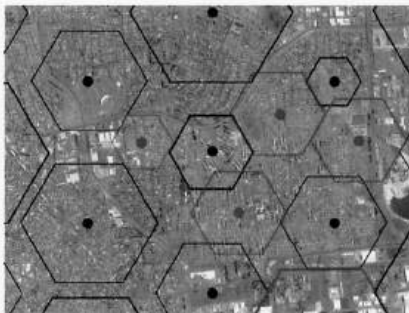


Fig 7 - Coverage decreases due to increase in network users – cell size decreases



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Fig 8 - Additional telecommunication base stations required to fill the gaps

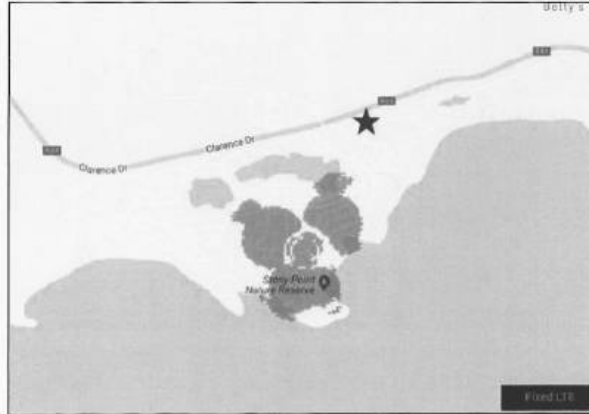


Fig 9 – MTN Fixed LTE connectivity in the area of Betty's Bay – Red star indicates the location of the site (Source: https://www.mtn.co.za/Pages/Coverage_Map.aspx)

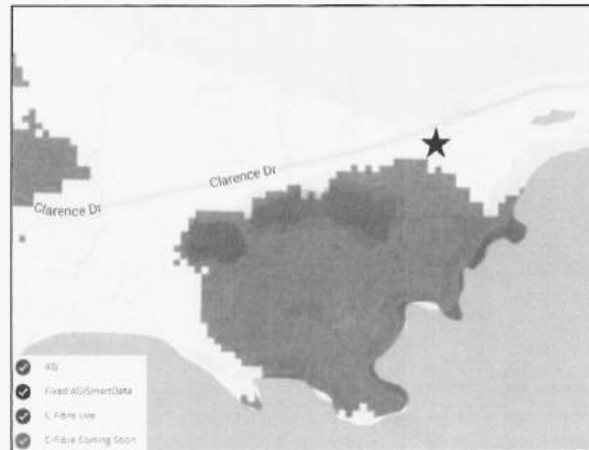


Fig 10 – Cell C Fixed-LTE connectivity in the area of Betty's Bay – Red star indicates the location of the site (Source: <https://www.cellc.co.za/cellc/coverage-map>)

Figure 9 and 10 illustrates the current MTN Fixed LTE and Cell C Fixed LTE coverage in Betty's Bay. It should be noted that some areas have very limited LTE and 4G technology (especially Vodacom Advanced LTE and Fibre connectivity). Therefore, a transmission tower as proposed in this application will increase the amount of coverage in this area.

f. Existing Infrastructure

Figures 11 and 12 aim at illustrating the manner in which the level of voice- and data coverage potentially may be increased. These RF plots are provided by our client and indicate the coverage provided by existing telecommunication infrastructure within a 500m and 1000m radius, vs the expected increase in coverage provided by the proposed development.



Fig. 11 – RF plot indicating coverage provided by existing telecommunication infrastructure within a 500m and 1000m radius (Source: As composed by the client's RF Planners)

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Fig. 12 – RF plot indicating the expected increase in coverage provided by the proposed installation (Source: As composed by the client's RF Planners)

g. Existing Policy Frameworks
Western Cape Integrated Development Plan

As depicted in the Western Cape IDP, a change in intensified land use and form is anticipated. Betty's Bay has been identified as an easily accessible activity corridor where increased public movement and transportation is both being expected and supported by the district municipality. The positioning of the base station will be in close proximity of the district restructuring routes. This will lead to an increase in tourism, commercial and business activities and would require the need to erect a base station which in turn will address the increased communication needs of the surrounding community.

Western Cape Economic Development Strategy (2009)

The Directorate for Economic and Human Development published a draft Economic Development Strategy in 2009 which supports the need to provide fundamental telecommunications infrastructure and to provide the best possible available coverage. This will lead to the attraction and growth of the commercial sector and at the same time retain and advance skilled persons

Please find below an extract from the above-mentioned policy supporting telecommunications infrastructure:

"High data access and low telecommunications costs are a key input factor for local community, business and industry to achieve sustainable growth" &

"Taking into account the high accessibility of mobile telephones and the growth in the mobile telecommunications market, the provincial government will actively seek to create technology parks in nodal areas in order to increase the digital literacy of citizens".

As confirmed by the policy, basic access to voice and data coverage is defined as a basic need for the public and falls under the umbrella of electricity, water, sanitation and access.

h. Electricity

The electricity supply to TI (Telecommunications Infrastructure) must, where practically possible, make use of underground cables. All electrical installations must be as per ESKOM or Overstrand Local Municipality's Electrical Department requirements and standards. Our client will ensure that the proposal will be in line with the above-mentioned electrical supply requirements.

i. Visual Impact

Special consideration has been given to the placement of the proposed transmission tower in order to minimize the visual impact as far as possible however this is challenging at times. The proposed erection of a 15m water tower type transmission tower will offer the opportunity for operators to collocate resulting in the reduction of future transmission towers (refer to Figure 11). The mast compound is also smaller (+/-70m²) than the typical mast compounds (standard 100m²). Our client Blue Sky Towers (Pty) has selected to erect a water tower type transmission tower design in order to be sympathetic to the character of the area and blend with the activities found on the property (existing company practicing from the property). This type of development can accommodate multiple network operators at the same height. Antennae on this structure is proposed inside the dummy water tank. Due to recent droughts experienced in the Western Cape, water tanks and other water storage facilities became an everyday sight. Camouflaging a mast as a water tower will not seem out of place. Especially if it is significantly lower than the standard mast types (25m). The footprint required for a water tower type mast is also significantly smaller. Furthermore, the development may be painted in any colour as requested by council.

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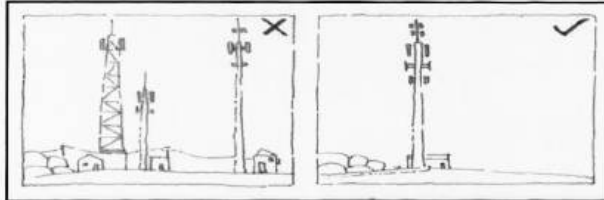


Fig.13- Sharing of Infrastructure



Fig. 14 – Artist impression of proposed development as observed from Porter Drive

The visual impact of the transmission tower will be further reduced by the existing vegetation found in surrounding the area. The position of the development behind an existing billboard will further lessen its visibility from a street-point-of-view. Council are welcome to suggest any other tower design should it be required, however the practicality and height thereof need to be considered – please refer to the client's website for examples of other tower solutions <https://blueskytowers.com/> Should the relevant departments within the city council require an altered design the client would be willing and forthcoming to the proposal. The proposal will not impact on the current land use. As illustrated in Figure 9 and 10, this transmission tower

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will create collocation options for two/ three of the four Mobile Network Operators e.g. Vodacom, MTN, Cell C and/ or Telkom Mobile.

j. Access & Traffic considerations

Erf 2666 Betty's Bay is easily accessible, and access will be obtained from Coral Road. This road has low traffic volume thus this development will not affect traffic negatively and will not cause any additional traffic volume to the area.

k. Alternative candidates



Fig. 13 – Alternative sites

Erf 2666 Betty's Bay: Preferred site. Zoned "Business Zone 3". A transmission tower is permitted as a consent use. Due to the current practiced activity on the property, the earmarked area is unused and holds limited development potential. The practiced land use (security company) does not generate significant visitors that requires parking bays – therefore, the development footprint will not cause for a shortage of on-site parking.

ERF 2666 BETTY'S BAY: CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS APPLICATION

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Erf 2658 Betty's Bay: Zoned "Business Zone 3". This zoning will allow for the development in question by means of a consent use. However, as the property is vacant, it was disregarded as a viable option. Proposing a mast on an undeveloped property may limit its future development.

Erven 2659 and 2667 Betty's Bay: Both these properties are zoned "Business Zone 3". However, insufficient unused space is available to accommodate the development in question. The rooftops of both buildings are too low to provide for a sensible installation.

Erf 5139 Betty's Bay: Zoned "Business Zone 4". Zoning permits a transmission tower by means of a consent use. However, available space is required for parking bays. The rooftop of the existing building is not high enough to accommodate a rooftop installation.

Erf 2687 Betty's Bay: Zoned "Community Zone 1". Zoning permits a transmission tower by means of a consent use. However, as the property is currently undeveloped, the potential for community-related uses will be more beneficial to the surrounding neighbourhood in question. Therefore, a decision was made to stay clear from this property in order to ensure maximum future developmental potential.

ALTERNATIVE DESIGNS: should council require mast amendments with regards to the water tower type transmission tower design with covered antennas, our client would be satisfied to provide alternatives. We wish to reiterate that we attempted to consider the context and attempted to provide the tower solution which will cause the least visual clutter – all antennae will be hidden by fibreglass cladding.

6. CONSISTENCY WITH SPLUMA AND LUPA PRINCIPLES

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) and (Chapter VI, LUPA, 2014) as referred to in section 59 of the *Western Cape Land Use Planning Act, 2014*:

HOW DOES THIS APPLICATION COMPLY WITH THIS PRINCIPLE?	
Spatial Justice	<p>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.</p> <p>The aim of this proposal is to provide excellent communication service to the inhabitants of an area.</p>

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Spatial Sustainability	<p>Spatial sustainability is an explicit concept which describe the relations between environmental, economic and socio-cultural facets related to a societal environment.</p> <p>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 transmission towers and the possibility of co-location will limit the amount of base stations should there be sufficient signal in an area. This development will create a co-location opportunity for two/ three of the four Mobile Network Operators.</p>
Spatial Efficiency	<p>Spatial efficiency relates to the concept of minimum distance to be travelled between a specific location and intended destination. Telecommunication Infrastructure is placed in an area (optimally situated between planned and existing stations) with a reason. This reason is to incorporate various factors (e.g. number of users, quality of service etc.) when considering the placement in order to promote effectiveness and is not merely placed by random.</p> <p>This development will make use of existing local resources and contribute to specialised skill development within the local municipality.</p>
Spatial Resilience	<p>Spatial resilience can be defined as the ability of a region to withstand possible arising shocks (e.g. economic crisis, social disruptions etc.). However, Telecommunication Infrastructure will be a service that will always be necessary. In a state of crisis, communication plays an integral role in a societal environment.</p>
Good administratio	<p>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. The Overstrand Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the Municipal Planning By-Law.</p>

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7. CONCLUSION

This application for consent use, permanent departure (height restriction relaxation) and removal of restrictive condition application aims to obtain council's permission to install a proposed 15m water tower type transmission tower on Erf 2666 Betty's Bay. We would like to emphasise the positive contribution this transmission tower will have on the immediate area, as well as the surrounding community and passing commuters:

- Telecommunication services are currently deemed as essential services during the Nation-wide lockdown in response to the COVID-19 pandemic. These services allow more people to work-from-home, educate their children and stay connected with loved ones.
- This proposed development comprises a 15m water tower type transmission tower (southern portion of property), triband antennae (12 antennae hidden inside a dummy water tower), Transmission Dishes, 4 x concrete plinths and 4 x equipment containers within a 70m² compound, surrounded by a 2.1m palisade fence and underground optic fibre route.
- Access to the compound will be obtained through the existing point-of-entry of the property;
- The base station will be surrounded by a 2.1m palisade fence and antennae will be securely positioned at the top of the mast (covered by fibreglass cladding).
- This installation will not constitute a listed activity according to NEMA listing Notice 3 of 2017.
- This application is also supported by a Health Statement made by the Department of Health on 19 January 2018 which reads as follow: "*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 proposed installation complies with the Spatial Planning and Land Use Management Act (SPLUMA), 2013 and Western Cape Land Use Planning Act (LUPA), 2014.
- Eradication of poor network coverage three of the four major Mobile Network Operators (MTN, Vodacom, Cell C and/ or Telkom Mobile). Due to the height of the proposed mast, various Mobile Network Operators may co-locate and share infrastructure. Figures 6 – 12 strive to illustrate the need and desirability for enhanced voice- and data coverage in the subject area.

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- Alternative sites (rooftop options) were considered, however this site posed as the best option in terms of mobile coverage.
- Enhanced voice and data coverage will assist to combat crime and life-threatening emergencies. This installation will promote accessibility to emergency services (e.g. Ambulances, Police- and Fire departments etc.). 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.
- Social integration will be promoted by this installation. 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.


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.

The application has been proven to be desirable and it is hereby kindly requested that the Overstrand Local Municipality provide their full support with regards to this application.

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APPROVAL BUILDING DEVELOPMENT SERVICES

ARTIST IMPRESSION OF BST SITE



NOTES

LEGEND

- LIGHT POWER
- POWER
- BT TRANSMISSION
- MFC DOWN TRANSMISSION
- MFC OPTIC

APPROVED PROPOSAL

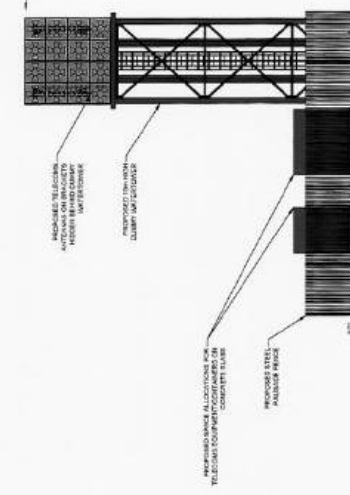
PROPERTY OWNER SIGNATURE

DATE

REFERENCE DRAWINGS

- 2068-D-001 LOCALITY PLAN MICRO
- 2068-D-002 LOCALITY PLAN MICRO
- 2068-D-003 SITE PLAN
- 2068-D-004 LAND USE PLAN
- 2068-D-005 TOP VIEW
- 2068-D-007 SITE DEVELOPMENT PLAN
- 2068-D-008 PUBLIC SAFETY LAYOUT
- 2068-D-010 LAYOUT PLAN
- 2068-D-011 TITLE DEED RESTRICTIONS

SOUTH EAST ELEVATION
SCALE 1:50



PROPOSED STEEL PALISADE FENCE

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

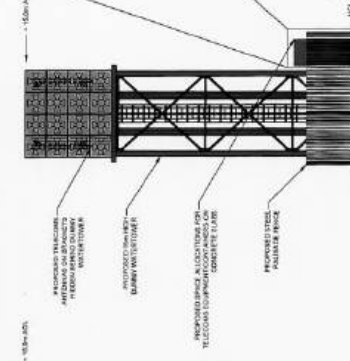
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PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

NORTH EAST ELEVATION
SCALE 1:50



PROPOSED STEEL PALISADE FENCE

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

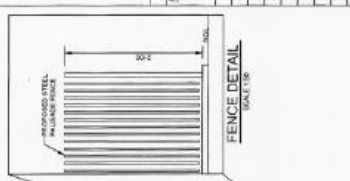
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PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

FENCE DETAIL
SCALE 1:50



PROPOSED STEEL PALISADE FENCE

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

PROPOSED 150mm HIGH CURB WALL WITH 150mm HIGH CURB CAP

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D	ACS	24/07/20	2.1m HIGH FENCE USED
C	ACS	14/01/20	REVISED PER MUNICIPALITY

DATE	21/07/20
DATE	21/07/20
DATE	21/07/20
DATE	26/8
SCALE	2068-D-008-E
SCALE	A3
SCALE	1:100

Merlin

PROJECT SERVICES (PTY) LTD
ENGINEERS, PROJECT MANAGERS & CONTRACTORS

P.O. BOX 698
HOWARD PLACE - 7450
TEL: (021) 905 7165

BETTY'S BAY SECURITY

CLIENT: **BETTY'S BAY SECURITY**

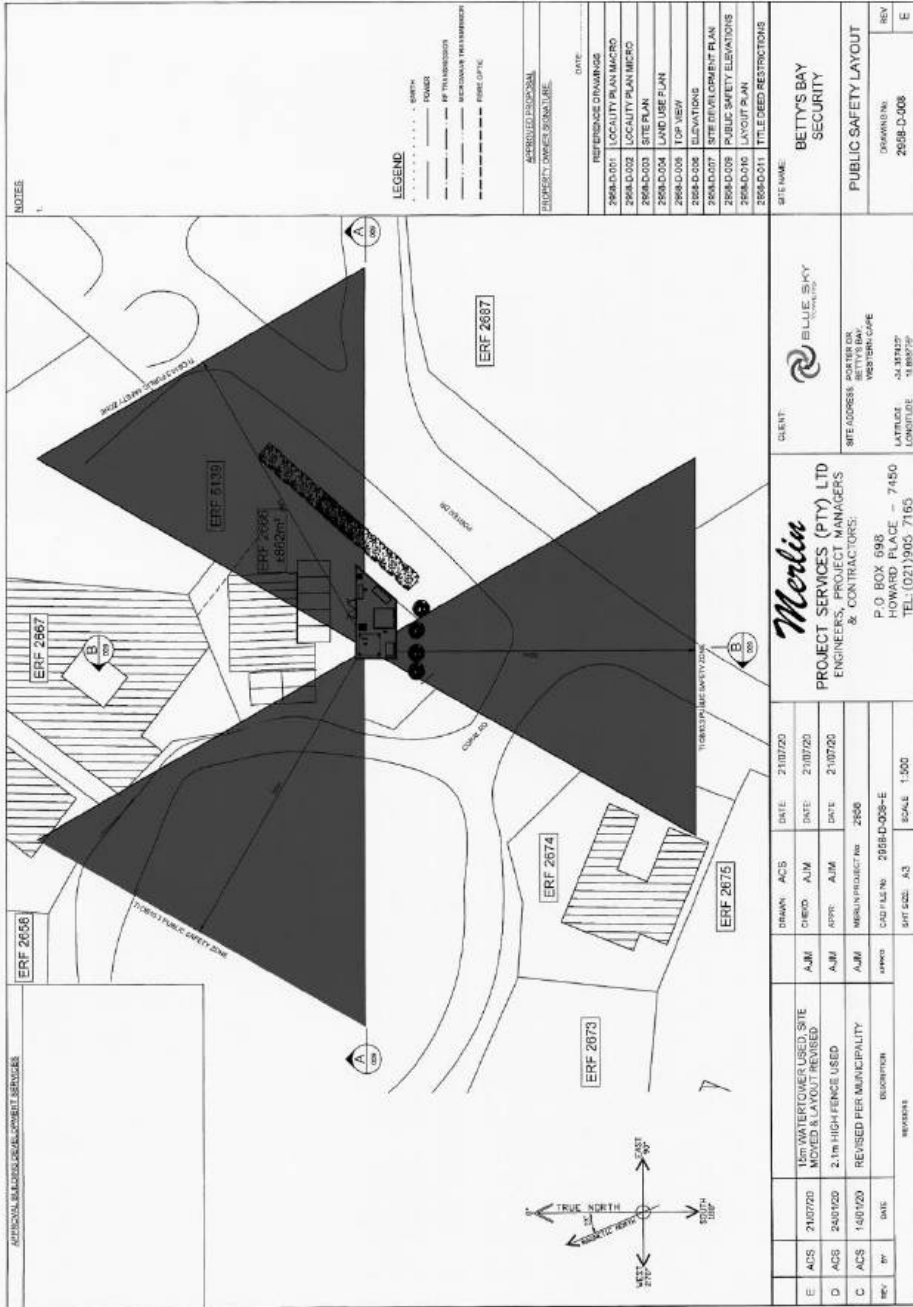
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LONGITUDE: **18.98738°**

DRAMAING No	2068-D-008
REV	E

6/9



NOTES

LEGEND
 - - - - - SPENT
 - - - - - FORMER
 - - - - - 4P TELEVISION
 - - - - - MICROWAVE TRANSMISSION
 - - - - - FIBRE OPTIC

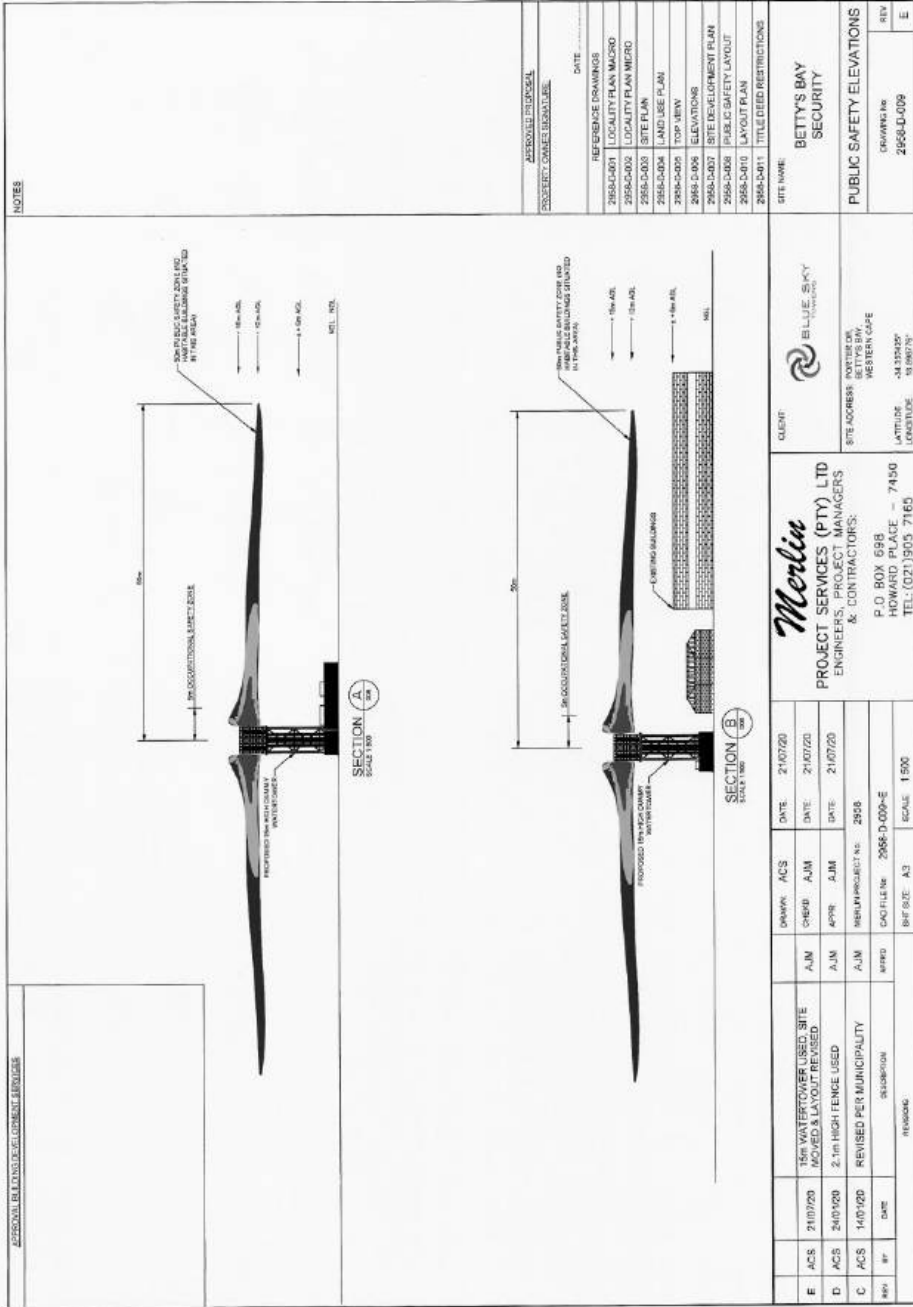
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2688-D-002	LOCALITY PLAN/MICRO
2688-D-003	SITE PLAN
2688-D-004	LAND USE PLAN
2688-D-005	TOP VIEW
2688-D-006	ELEVATIONS
2688-D-007	SITE DEVELOPMENT PLAN
2688-D-008	PUBLIC SAFETY ELEVATIONS
2688-D-009	LAYOUT PLAN
2688-D-011	TITLE DEED RESTRICTIONS
SITE NAME	BETTYS BAY SECURITY
CLIENT	BELLE SKY SECURITY
PROJECT SERVICES (PTY) LTD ENGINEERS, PROJECT MANAGERS & CONTRACTORS:	
P.O. BOX 698 HOWARD PLACE - 7450 TEL: (021) 905 7185	
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REV	E

ERF 2656

APPROVAL BY: [Signature]

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C	ACS	14/01/20	REVISED PER MUNICIPALITY

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CHKD	ALM	DATE	21/07/20
APPD	ALM	DATE	21/07/20
MSLN PROJECT NO.	2688		
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NOTES

APPROVAL BY LOCAL GOVERNMENT REQUIRED

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2958-L-002 LOCALITY PLAN MICRO	
2958-L-003 SITE PLAN	
2958-L-004 LAND USE PLAN	
2958-L-005 TOP VIEW	
2958-L-006 ELEVATIONS	
2958-L-007 SITE DEVELOPMENT PLAN	
2958-L-008 PUBLIC SAFETY LAYOUT	
2958-L-010 LAYOUT PLAN	
2958-L-011 TITLE DEED RESTRICTIONS	

SITE NAME	BETTY'S BAY SECURITY
CLIENT	BELLES BAY SECURITY
SITE ADDRESS	INVERWEIR BETTY'S BAY, WESTERN CAPE
LATITUDE	-34.33202°
LONGITUDE	18.98273°

Merlin
PROJECT SERVICES (PTY) LTD
 ENGINEERS, PROJECT MANAGERS
 & CONTRACTORS.
 P.O. BOX 698
 HOWARD PLACE - 7450
 TEL: (021) 9005 7160

DATE	21/07/20
DATE	21/07/20
DATE	21/07/20
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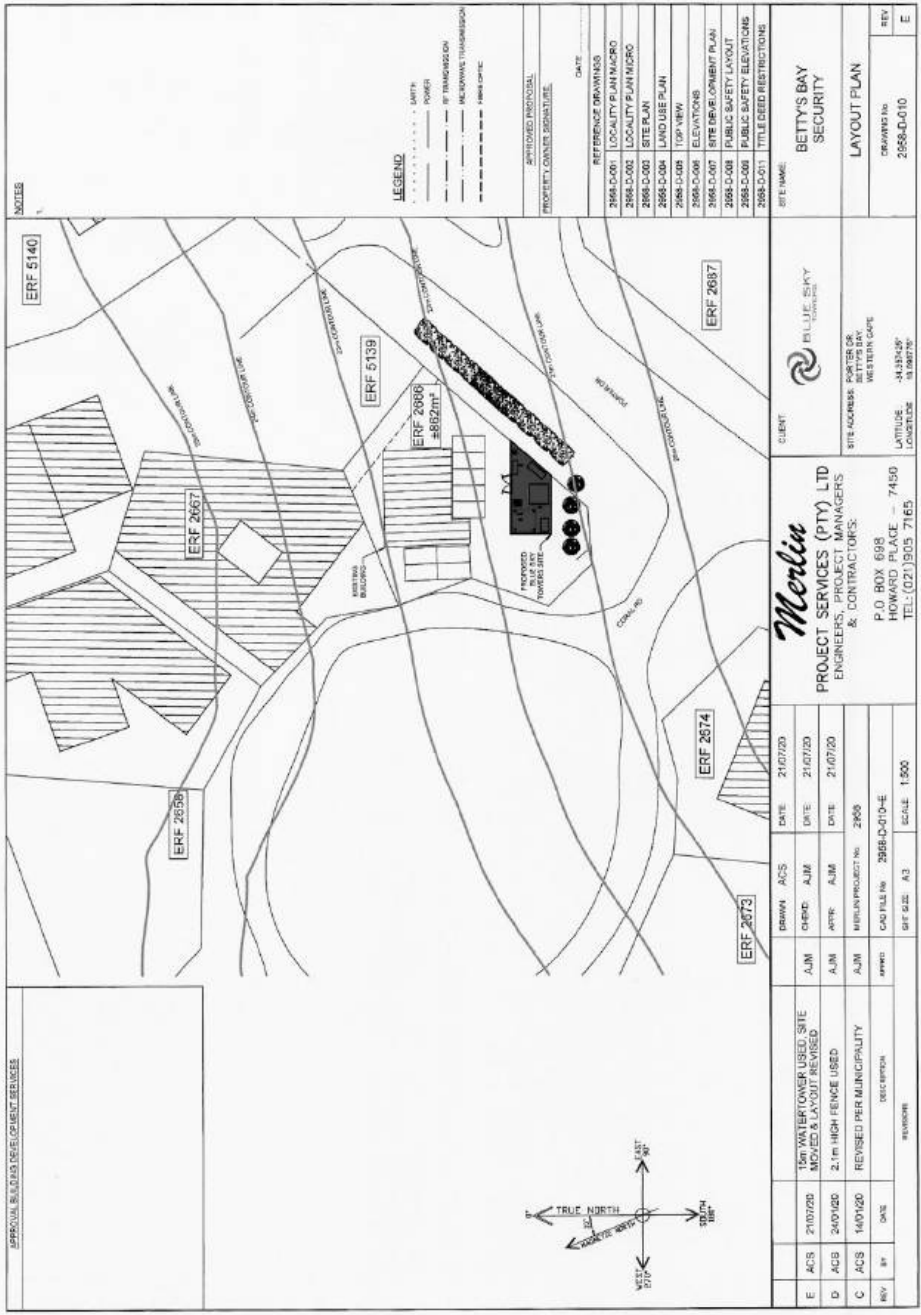
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DATE		SCALE	1:500



LEGEND

- UNIT
- POWER
- 15' TRANSMISSION
- 15' TRANSMISSION
- 15' TRANSMISSION
- 15' TRANSMISSION

PROPERTY OWNER SIGNATURE

DATE

REFERENCE DRAWINGS

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- 2688-C-002 LOCALITY PLAN MICRO
- 2688-C-003 SITE PLAN
- 2688-C-004 LAND USE PLAN
- 2688-C-005 TOP VIEW
- 2688-C-006 ELEVATIONS
- 2688-C-007 SITE DEVELOPMENT PLAN
- 2688-C-008 PUBLIC SAFETY LAYOUT
- 2688-C-009 PUBLIC SAFETY ELEVATIONS
- 2688-C-010 TITLE DEED RESTRICTIONS

NOTES

ERF 5140

ERF 2667

ERF 2674

ERF 2686

ERF 5139

ERF 2687

150 WATER TOWER USED SITE

2.1m HIGH FENCE USED

REVISED PER MUNICIPALITY

APPROVAL BUILDING DEVELOPMENT SERVICES

Merlin PROJECT SERVICES (PTY) LTD
ENGINEERS, PROJECT MANAGERS & CONTRACTORS
P.O. BOX 698
HOWARD PLACE - 7450
TEL: (021) 905 7165

CLIENT
BETTY'S BAY SECURITY

SITE ADDRESS: PORTER OR BETTY'S BAY WESTERN GATE
LATITUDE: 34.33349°
LONGITUDE: 18.98972°

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C	ACS	14/01/20	REVISED PER MUNICIPALITY

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SCALE: 1:500

Annexure D 1/5

184

Heunis Law Group
10 Mulders Street
Somerset West
7130

FEE
R 550-00

Prepared by me

abellens
CONVEYANCER
CILLIERS A

VERBIND MORTGAGED	
VIR FOR R 600 000-00	
B/S	<i>[Signature]</i>
000029537 / 2011 10 OCT 2011	REGISTRAR/REGISTRAR

DEED OF TRANSFER T000056156 / 2011

BE IT HEREBY MADE KNOWN THAT

DRISKE OLIVIER

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at KLEINMOND on 21 July 2011 granted to her by

JOHN MICHEL MARX FOURIE
Identity Number 410819 5006 08 2
MARRIED OUT OF COMMUNITY OF PROPERTY

NOTARIAL
08 NOV 2011
JAN WYK JENNY

08 NOV 2011
JAN WYK JENNY

Page 2

And the appearer declared that her said principal had, on 4 June 2011, truly and legally sold by Private Treaty, and that she, the said Appearer, in her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

ASK SECURITY CLOSE CORPORATION

Registration number 2001/057599/23

or its Successors in Title or assigns, in full and free property

ERF 2666, BETTYS BAY

In the Overstrand Municipality
Division Caledon
Province Western Cape

IN EXTENT 862 (EIGHT HUNDRED AND SIXTY TWO) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer No T12265/1954 with Diagram No 5709/1953 relating thereto and HELD by Deed of Transfer No T 19836/2004

- A. SUBJECT to the conditions referred to in Certificate of Township Title No T 11939/1943.
- B. NOT SUBJECT to condition B on page 2 of Deed of Transfer No T 19836/2004 by virtue of Section 53 of the Mining Title Registration Amendment Act 24 of 2003.
- C. ENTITLED to the benefit of the conditions referred to in the Servitude Easement dated 24 June 1940 in Certificate of Consolidated Title No T 3720/1937.
- "By Deed of Transfer No 8068/40 dated 24/6/40 certain conditions relating to (b) prohibition of Petrol Station on land (d) wood and iron buildings, (e) slaughter poles, cattle kraals and manufacture of bricks, tiles, etc., have been imposed on the property thereto conveyed for the benefit of the owner and its successors in title of the remainder of the property held hereunder as will more fully appear on reference to the said Deed of Transfer."

D. **SUBJECT FURTHER** to the following conditions contained in Deed of Transfer *ab*
~~and the conditions~~ imposed by the Administrator when approving of Bettye Bay
Extension 1 Township in terms of Ordinance No 33 of 1934:

A. **AS BEING IN FAVOUR OF THE REGISTERED OWNER** of any erf in the township and subject to amendment or alteration by the Administrator under the provisions of Section 18(3) of Ordinance No 33 of 1934:

- (a) That only one building for use as shops, business premises (which shall not include a licensed hotel, off sales liquor licence bottle store, garage or cinema) a dwelling house, residential building, place of public worship and/or a building combining two or more such uses, together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.
- (b) That not more than 80% of the area of this erf be built upon;
- (c) That no building or structure or any portion thereof, except boundary walls and fences shall be erected nearer than 3,15 metres to the back and side boundaries of this erf excluding the portions of the side boundaries for a distance to 9,45 metres from the building line to the street front.

B. **AS BEING IN FAVOUR OF THE ADMINISTRATOR:**

- (e) That this erf be not subdivided except with the consent in writing of the Administrator.

C. **AS BEING IN FAVOUR OF THE LOCAL AUTHORITY:**

- (f) That the owner of this erf shall be obliged to allow the drainage or sewerage of any other erf to be conveyed over this erf if deemed necessary by the local authority.
- (g) That the owner of this erf shall be obliged to receive material to give a proper slope to the bank if this erf is below the level of the adjoining street, and if this erf is above the level of the adjoining street, he shall in like manner permit a safe slope to the bank, unless in either case he shall elect to build retaining walls to the satisfaction of the local authority and within a period to be determined by the local authority.

Page 4

- (h) That pending the establishment of a local authority for this township, the sewage of this erf shall not be disposed of otherwise than by means of a properly constructed septic tank on this erf if the nature of the soil permits of the use of a septic tank, otherwise to a properly constructed vacuum tank serving one or more erven. On the establishment of such local authority, the owner of any erf or erven served by a septic or vacuum tank, shall if required by such local authority be obliged, without compensation, to remove the septic tank after three months' notice in writing has been given by the local authority.

The words and expressions used in the abovementioned conditions shall have the meanings assigned to them in the regulations published by virtue of Provincial Notice No 401 dated 17 October 1935.

E. **SUBJECT FURTHER** to the following conditions contained in Deed of Transfer No T 12265/1954 imposed by the Hangklip Beach Estate limited in favour of the registered owner of any erf in the township:

- (b) No wood and iron buildings or any description shall be erected on this erf nor shall corrugated iron be used for roofing purposes;
- (c) No slaughter poles, cattle kraals, pigsties or Cow-sheds shall be erected or carried on by any person whatsoever on this erf;
- (d) Save with the consent in writing of the company and of any Local Authority the owner shall not have the right to make or cause to be made upon the erf for any purpose whatsoever any bricks, tiles, or earthenware pipes or other articles of such nature, nor shall he have the right (save and except to prepare the erf for building purposes) to dig or quarry any earth, gravel, lime or stone thereon;
- (e) No building shall be erected on this erf at a cost of less than R800.00 exclusive of the cost of the land;
- (f) No noxious trade or noxious business shall be carried on on this erf;
- (g) No garage or service station may be erected or carried on on the land hereby conveyed;
- (h) The Transferee shall not camp overnight or light fires on the erf save with the written consent of the Company.

WHEREFORE the said Appearer, renouncing all right and title which the said

ab

JOHN MICHEL MARX FOURIE, Married as aforesaid

heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

ASK SECURITY CLOSE CORPORATION

Registration Number 2001/057599/23

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R998 000,00 (NINE HUNDRED AND NINETY EIGHT THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THIS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at Cape Town on 2011-10-18 2011

Oliver
q.c.

In my presence

[Signature]

REGISTRAR OF DEEDS



Annexure E 1/68

9 April 2021

APPLICATION FOR ERF 2666 PORTER DRIVE, BETTY'S BAY

APPLICATION FOR CONSENT USE, PERMANENT DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE DEEDS

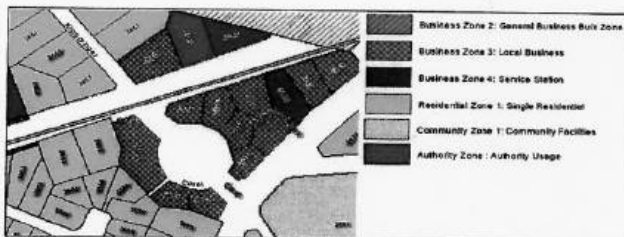
As per the Application:

Application is hereby made on behalf of our client Blue Sky Towers (Pty) Ltd to allow the following on Erf 2666 Betty's Bay.

- **Consent use application** in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 for the purpose of erecting 15m transmission tower disguised as a water tower.
- **Permanent departure application** in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 for the purpose of erecting 15m transmission tower disguised as a water tower. The departures include the following:
Relaxation of the height restriction from 8.5m to 15m;
- **Removal of restrictive title deed condition** in terms of Section 16(2)(f) of the Overstrand Municipal Land Use Planning By-law to remove restrictive title deed conditions.

This consent use, permanent departure and removal of restrictive condition application **will allow for the installation of a 15m transmission tower** which is a permitted by means of a consent use for 'Business Zone 3' zoned properties in terms of the Overstrand Zoning Scheme Regulations.

The surrounding land uses in the area are predominantly utilised for **residential and business-related purposes (shopping complex in close proximity) with community related** land uses in close proximity of the concerned property.



This application aims at obtaining the Overstrand Municipality's permission to relax the restriction from 8.5m to 15m in order to install a transmission tower disguised as a water tower situated in the southern portion of the property. The Applicant claims that **"a mast of 8.5m will not be able to provide effective voice-and data coverage to the surrounding area."**

FILE NO:	EL 2666 KBB
SCAN NO:	
COLLABORATOR NO:	1527066

12 APR 2021

The following points are noted and questioned:

1. The Tower height is kept at 15m in height so it does not trigger an EIA.
2. The Applicant contradicts themselves regarding the number of service providers they aim to provide for. **Please provide clarity on this: is it 2 or 3 or 4 or "all"?**
 - o *Our client, Blue Sky Towers, provides telecommunication infrastructure to multiple mobile network operators (e.g. Vodacom, MTN, Cell C and Telkom Mobile). The idea is that these network operators should collocate and share infrastructure. A transmission tower lower than 15m will not be able to provide sufficient space for **potentially four** mobile network operators.*
 - o *Pg 26 will create collocation options for **two/ three of the four** Mobile Network Operators e.g. Vodacom, MTN, Cell C and/ or Telkom Mobile. Pg 28 spatial sustainability*
 - o *Pg 30Eradication of poor network coverage **three of the four** major Mobile Network Operators (MTN, Vodacom, Cell C and/ or Telkom Mobile*
 - o *The proposal also allows for **all other service providers** to share this installation and refrain from constructing another base station in this area.*
3. The Applicant does not give an accurate picture of what is planned in the future but makes reference to a requirement of masts every 500m. Please provide accurate maps and information regarding the position of current masts in the area, this application and any future proposed masts in relation to this application.
 - *Pg 12 "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.***
 - *"Property offers the optimal position situated between existing and planned base stations to provide efficient data and voice coverage."*
 - *"in order to achieve the optimal data and voice coverage objectives base stations in this specific area **needs to be approximately 500m apart on average**, this is due to the density of the surrounding areas as well as geographical and physical features".*
 - *"Ability to reduce the number of base stations in the surrounding areas."*
4. *Our client Blue Sky Towers (Pty) has selected to erect a water tower type transmission tower design in order to be sympathetic to the character of the area and blend with the activities found on the property (existing company practicing from the property). How does a water tower blend in with a security company? Camouflaging a mast as a water tower will not seem out of place. Betty's Bay did not experience the drought like Cape Town did and so water tanks and towers were not common.*
5. The motivation for the site includes the following:
 - Proximity to the R44 road and **surrounding schools**, business and residential units which will benefit from more effective voice- and data coverage (e.g. access to WIFI).

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- Which surrounding schools? Which schools are there in Bettys Bay?
- Surrounding **geographical aspects are in line with the requirements.**
 - What geographical aspects are referred to?
- **Property position will address the complaints received in the area.**
 - How does this property position address "complaints received in this area"
- **Minimized physical, natural and visual impact due to vegetation in compliant area.**
 - What vegetation in the area on the erf is close to 15m to achieve this minimalised impact? The picture shows the proposed tower standing well above the trees and short billboard

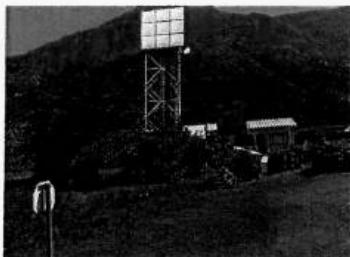


Fig. 14 — Artist impression of proposed development as observed from Porter Drive
The visual impact of the transmission tower will be further reduced by the existing vegetation found in surrounding the area. The position of the development behind an existing billboard will further lessen its visibility from a street-point-of-view

6. The applicant states that "The mast & equipment containers will be placed inside a +1-55m² compound enclosed off by a 2.1m high palisade fence. This is not aesthetically pleasing

7. Health aspects:

The Applicant quotes data from a WHO report from 2004 that refers to data from 30 years prior: *.....have been published over the past 30 years the WHO concluded that current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields.* That refers to data from 1974 – 2004! This is not current evidence based on the vast increase in number of transmission towers in recent years. It also mentions a statement of the Department of Health another WHO fact sheet was published in June 2011 and reviewed in October 2014 which is 10 and 7 years old respectively. Where is the current evidence?

8. Nature of Betty's Bay:

- On pg. 4 the Applicant refers to Betty's Bay as a small holiday town, and that surrounding erfs are residential, business related or community related
- Yet later it states that *...both the Overstrand local Municipality & the operators interests to address the problem of weak voice and data coverage and to provide the surrounding high traffic commercial & business community with the basic need of effective voice and data coverage, as it has become an integral part of our daily lives.* This is contradictory and please will the applicant please identify what "surrounding high traffic commercial & business community" they refer to.
- The increase of individuals and commuters utilising the R44 Road running through the town of Betty's Bay and surrounding area created a high demand for effective voice and

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data requirements. Does a 15m tower need to be imposed on Betty's Bay residents to service commuter's passing through on the R44?

9. Expected increase in coverage:



The Applicant includes these diagrams to depict the "Expected increase in coverage" as a result of the proposed tower. The writing on the legend is not clear as to what the colours depict. Please supply a legible version.

What is noticed is that much of the proposed increased "coverage" between the 500 – 1000m radius falls on to the mountainside, sea and lake area – out of the residential area, and so of reduced use.

Additional points:

1. Applications like these are normally accompanied by more than one choice of location. This application is supported by ASK as it would have some financial advantage to ASK.
2. This is a business opportunity for the developer. There is no charity involved. They mentioned lower rates, etc. but there will be no discount by anybody for anybody because of this development. Faster downloads only mean faster accumulative charges. This will never change!

3. ASK has ground available and thus it ticks the boxes for the developer.
4. ASK's premises are located lower than the road thus they must raise the tower to get the best suggested coverage. A better option is if there was a higher property that could be rezoned for the same purpose, without visual restriction from neighbouring properties, thus eliminating the need to increase the height restriction to 15 meters.
5. The proposed tower would present a significant footprint at 15m that would have to withstand the very strong wind conditions. The structure and the fibreglass panels' rigidity / ability to remain attached to the tower in adverse weather conditions over the entire lifetime of this installation are an issue. There is a potentially dangerous situation resulting from panels flying off in adverse weather conditions for which Betty's Bay is renowned and a being a safety hazard for roads, building and people.
6. The height will be an issue for the views of properties across the R44 on the mountains' side.
8. Tower installations should as far as practically possible be placed on the mountain's side of the R44. The reason for this being that:
 - a. It creates the height advantage for line-of-sight requirements.
 - b. It blends with the mountainous terrain.
 - c. More towers can be installed without affecting the views and/or opinions of the community.
 - d. The title deed restrictions are there for the sole purpose of keeping the aesthetics of the area intact as far as possible. Powerlines, tower installations, telephone wires, etc. does not contribute to the intension thereof.
7. The relaxing of the "wood and steel" limitation is intended to allow them to put down containers. This is not very aesthetic. There is also a noise abatement issue with standby generators that needs to be considered. Surrounding buildings may have wood and steel in their construction but they are not a "wood or iron building" as is the case for the proposed tower.
8. The suggested installation of 3 x transmission dishes suggests that this is:
 - a. The first of multiple sites, or
 - b. A hub for existing sites.
9. Does the developer plan to aid the entire area by being involved in a joint venture with existing installations or merely entering the market to push out the competition. If the latter is true, then there will probably be multiple installations going up in the area which will negatively impact resident's views.
9. What is the intension regarding the fibre installation? Is it the connection to the outside world / internet or intended for distribution to individual properties?
10. The internet speed and coverage charts are somewhat misleading and were included in the application to try and prove that the situation is dire. They get full marks for introducing the sympathy vote but the facts presented are not the truth.
11. Is this merely a competitive installation which may possibly not improve the coverage for this area to the extent promised? Betty's Bay doesn't need 3 or 4 individual service

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providers installing their own towers to compete with one another commercially. The area should be safeguarded from blatant and blind planning and development.

Questions

The information provided is not enough to see what the plan is in order to be able to respond. Under Good administration the applicants states that : *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.*

Please address the points noted above as well as provide answers to the questions below in order to provide us with the appropriate information to make an accurately informed decision in an "equal and fair" public participation process"

1. Why was this specific location chosen? Betty's Bay is a sensitive area and thus additional options need to be made available for us to make informed decisions. What are we saying yes to? Is this the first of many sites? Are there planned every 500m?
2. The statements on "better coverage for the entire area, coupled to lower prices for internet connectivity and calls" are not guaranteed and thus does not prove that there is any gain to the community of Betty's Bay. The applicant is requested to prove this statement with signed agreements or contracts.
3. The proposed 3 x transmission dishes have to interact with existing or new / additional sites. No information was supplied to see if any of the supplied information is true. Does the approval of this site entail that additional approvals needs to be entertained for other sites? Where are the 3 proposed dishes pointing to? To existing sites or future sites?
4. Where is the map of current transmission towers in the area?
5. Where is the map of proposed additional towers – re 500m apart?
6. Please provide more information re the lights referred to as *Lightning spike and "Navigation lights"*. Also with regard to the "floodlight" shown on the diagram. This erf is in a residential area where there are NO streetlights at night and permanent lights are a "light pollution" factor at night.
7. The Applicant contradicts themselves regarding the number of service providers they aim to provide for please provide clarity as to whether is it 2 or 3 or 4 or "all"

We object to this application until accurate responses and information are provided for the above points and questions in order to make an properly informed decision.

Yours Sincerely

Carol Clark

3422 Dolphin Drive, Betty's Bay

On behalf of the Betty's Bay Conservancy
bettysbayconservancy@gmail.com

7/68

Re: Erf 2666 Betty's Bay

L Gillion

From: Rea Borcherds <reaborcherds@mweb.co.za>
Sent: Friday, 09 April 2021 21:06
To: L Gillion
Subject: objection to 5G Towers



dear madam

I wish to place on record my strong objection to the erection of Huawaei 5G towers in the vicinity of Bettys Bay, or anywhere else near here.

The hazards of this radiation are well documented, and it is heinous to claim that they have not been proved. Several First World countries have stopped rolling out these towers because of the danger of these frequencies, and their effects on health. I need not itemise what these dangers are: inter alia they affect nervous systems, cause headaches and fatigue, and can cause tumours. Medical science is increasingly aware that frequencies play an enormous role in body health. To introduce this enormous threat in a proclaimed Biosphere such as Bettys Bay, where the environment and inhabitants should be able to enjoy unspoiled nature, is criminal to say the least.

I also object to the secretive manner in which this operation has been carried out. There has been no attempt to engage in public discourse in which informed members of the community can voice their objections. If notices have been posted in the library this is extremely disingenuous, as the library is hardly being frequented by the public since the Covid restrictions. If you have notified ratepayers by means of their rates accounts, then that is also a problem, since I have not received any emailed rates accounts for several months now, despite informing the municipality of this fact. Public meetings need to be held, and any further development should cease until all the issues have been aired.

(H. van der Stoep)
A. Theart

Yours sincerely

Mrs MM Borcherds

6 Protea Road

Bettys Bay

FILE NO: EL 2666 KBB
SCAN NO:
COLLABORATOR NO: 1527074

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This email has been checked for viruses by Avast antivirus software.
<https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.avast.com%2Fantivirus&data=04%7C01%7CLoretta%40overstrand.gov.za%7Cb92b44b6e6394b3b081308d8fb8a855f%7C2e61666ecb6e4dbdbb45bdadab146352%7C0%7C0%7C637535919677155745%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAilCjQjoiV2luMzIiLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C2000&data=4wL7rFudd3QD9CrL%2B3eBgsvhxfe5oylTY%2FmZef2aAW0%3D&reserved=0>

TP 12 APR 2021

8/68



L Gillion

From: HRCarruthers <HRCarruthers@protonmail.com>
Sent: Friday, 09 April 2021 11:09
To: L Gillion
Subject: Re:Comment and objection to amendment of erf 2666 201 Porter Drive restrictive title deeds High wave consultants

TP. D. Incent
(1. ud Sloep)

Good morning

I strongly object to the ammendment of the title deed and also the erection of the tower with its proposed antennas and repeaters .

This RF technology is dangerous to human beings in 2 forms , 1 - thermal radiation emmited from this equipment would have been extremely dangerous to people and children and 2 ; wave form propogation of this type of rf transmission also has an adverse effect on your immune system and cognitive thinking as well.

I have experienced this first hand when they were testing this technology here in Bettys Bay since last year beginning .k down.

I have concrete proof that the technology is damaging , in spite of what the draft proposal states that the WHO says it is safe is utter nonsense , the parties who drafted this proposal have cleverly only given their side that the technology is good and all the benefits to people ; however ASK already do provide safe wireless internet here and the reason to say that we do not have a decent comms infrastructure here is just not true at all , ASK themselves provide it - there is an overwhelming amount of evidence that this technology is very harmful to human beings immune systems and their biology.

My background in this type of field is as follows :

I am a certified systems engineer since 1999 , also i was a wireless Internet service provider in this area for approx 1 2 years in the Overstrand . Ialso hold a valid Amateur Radio operator Lic , with and having passed the HAREC radio Radio Frequency course . My call sign ZS1HRC.

My address is 2180 Coot road , Bettys Bay.
y name is Henry Carruthers
My tel number or whatsapp is 0787867644
My email address is HRCarruthers@protonmail.com

This amendment is purly for financial gain , as i read through the documents at the library They have not considered at all the real dangers , they wrote this document only for their financial benefit , despite what they have written as "positive " for all of us is simply not true.

Many thanks for listening to my geniune concerns for you and for all of us here.

Have a wonderful day.

Henry Robert Carruthers .

M.C.S.E ; M.C.S.A ; Amateur radio operator ZS1 HRC

FILE NO: af all ✓
Betty's Bay
SCAN NO: Henry
COLLABORATOR NO: 1526890

TP 09 APR 2021

L Gillion

re: Ef 2666 Betty's Bay

9/68

From: HRCarruthers <HRCarruthers@protonmail.com>
Sent: Sunday, 11 April 2021 13:54
To: L Gillion; roojosta@gmail.com
Subject: Fw: Re:The lied my brother .Their proposal said the WHO said it is safe. That is not what they said
Attachments: proposal5g_cos_lied_about_WHO_statement.jpg

Dear Loretta , please add this to my comment .

In their proposal they said the WHO said it is safe .

This is a lie , see attached jpg - The cell companies are lying !



Sent with ProtonMail Secure Email.

----- Original Message -----

On Sunday, 11 April 2021 13:41, HRCarruthers <HRCarruthers@protonmail.com> wrote:

Proof = see attachment .

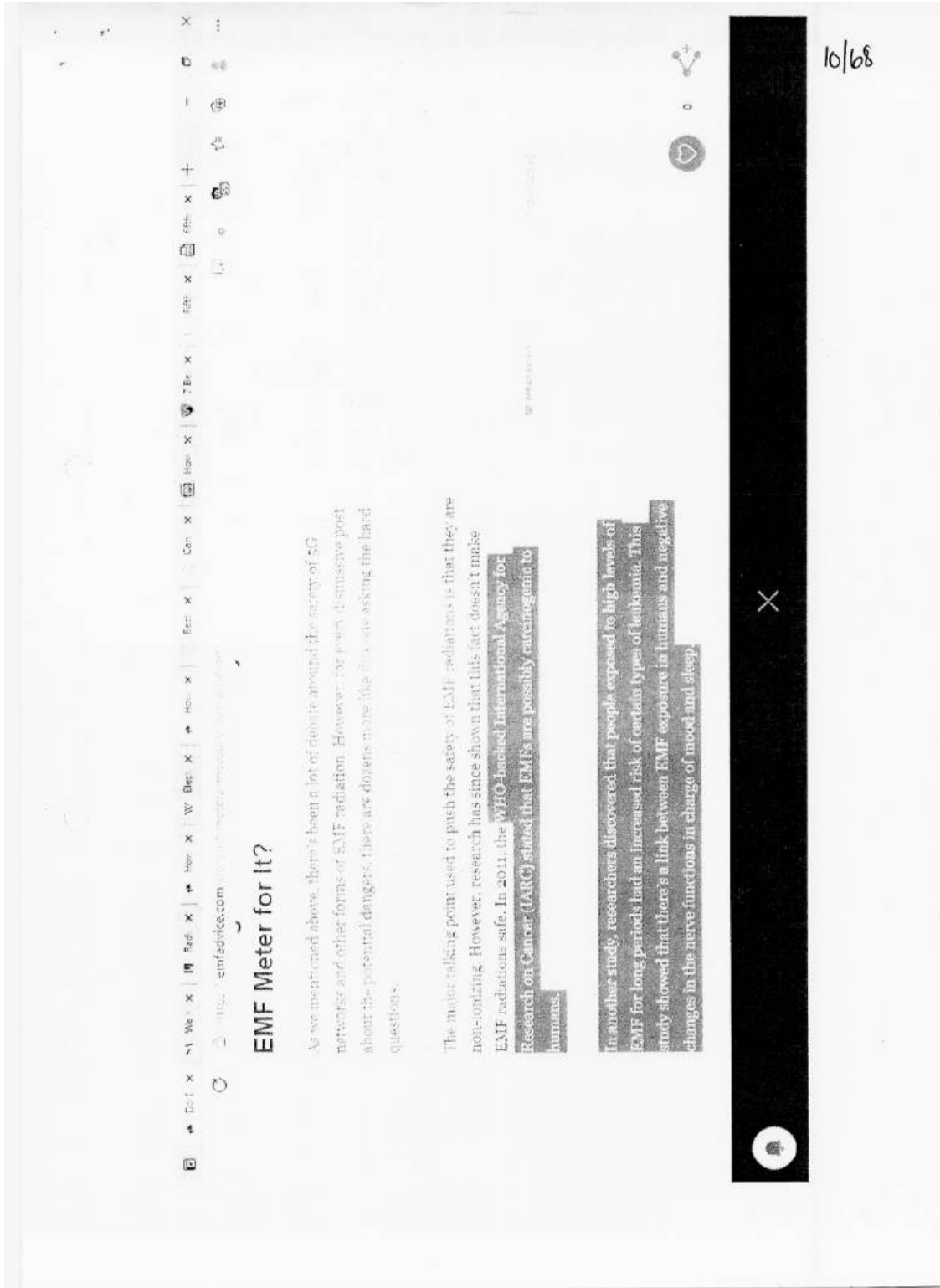
Sent with ProtonMail Secure Email.

TP
 (H. van der Staep)
 A. Theurt

FILE NO: EL 2666 KBB
SCAN NO:
COLLABORATOR NO: 1527087

TP

12 APR 2021



L Gillion



From: Sharon C <sharoncrawford7@gmail.com>
Sent: Thursday, 08 April 2021 14:11
To: L Gillion; A. Wali; Keltz Bath - old No; ventourasinteriors@vodamail.co.za
Subject: ERF 2666 PORTER D4IVE, PROPOSAL OF TOWERS -OBJECTION

TP - A. Ahear
(H. W. Steep)

Dear Loretta and authorities.

I would like to lodge my formal OBJECTION to the proposed rezoning for the election of 'towers' and development of Erf 2666 Bettys Bay.

We, the people who live here have specifically chosen Bettys Bay for the reasons listed below, just to mention a few- this list is in no way complete:

- To live in a World recognised biosphere with and in touch with nature, including the animals
- To get away from cities and urban sprawl and ALL that goes with them.
- To live in a healthy climate and area of peace and tranquility unaffected by atmospheric pollution including light, noise and microwave towers.
- To get away from the concrete jungle and commercialism.
- To enjoy seeing mongoose and other various wildlife walking through our gardens.
- To get away from traffic, convenience shopping, crime and crowds.

Many if not all of us specifically chose Bettys Bay and relocated from the far corners of this country in search of this haven as it is.

Why, oh why would you want to 'sell out all the benefits that have thus far caused Bettys Bay to be what it is, and make it like every other place in South Africa?

We are known as one of the few, Top Ten quiet, special villages for people to visit, a World acclaimed PROTECTED Biosphere, a place where nature still has its own place. Please rather help us keep our Village pristine and unique and do NOT erect towers and stop industrial development.

Sincerely
Sharon Crawford
3978 Gladiolous Crescent
Bettys Bay.
0828550914.

FILE NO:	CF 2666 ✓
	Bettys Bay
SCAN NO:	Sharon
COLLABORATOR NO:	1526911

TP 09 APR 2021



12/68

L Gillion

From: Hermien de Vos <hermiendevos@gmail.com>
Sent: Friday, 09 April 2021 11:18
To: L Gillion
Subject: re Erection of 15 metre Transmission mast on Erf 2666 Porter drive, Bettys Bay

Objecting!
 Against another 15m cell tower or is this one replacing the existing Stony point tower?
 Or why another one needed?
 Objecting to unlimited and unregulated electro magnetic radiation activities and infrastructure allowed !!
 Radiation already high here
 And howcome allowing for 5g already being tested in our area?
 Where are the municipality's impact studies and integrity?
 Are you protecting the community or playing the masked covid cult game ?
 Or are you just playing the mainstream money game eagerly together with governments of the world?
 We are living in a biosphere

Hermien de vos
 0823496919
 Stony point
 Betty'bay
 Erf 2407

TP. N. Ahearne
 (H. J. de Sloep)

FILE NO:	Er 2666 ✓ Bettys Bay
SCAN NO:	Hermien
COLLABORATOR NO:	1526886

TP
 09 APR 2021



B/68

L Gillion

From: Heinie Foot <heiniefoot@lantic.net>
Sent: Monday, 05 April 2021 11:22
To: L Gillion
Subject: FW: Erection of 15 metre Transmission mast on Erf 2666 Porter drive,Bettys Bay

TP. N. Incoot
(M. Ud Stoop)

From: Heinie Foot <heiniefoot@lantic.net>
Sent: Monday, 05 April 2021 11:18
To: 'Loretta Gillion' <lpage@overstrand.gov.za>
Subject: Erection of 15 metre Transmission mast on Erf 2666 Porter drive,Bettys Bay

Dear Sir /Madam

I H.A.W.Foot, residing at Erf 4262 Wallers Way,Bettys Bay confirm that I am against the erection of above transmission mast for the following reasons :

- 1.Bettys Bay is declared as a Biosphere area because of it's Fynbos that is found nowhere in the world.It is a fact that the EMF 's (Electro Magnetic Fields) radiated from the transmission mast destroys vegetation in a radius around the mast
- 2.Researhers also proofed that EMF's are dangerous to humans and is declared by the World Health Organisation as harmful to people
3. The mast being 15 metres high creates a noise when the wind is blowing and can be heard very far.It is very disturbing to people living in the vicinity
- 4.The mast with all it's dishes and transponders will spoil the lifestyle choice of residents living in the Kogelberg Biosphere reserve
- 5.Finally we are not in favour of 5G and all the effects that it has. A lot of countries in the Western World banned 5G,it is only in South Africa that it is allowed.

ase confirm receipt

Regards
Heinrich Foot.

FILE NO:	GF 2666 v
	Bettys Bay
SCAN NO:	KPB 2666
COLLABORATOR NO:	1526156

 Virus-free. www.avg.com

TP 07 APR 2021

L Gillion

Re: Erf 2666 Betty's Bay

14/68

From: Catherine Jaussaud <catherine.jaussaud12@gmail.com>
Sent: Friday, 09 April 2021 14:55
To: L Gillion
Subject: 5 G

Good day

I would like to object strongly against the installation of 5G in Betty's Bay area.

Regards
Catherine Jaussaud
076 8336522

Sent from my iPhone



TP
(H. van der Steep
A. Theart

FILE NO: EL 2666 KBB
SCAN NO:
COLLABORATOR NO: 1527138

TP 09 APR 2021

L Gillion

Re: Erf 2000 Betty's Bay

15/68

From: Barbara Jenman <bjenman@iafrica.com>
Sent: Friday, 09 April 2021 15:08
To: L Gillion
Subject: 5G objection



Afternoon Loretta

I only heard about this information this last week and so have been reading up. Seeing it can affect us all I would expect that at least an sms be sent out as Overstrand does when there is a breakdown in water supply, or maintenance in our electricity, or an emergency eg fire.

I am aware eg that a windfarm is not recommended or could be illegal in Bettys- as we are in the transitional zone of Kogelberg Biosphere- the reason also- unsightly for our environment. Is not more towers that are needed for 5G not the same?

It is a controversial issue and there could also have been a facilitated workshop on the topic.

the best
Barbara Jenman
4977 Serruria Circle
Bettys Bay.

TP
(H. van der Stuep)

A. Theart

FILE NO:	EL 2666 KBB
SCAN NO:	
COLLABORATOR NO:	1527112

TP

09 APR 2021



L Gillion

From: Rene Kaljee <rene@bpps.co.za>
Sent: Thursday, 08 April 2021 18:23
To: L Gillion
Cc: mebenviro@lantic.net
Subject: ERF 2666 BETTYS BAY PROPOSED ERECTION OF TRANSMISSION TOWER

TP - N. Ahearne
(H. ud Stoop)

Dear Loretta,

We herewith submit our written objection to the proposed re-zoning of Erf 2666 to erect a transmission tower.

This would negatively affect the area, which incidentally **is a biosphere**, because of the inevitable noise and destruction of the natural habitat.

We live within 50 m of the existing transmission tower on Stony Point and as such know what we are talking about!

We further feel that we, as residents have not been consulted and are concerned about the implication of the installation on the people living in the area.

Regards

René Kaljee
Renette Stone

15 (2391) Una Drv, Bettys Bay

Cell 0833278850

FILE NO:	ERF 2666
	Bettys Bay
SCAN NO:	Rene
COLLABORATOR NO:	1526907

TP 09 APR 2021

17/68

L Gillion

From: Dinos La <dinosbanner@gmail.com>
Sent: Friday, 09 April 2021 10:44
To: L Gillion
Subject: Tower on erf 2666 Bettys Bay



TP. D. Theart
(11. ud Skoop)

Hi Loretta,

In connection with the proposed change of title deed restrictions of erf 2666.

The restrictions have been set out to protect and control the degradation of the Bettys Bay environment . Changing the restrictions to allow a tower with potentially dangerous 5g radio waves is detrimental to the community'.

For the above reasons I strongly oppose and object to the proposed deed restriction changes.

Yours sincerely,
Clive Lawrence 22 Aritea Road (erf 2949) .

FILE NO:	EF 2666 v
	Bettys Bay
SCAN NO:	
	Clive
COLLABORATOR NO:	
	1526887

TP 09 APR 2021

L Gillion

18/68



From: framed@madebyhand.co.za
Sent: Thursday, 08 April 2021 22:24
To: L Gillion
Subject: ERF 2666, 201 PORTER DRIVE, BETTY'S BAY

TP - n/thead
(1.4d Skoop)

Dear Loretta,

I wish to OBJECT to the above mentioned application on the following grounds:

- 1. Utilising the height advantage of the mountain behind the proposed site would be far more beneficial.
2. Positioning a 15m connectivity tower restricts the views of residences directly above the property together with those on the mountain side of the R44.
3. Visa versa, those residences below the ERF in question facing the mountain will have the unsightly view of a connectivity tower masking as a water tower - which is equally unsightly and does not fit within the surrounding single storey structures.
4. With the well known extreme weather conditions experienced in Betty's Bay, a 15m tower poses a serious risk against high winds which could result in damage to property as well as individuals.
5. There are alternatives to towers with multiple dishes, telephone lines and power lines with many cities and small towns moving away from such installations in favour of underground installations, our neighbouring Hermanus being one of them.
6. I would like the applicant to substantiate the claim for reduced cost.
7. The visual showing the proposed extended reach of connectivity is less than convincing with most of the reach extending onto the mountain and into the sea. When in fact the more densely populated areas of Betty's Bay are outside of this reach.
8. The application refers that it will be a shared installation, this needs to be expanded upon and does it mean that the connectivity tower at the Stoney Point penguin colony will be removed?

It appears that ASK is looking for a cheap, quick fix by using the existing property to gain competitive advantage without any thought or consideration for the aesthetics of the surrounding area or for the community of Betty's Bay. there are other, better alternatives that should be investigated and considered before allowing this to go through.

Kind regards,
Mark Lucas
ERF 2034 Delport

Form with fields: FILE NO: SF 2116 Betty's Bay, SCAN NO: Mark, COLLABORATOR NO: 1526896

TP 09 APR 2021

L Gillion

19/68



From: wendy lucas <wendylucas.ct@gmail.com>
Sent: Thursday, 08 April 2021 22:27
To: L Gillion
Subject: FW: ERF2666, 201 PORTER DRIVE, BETTY'S BAY

TP- A/Heart
(H. Jd Skeep)

Dear Loretta,

I am an interested and affected party in that I reside at 2034 Delport Road, Betty's Bay.

Kind regards,

Wendy Lucas

wendylucas.ct@gmail.com
Cell: 083 383 3534

www.multiwoodcreations.co.za
www.multiwoodputty.co.za
www.madebyhand.co.za

FILE NO:	EF 2666 ✓
	Betty's Bay
SCAN NO:	Wendy
COLLABORATOR NO:	1526891

From: "wendylucas.ct@gmail.com" <wendylucas.ct@gmail.com>
Date: Thursday, 08 April 2021 at 21:42
To: "loretta@overstrand.gov.za" <loretta@overstrand.gov.za>
Subject: ERF2666, 201 PORTER DRIVE, BETTY'S BAY

Dear Loretta,

I write in connection with the application for amendment and removal of restrictive title deed conditions, consent use and departure: Highwave Consultants (obo ASK Security CC) relating to the abovementioned ERF.

I would like to begin by saying that I am very much in favour of the development of enhanced internet connectivity for the benefit of all residents in Betty's Bay, however I feel that the application is misleading and full disclosure is lacking for the following reasons:

1. Why was this specific location chosen? Betty's Bay is a sensitive area and thus additional options needs to be made available for us to make informed decisions. What are we saying yes to? Is this the first of many sites?
2. The statements on "better coverage for the entire area, coupled to lower prices for internet connectivity and calls" are not guaranteed and thus does not prove that there is any gain to the community of Betty's Bay. The applicant is requested to prove this statement with signed agreements or contracts.
3. The proposed 3 x transmission dishes have to interact with existing or new / additional sites. No information was supplied to see if any of the supplied information is true. Does the approval of this site entail that additional approvals needs to be entertained for other sites?
4. The proposed tower will have a significant footprint at 15 meters. This introduces 2 issues:
 - a. The height will be an issue for the views of properties across the R44 on the mountains' side.

TP 09 APR 2021

20/68

- b. The wind will impose significant structural forces on a structure of 15 meters high. The fibreglass panels also introduce the additional risk of being separated from the tower and flying a considerable distance towards roads, buildings, and people.
5. The container installation needs to be clad with "nutec" material to render the aesthetics more acceptable. In this regard, I propose to not change the title deed for this provision but to allow this installation to take place on a per-application basis. Changing the restrictions for business-zoned properties opens the way to further exploitation.
6. Tower installations should as far as practically possible be placed on the mountain's side of the R44. The reason for this being that:
 - a. It creates the height advantage for line-of-sight requirements.
 - b. It blends with the mountainous terrain.
 - c. More towers can be installed without affecting the views and/or opinions of the community.
 - d. The restrictions are there for the sole purpose of keeping the aesthetics of the area intact as far as possible. Powerlines, tower installations, telephone wires, etc. does not contribute to the intension thereof. We should not allow businesses to deviate from this based on financial convenience alone. Businesses should however be allowed to expand without affecting anybody adversely in the process.

As a result I would like my OBJECTION to be noted AGAINST such installation.

d regards,

Wendy Lucas

wendylucas.ct@gmail.com

Cell: 083 383 3534

www.multiwoodcreations.co.za

www.multiwoodputty.co.za

www.madebyhand.co.za

L Gillion

Re: Erf 2666 Betty's Bay

21/68

From: herman@sigmaqs.co.za
Sent: Wednesday, 07 April 2021 11:50
To: L Gillion
Subject: Comment on Municipal Notice No. 30/2021



TP. A. Heath
(H. Jd Sroep)

Dear Loretta

My comment on the proposal to erect an LTE Station as follows:

- I accept the need to improve our internet speed and reliability in Bettys Bay
- I believe however that the proposed tower will be unsightly as it is very central and bulky and will no doubt be visible from most areas around the central business area in Bettys Bay. Does it have to be this bulky? I am not sure disguising it as a water tower adds any value and probably just draws more attention to the proposed installation
- Also, it notes the towers only have a range of 500m so that will imply we will need many more towers to cover all of Bettys and approving this one will set a precedent. It is prudent therefore to ensure this application receives due consideration

So in summary - I am in favour of improving internet connectivity in Bettys Bay but this seems to me like an easy, cheap and nasty solution and I am not convinced other alternatives were adequately considered. I might be wrong though and trust that the Municipality will do a due diligence on whether this is the best solution. If this is the only solution (a bulky tower) and if this is the only location (in the middle of Bettys) that will solve the problem, then so be it. But both the 1) type of installation and 2) location should be duly interrogated.

My interest - me and my family are interested residents who value the scenic beauty of Bettys and want to ensure we do everything in our power to keep it as scenic as possible.

Thanks and regards
 Herman Mynhardt
 Erf 2885
 Corner of Kopje and Youldon Road
 Bettys bay
 +77 84 208 6278 (whatsapp)
 +27 9448 0219 (mobile)

FILE NO:	CF 2666 ✓
	Bettys Bay
SCAN NO:	KBB 2666
COLLABORATOR NO:	1526461

08 APR 2021

TP

08 APR 2021



22/68

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay. Application for Amendment and removal of restrictive title deed conditions, consent use and departure; Highwave consultants (obo ASK Security CC)

8/4/2020

TP

(H. van der Stoep)

A. Theart

Good Day Ms. H van der Stoep, Senior Town Planner,

FILE NO:	EL 2666 KBB
SCAN NO:	
COLLABORATOR NO:	1527149

As the residents of Betty's Bay,

We feel we have not all been consulted regarding this installation and are concerned about the implication of the installation.

We feel a newspaper article, not understood or purchased by all, and informing of residents just surrounding tower, is insufficient to get our town to investigate this and comment. This concerns all of us.

We request that you indulge us with an extension of the period for comment on implementation of the transformer so that we can have a community meeting and seek further legal and technical advice regarding the impact of this installation upon the lives of the people who live here but also the nature and wild life.

Your indulgence herein is appreciated and your urgent response is required.

You can revert to me in the meantime.

Kind Regards

N Wynne-Roberts

ventourasinteriors@vodamail.co.za

0795470513

4150 Albuca Close
Betty's Bay.

TP 09 APR 2021

23/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: N. Wynne-Roberts

Contact number: 0795470513

Address:

Email or postal address: ventourasinteriors@vodamail.co.za

Petition to extend as per letter written by N Wynne-Roberts: Yes

Comment on application for Erf 2666: we don't want transmission tower.

Signature: N. Wynne-Roberts

24/68

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC) 8/4/2020

Good Day Ms. H van der Stoep, Senior Town Planner,

As the residents of Betty's Bay,

We feel we have not all been consulted regarding this installation and are concerned about the
implication of the installation.

We feel a newspaper article, not understood or purchased by all, and informing of residents just
surrounding tower, is insufficient to get our town to investigate this and comment. This concerns all of
us.

We request that you indulge us with an extension of the period for comment on implementation of the
transformer so that we can have a community meeting and seek further legal and technical advice
regarding the impact of this installation upon the lives of the people who live here but also the nature
and wild life.

Your indulgence herein is appreciated and your urgent response is required.

You can revert to me in the meantime.

Kind Regards

N Wynne-Roberts

(A)

25/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: G A Engelbrecht .
Contact number: 082 928 1954
Address: 3681 MYRICA, BETTYS BAY.
Email or postal address: anton @ ekcon . co . za .

Petition to extend as per letter written by N Wynne-Roberts: - Refer attached.
letter (A)

Comment on application for Erf 2666:

Signature:



26/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: David Wynne-Roberts
Contact number: 0826746934
Address: 4150 Albuca Close
Email or postal address:
davidwynneroberts@yahoo.com
Petition to extend as per letter written by N Wynne-Roberts: yes.

Comment on application for Erf 2666:

I don't want a tower in Betty's Bay
that is air pollution.

Signature:



27/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: Kyra Kennett

Contact number: 0797940614

Address: 3883 Ossa rd

Email or postal address: kyrastray93@gmail.com

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature: 

28/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: Helen Schwendtner

Contact number: 0662013133

Address: 5390 Anglers Rd. Betty's Bay.

Email or postal address: peppi@netactive.co.za

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



29/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for Amendment and removal of restrictive title deed conditions, consent use and departure; Highwave consultants (obo ASK Security CC)

Name: Dylan Stevens

Contact number: 083 4562593

Address: 3993 DISA RD

Email or postal address: stevens.dylan@gmail.com

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



30/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: Ria de Kleik

Contact number: 082 3911994

Address: 2310 Willow Rd Betty's Bay

Email or postal address: PO Box 39 " "

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:



Signature:

31/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: L BROWN

Contact number: 083 554 9789

Address: 116 Clarence Drive, Betty's Bay 7141

Email or postal address: PO Box 556, Betty's Bay 7141

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



32/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: N. M. STEVENS

Contact number: 083 456-2593

Address: 3853 DUSA RD

Email or postal address: Stevensnatalie⁴⁰@gmail.com

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

more info please.

Signature:



33/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: PENNY DAVIDSON

Contact number: 083 260 9019


Address: 2306 WILLOW RD

Email or postal address: davidsonsp@sonicmail.co.za

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



34/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: ANGELOUVE J LOUW

Contact number: 082 510 7079

Address: ROCKY RIDGE RD, BETTYS BAY

Email or postal address: angelouw@gmail.com

Petition to extend as per letter written by N Wynne-Roberts: YES

Comment on application for Erf 2666: Opposing erection of tower.

Signature:

35/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: WALTER J CRAWFORD

Contact number: 083 232 9640

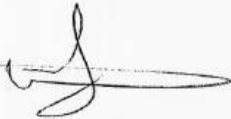
Address: 3978 GLADIOLUS CRESCENT.

Email or postal address: WALI.CRAWFORD@GMAIL.COM

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



36/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: Sandra Jean Baldy - bannithers

Contact number: 0824143320

Address: 48 Wallers Way Betty's Bay

Email or postal address: sales @ sandcastle-estates.co.za.

Petition to extend as per letter written by N Wynne-Roberts: Banned in United Sta

Comment on application for Erf 2666:

No.

" " United Kingdom

Signature: sjBaldy - bannithers

37/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: *Graham Baldy - Carnithest*

Contact number: *0839971707*

Address: *48 Wallers Way Betty's Bay*

Email or postal address: *Sales @ Sandcastle-estates.co.za*

Petition to extend as per letter written by N Wynne-Roberts:

*Buffer Zone for
a Biosphere.*

Comment on application for Erf 2666:

NO.

Signature:

G Baldy

38/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: S. CRAWFORD.

Contact number: 0828550914.

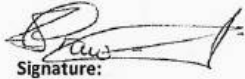
Address: 3978 GLADIOLOUS CRESC B.B.

Email or postal address: SHARON.CRAWFORD@GMAIL.COM.

Petition to extend as per letter written by N Wynne-Roberts: ✓

Comment on application for Erf 2666:

No!



Signature:

39/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: PAT MUDAR

Contact number: 071425896

Address: 3881 DISA RD, BETTY'S BAY

Email or postal address:

Petition to extend as per letter written by N Wynne-Roberts:

YES

Comment on application for Erf 2666:

NO TOWER.

Signature:



40/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: H.A.W. FOOT

Contact number: 0823754827

Address: 4262 WALLERS WAY

Email or postal address: heiniefoot@LANTIC.net.

Petition to extend as per letter written by N Wynne-Roberts: YES

Comment on application for Erf 2666: NOT IN FAVOUR OF MAST.
2. WE WANT A PUBLIC MEETING.
H.A.W. FOOT

Signature: 

41/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for Amendment and removal of restrictive title deed conditions, consent use and departure; Highwave consultants (obo ASK Security CC)

Name: ANDRE LOUW.

Contact number: 0822268437

Address: 2400 ROCKY RIDGE RD. BETTY'S BAY.

Email or postal address: AALOUW47@GMAIL.COM.

Petition to extend as per letter written by N Wynne-Roberts: YES.

Comment on application for Erf 2666: OPPOSING ERECTION OF TOWER.

Signature:



42/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: *Neil Coetzee*

Contact number: *083 383 1462*

Address: *Erf 4015 Cressub Crescent*

Email or postal address:

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

*Please arrange for more additional community
input*

Signature:



43/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: *Lynette Coetzee*

Contact number: *082 820 7467*

Address: *4015 Crassula Crescent, BB.*

Email or postal address: *lynnette.coetzee111@gmail.com*

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature: 

44/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: C Melinger

Contact number: 07461146555

Address: 21 Arcotus Rd

Email or postal address:

JK

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

more info

Signature:

[Handwritten signature]

45/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for Amendment and removal of restrictive title deed conditions, consent use and departure; Highwave consultants (obo ASK Security CC)

Name: Sandra Potgieter

Contact number: 076 9999634

Address: 4502 IXia Street

Email or postal address: potgieter.gerhard103@gmail

Petition to extend as per letter written by N Wynne-Roberts: yes

Comment on application for Erf 2666: Not needed in area

Signature:

S Potgieter

46/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: Gerhard Potgieter

Contact number: 076 9999 634

Address: 4502 Ixia Street

Email or postal address: potgieter.gerhard103@gmail

Petition to extend as per letter written by N Wynne-Roberts: Yes

Comment on application for Erf 2666: NOT NEEDED IN THIS AREA

Signature: 

47/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: Ilze de Haan

Contact number: 083 579 1441

Address: 4197 Crassula Ave

Email or postal address: ilze3001@hotmail.com

Petition to extend as per letter written by N Wynne-Roberts: YES

Comment on application for Erf 2666:

NO !!!

Signature:



48/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: L. ARMSTRONG

Contact number: 028-2729803

Address: ALBUCA CLOSE BETTYSBAY.

Email or postal address: CECE11222010@gmail.com

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature



49/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: *Me C. Armstrong*

Contact number: *0 924 74 5544*

Address: *Plot 4149 Albuca Close Betty's Bay*

Email or postal address: *cecelia2010@gmail.com*

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Armstrong

Signature:

50/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: J W FOURIE

Contact number: 028 2729383

Address: P.O. Box 315 Betty's Bay.

Email or postal address: —

Petition to extend as per letter written by N Wynne-Roberts: Yes

Comment on application for Erf 2666: No Tower

Signature:



51/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: Gertrude Fourie

Contact number: 0761056077

Address: c/o Albuca & Agapanthus Rd.

Email or postal address: P.O. Box 315

Petition to extend as per letter written by N Wynne-Roberts: yes

Comment on application for Erf 2666: no tower!

Signature:



52/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: JENNY MAHER

Contact number: 0827019038

Address: 3 ALBUCA CLOSE. BB. (4148)

Email or postal address: jennymaher54@gmail.com.

Petition to extend as per letter written by N Wynne-Roberts: YES

Comment on application for Erf 2666: NO TO TOWER

Signature: *Jmmaher*

53/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: *Riarc Hopley*

Contact number: *0645479738*

Address: *2534 Bass Road, Betty's Bay*

Email or postal address: *rbhopley@gmail.com*

Petition to extend as per letter written by N Wynne-Roberts: *YES*

Comment on application for Erf 2666: *YES*

Signature: *R Hopley*

54/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: *Bridget Hopley*

Contact number: *0767612965*

Address: *2534 Bass Road, Betty's Bay*

Email or postal address: *bridgetcarin@gmail.com*

Petition to extend as per letter written by N Wynne-Roberts: *Yes*

Comment on application for Erf 2666: *YES*

Signature: 

55/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: JEAN DA CRUZ

Contact number: 083 5141015

Address: 2538 BASS ROAD

Email or postal address: dacruz@hermanus.co.za

Petition to extend as per letter written by N Wynne-Roberts: YES.

Comment on application for Erf 2666: YES.

Signature: 

56/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for Amendment and removal of restrictive title deed conditions, consent use and departure;

Highwave consultants (obo ASK Security CC)

Name: David Holgate

Contact number: 083 259 6643


Address: 2567 Bass Rd

Email or postal address: david@dsde.co.za

Petition to extend as per letter written by N Wynne-Roberts: Yes

Comment on application for Erf 2666:

Signature:



57/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: *Kristi Maree*

Contact number: *0732890093*

Address: *2817 Cliff Rd*

Email or postal address: *marcekristi@gmail.com*

Petition to extend as per letter written by N Wynne-Roberts: *Yes*

Comment on application for Erf 2666:

In support of petition

Signature:

Maree

58/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: *Jaque van Jaarsveld*

Contact number: *072 298 2007*

Address: *2017 Cliff Road*

Email or postal address: *info@mime.co.za*

Petition to extend as per letter written by N Wynne-Roberts: *Yes*

Comment on application for Erf 2666:

In support of petition

Signature:



59/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: *Colin H Gordon*

Contact number: *060 8867644*

Address: *4137 AGAPANTHUS RD. BETTYS BAY*

Email or postal address: *P.O. BOX 141 MUIZENBERG.*

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



60/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: Theresa M Gordon

Contact number: 0676460653

Address: 4137 Agapanthas Rd, Betty's Bay

Email or postal address: nancy.475@btinternet.com

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



61/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: L TH GUNISSAN

Contact number:

Address: 3008 BETTYS BAY

Email or postal address:

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



62/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: Charlene Sutherland

Contact number: 082 797 9518

Address: 4705 Oxalis Rd

Email or postal address: csutherland@askafrika.com

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:


Signature:

L Gillion

63/68



From: Carlo valentini <carlomail7@gmail.com>
Sent: Monday, 12 April 2021 14:05
To: L Gillion
Subject: objection proposed Tower erf 2666 Betty's Bay

Name Carlo Valentini
Address 3779 Nerine Crescent Bettys bay
Contact details 0817894238

(H. vld Stoep)
TP
A. Theart

FILE NO:	EL 2666 KBB
SCAN NO:	
COLLABORATOR NO:	1528028

Objection herewith to proposed Tower erf 2666 Bettys Bay:

Tourism is the number one earner in Betty's Bay

With the progress of technology there are going to be several applications for towers and other installations.

The consent of these installations has to be measured against preserving the unique selling point and unique appeal of Bettys bay which attracts tourists/holiday makers and therefore stimulates the local economy which several rely on for their livelihoods

Bettys Bay is a holiday destination

Every single Person visiting Betty's bay does so to escape the city, its advertising boards, its large towers etc. to get away from it all, to get away from technology.

Placing a large 15 metre tower in the very centre of Bettys bay is acting in opposition to the very essence of the Town and its appeal. It is taking away from the unique appeal of Bettys bay in order to profit a company and increase its bottom line.

The company ASK security is already providing the service it now wants to place a Tower for. The Tower will create no new jobs, it will not stimulate the local economy, it will however have a negative impact on Betty's Bays greatest appeal, being a Kogelberg biosphere reserve Town with a unique nature appeal.

We are at the dawn of satellite internet. More than 50 000 internet satellites have already been launched into low orbit. Soon in the near future satellite internet will be the main service provider of internet to the planet. Installing large Towers is not technologically necessary as within a short period satellite internet will be available to everyone in Betty's bay at low cost and the towers will be an unnecessary eyesore. (You are welcome to google satellite internet or Starlink or Amazon satellite internet which will reveal to you the large scale Billion \$ installations currently happening right now)

Betty's bay is part of the Kogelber biosphere and any installation has to recognise that it is being built within the biosphere and has to be suitable or it will kill the very essence of the Town and its uniqueness.

Property values of surrounding plots.

Any estate agent or professional property valuer will immediately let you know without hesitation that the surrounding properties where the proposed Tower is in sight will immediately be devalued. The Municipality will then have to justify that it feels it is right and correct to devalue other Peoples properties which can be seen as unfair and unjust towards these property owners.

Devaluation of our property.

Please note hear our objection to the devaluation of our property as the Tower will be clearly seen from our property.

TP 12 APR 2021

64/68

We are happy to get a professional valuer to provide evidence of this along with any other properties close to the proposed tower for which we are happy to send as a legal document if so required by the Municipality to the Municipality via an attorney along with other affected Owners who we have already spoken with providing substantive evidence of the devaluation of our surrounding properties.

Sunsets

The Tower is in sight of our property. All properties in Central Bettys bay look towards erf 2666 at sunset in order to watch the sunset.

Watching the sunset is an enjoyable right of every person in Bettys bay.

The proposed tower will stick out like a sore thumb right in the area of where all central properties look to enjoy the sunset it will be unavoidable.

When looking at the sunset the new 15m tower will stick right up into the view of the sunset like a sore thumb. This is a loss that cannot be quantified in money alone. it is an unmeasurable loss to lose the enjoyment of sunsets at Bettys bay and instead stare into a 15m tower from our properties while the sun sets behind the tower. You are welcome to come at sunset so you can receive evidence of this for yourselves.

I hope the above is helpful and that you will accept our formal objection.

Please consider not allowing this consent it is really unfair and will seriously negatively impact a lot of resident in Bettys y.

<https://www.facebook.com/groups/BettysBayVillage/permalink/4094540717274608/?flike=scwspnss>

Thank you
Kind Regards
Carlo Valentini

TP - A. Theart
(H.v.d. Steep)

65/68

Petition: Comment

8/4/2020

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC)

Name: JOSEPH ANDRIES JACOBUS Roubt.

Contact number: 076 449 0389

Address: 5435^{ERS} DISA circle no 56

Email or postal address: Kees.Roubt@hotmail.com

Petition to extend as per letter written by N Wynne-Roberts:

Comment on application for Erf 2666:

Signature:



FILE NO: ERF 2666 KBB
SCAN NO:
COLLABORATOR NO: 1528422

TP

14 APR 2021

66/68

Subject: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for
Amendment and removal of restrictive title deed conditions, consent use and departure;
Highwave consultants (obo ASK Security CC) 8/4/2020

Good Day Ms. H van der Stoep, Senior Town Planner,

As the residents of Betty's Bay,

We feel we have not all been consulted regarding this installation and are concerned about the
implication of the installation.

We feel a newspaper article, not understood or purchased by all, and informing of residents just
surrounding tower, is insufficient to get our town to investigate this and comment. This concerns all of
us.


We request that you indulge us with an extension of the period for comment on implementation of the
transformer so that we can have a community meeting and seek further legal and technical advice
regarding the impact of this installation upon the lives of the people who live here but also the nature
and wild life.

Your indulgence herein is appreciated and your urgent response is required.

You can revert to me in the meantime.

Kind Regards

N Wynne-Roberts



67/68

COMMENT ON: Overstrand Municipality, Erf 2666, 201 Porter Drive, Betty's Bay: Application for

Amendment and removal of restrictive title deed conditions, consent use and departure; Highwave consultants (obo ASK Security CC)

Name: N Wynne-Roberts
Address: 4150 Albuca Close, Bettys Bay
Email: ventourasinteriors@vodamail.co.za
Contact no.: 0795470513

9/4/2020 TP

(H. van der Stoep)

A. Theart

FILE NO: EL 2666 KBB
SCAN NO:
COLLABORATOR NO: 152 7065

Good Day Ms. H van der Stoep, Senior Town Planner,

As the residents of Betty's Bay,

We would like to OBJECT to a 15m transmission tower going up in Porter Road on erf 2666.

Firstly its really ugly and even if tree like one is used...there are no trees on that erf, there's just bush. So a fake 15m long tree could never blend into a natural bush environment. Nor do the other options look right. They rob of the beauty of our town. We have real bush and don't want out of place structures. Its like fake grass in a nature reserve.

We have been quoted as 'One of the last natural coastal havens in South Africa', 'A pristine piece of paradise, a world renowned and acclaimed fynbos biosphere between mountain and sea'. Why would we want to change that? We are not a city. We have other beautiful things which attract tourists, a place where people can get away from major technologies. See our gardens and penguins and baboons. If we have out of place changes and city life and towers we will lose our charm and attraction. People who love city life should live there with all the fast life tech. Betty's is not that place. We are a get away from that.

We also object because of health risks and hazards from electromagnetic pollution and radiation. This affects humans and animals in various ways. We have a lot of wildlife that will start getting disturbed by all the development and effects of towers.

We feel we have enough connection towers for a small town...why more? Our connections work just fine. More is for city life. Not Betty Bay's life. Why can't already existing towers be used to connect. There's a 39m 200 feet tower that is in Stoney Point. A really out of place structure too. Why do we need more? There is no reason for it in a small town like ours.



TP 12 APR 2021

68/68

We as the residents of Betty's Bay would like to request that you please have a look at our concerns with much thought and heart, and help us to keep our home town in its original state and not allow more structures and industrial development to be approved thus ruining our look that makes us Betty's Bay.

Thanking you for your attention to this matter.

Kind Regards

Nikoleta

N Wynne-Roberts



TP - A Theart
(Huid Steep)

Annexure F 1/16

HIGH WAVE
CONSULTANTS

18 Sunbird Crescent
Durbanville
7550

APPLICATION ID: 3466/2019

31 May 2021

DIRECTOR: INFRASTRUCTURE AND PLANNING
OVERSTRAND MUNICIPALITY
PO BOX 20,
HERMANUS,
7200

Dear Sir/ Madam

RE: RESPONSE TO OBJECTIONS RECEIVED ON THE APPLICATION FOR PERMANENT DEPARTURES TO PERMIT A FREESTANDING COMMUNICATION BASE STATION ON ERF 2666 BETTY'S BAY (2666 PORTER DRIVE, BETTY'S BAY)

This letter serves as a response to letter dated 10 May 2021.

In terms of sections 47, 48 or 50 of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning, 2020, members of the general public and various departments were invited to share any comments/ objections regarding this application. During this public participation phase, sixteen (16) letters/ emails of objection was received from the general public. Two of these letters have been received late, but are included in this response nonetheless.

The objections from the general public mainly refer to (i) *health concerns*, (ii) *Environmental impacts (Visual, Geographic etc.)*, (iii) *Transmission infrastructure queries*, (iv) *5G Concerns*, and (v) *other related objections*. This document aims to address these concerns accordingly.

1

FILE NO: EL 2666-KBB ✓
SCAN NO: KBB 2666
COLLABORATOR NO: 1545415

31 MAY 2021

2/16

HIGH WAVE

CONSULTANTS

LIST OF OBJECTERS:

1. Betty's Bay Conservancy
2. M. Borchers
3. H. Carruthers
4. S. Crawford
5. H. de Vos
6. H. Foot
7. C. Jaussaud
8. B. Jenman
9. R. Kaljee & R. Stone
10. C. Lawrence
11. M. Lucas
12. W. Lucas
13. H. Mynhardt
14. W. Roberts (incl 38 signatures)
15. J. Roodt (Received late)
16. C. Valentini (Received late)

HIGH WAVE CONSULTANTS

Objectors	Objection	Response / Resolution
1, 12, 13	<p>"The Applicant does not give an accurate picture of what is planned in the future but makes reference to a requirement of masts every 500m. Please provide accurate maps and information regarding the position of current masts in the area, this application and any future proposed masts in relation to this application."</p>	<p>The proposed mast will assist in alleviating network pressures in Betty's Bay. Currently there are no masts within a 1km radius of the proposed site. No additional masts are proposed at this stage.</p>
1, 13	<p>"Camouflaging as mast as a water tower will not seem out of place. Betty's Bay did not experience the drought like Cape Town did and so water tanks and towers were not common."</p>	<p>The proposed mast can be mitigated to address this concern. A 15m Slimline monopole can be erected instead of the proposed water tower.</p>
1	<p>"What vegetation in the area and on the erf is close to 15m to achieve this minimalised impact? The picture shows the proposed tower standing well above the trees and short billboard."</p>	<p>It is acknowledged that the proposed water-tower design will have an impact from a visual perspective.</p> <p>The applicant acknowledges this concern and proposes a 15m slimline monopole design as a mitigative measure to address said concerns.</p> <p>It should further be noted that development of any nature will have a visual impact on the surrounding area. Infrastructure is required to provide users in the area with sufficient network coverage. Albeit for work or personal use.</p>



Fig. 14 - Aerial illustration of proposed development at site. The visual impact of the transmission tower will be further reduced by the number of trees in vicinity from a street-level view



HIGH WAVE CONSULTANTS

1, 12	<p>"The applicant states that "The mast & equipment containers will be placed inside a ± 55m² compound enclosed off by a 2.1m high palisade fence." This is not aesthetically pleasing."</p> <p>"The container should be clad with "nutec" material to render the aesthetics more acceptable. In this regard, I propose to not change the title deed for this provision but to allow this installation to take place on a per-application basis"</p>	<p>The objector's opinion is noted.</p> <p>The suggestion made to clad the container installation is well received and can be accommodated. It should however be noted that the upliftment will still be required to accommodate the steel structures.</p>
1	<p>"The height will be an issue for the views of the property across the R44 on the mountains' side."</p>	<p>Visual impacts for any new development are inevitable. The objector's comment was reviewed and it is proposed that the water type tower be replaced by a slimline monopole design.</p>
1, 12, 13	<p>"Tower installations should as far as practically possible be placed on the mountains' side of the R44. The reason for this being that:</p> <ul style="list-style-type: none"> a. It creates the height advantage for line-of sight requirements b. It blends with the mountain terrain. c. More towers can be installed without affecting the views and/or opinions of the community d. The title deed restrictions are there for the sole purpose of keeping the aesthetics of the area intact as far as possible. Powerlines, tower installations, telephone wires, etc. does not contribute to the intertion thereof. 	<p>The mast location is determined not only by the impact it will have visually, but also its functionality. The applicant acknowledges the visual impact and as a response thereto recommends a 15m Slimline monopole design.</p> <p>The recommendations made by the objector to relocate the mast are noted, but unfortunately not viable.</p> <p>The base station containers will for the most part be out of sight, and therefore implying that it will negatively impact the surrounding area is unsubstantiated.</p>
1	<p>"The relaxing of the "wood and steel" limitation is intended to allow them to put down containers. This is not very aesthetic. Surrounding buildings may have wood ad steel in their construction but they are not a "wood or iron building" as is the case for the proposed tower."</p>	<p>The premise that wood and steel is not aesthetic is a matter of opinion. The purpose to uplift the restriction is to erect a base station as stated in the motivation. As previously stated, the applicant can add cladding to the outside of the containers as mitigation.</p>

4/16

HIGH WAVE CONSULTANTS

1	<p>"Does the developer plan to aid the entire area by being involved in a joint venture with existing installations or merely entering the market to push out the competition. If the latter is true, there will probably be multiple installations going up in the area which will negatively impact resident's views."</p>	<p>The applicant provides infrastructure that service providers such as MTN, Vodacom, Cell C and Telkom can utilise collectively, reducing the amount of infrastructure required. In the case of Erf 2666, Betty's Bay the applicant aims to provide a collective service.</p>
1	<p>"Surrounding geographical aspects are in line with the requirements. What geographical aspects are referred to?"</p>	<ul style="list-style-type: none"> - Height above sea level. - Proximity to larger transmission towers outside of town. - Location with relation to network users. - Availability of property.
1	<p>"How will this property position address "complaints in the area?"</p>	<p>The proposed mast is ideally placed in terms (Height above sea level, Proximity to larger transmission towers outside of town, Location with relation to network users). Betty's Bay is frequented by tourists, during seasonal influx the services provision (i.e., Vodacom, MTN, Cell C etc) is lacking. Providing a mast will alleviate pressure on the existing telecommunications infrastructure.</p> <p>Two of the objectors further acknowledged the need for improving the internet speeds.</p>
1	<p>"Applications like these are normally accompanied by more than one choice of location. This application is supported by ASK as it would have some financial advantage to ASK."</p>	<p>The alternative sites in question were highlighted on p. 27 of the motivational memorandum submitted to the municipality.</p>
1	<p>"ASK has ground available and thus it ticks the boxes for the developer."</p>	<p>The property in question as previously stated was selected based on a selective list of criteria, as stated.</p>
1	<p>"The premises are located lower than the road thus they must raise the tower to get the best suggested coverage. A better option is if there was a higher property that could be rezoned for the same purpose, without visual restriction from neighbouring properties, this eliminating the need to increase the height to 15m."</p>	<p>The property in question as previously stated was selected based on a selective list of criteria, as stated. Development, regardless of the position will have a visual impact. Although a higher geographic location would be ideal, the impacts of a mast on top of a higher vantage point will increase the impact thereof.</p>

HIGH WAVE CONSULTANTS

1	<p><i>"There is also a noise abatement issue with standby generators that needs to be considered."</i></p>	<p>Generators albeit built-in or freestanding generators are used by consumers to generate power during load shedding. The comment is acknowledged; however, the use of generators is not prohibited.</p>
4, 6, 9, 14	<p><i>"We, the people who live here have specifically chosen Betty's Bay for the reasons listed below, just to mention a few this list is in no way complete.</i></p> <p><i>To live in a World recognised biosphere with and in touch with nature, including the animals</i></p> <p><i>To get away from cities and urban sprawl and ALL that goes with them.</i></p> <p><i>To love in a healthy climate and area of peace and tranquility unaffected by atmospheric pollution including light, noise and microwave towers.</i></p> <p><i>To get away from the concrete jungle and commercialism</i></p> <p><i>To enjoy seeing mongoose and other various wildlife walking through our gardens.</i></p> <p><i>To get away from traffic, convenience shopping and crowds.</i></p> <p><i>Many if not all of us specifically chose Betty's Bay and relocated from the far corners of this country in search of this haven as it is.</i></p> <p><i>Why oh why would you want to 'sell out' all the benefits that have thus far caused Betty's Bay to be what it is, and make it like every other place in South Africa.?</i></p> <p><i>We are known as one of the few, Top Ten quiet, special villages for people to visit, a World acclaimed PROTECTED Biosphere, a place where nature still has its own place. Please rather help us keep our Village pristine and unique and do NOT erect towers and stop industrial development."</i></p>	<p>The statements made by the objector that suggest that a singular telecommunications mast application will be to the detriment of the village is unsubstantiated.</p> <p>The applicant acknowledges that the application will have a visual impact, and in this regard proposes a mitigated response by changing the type of mast from a water type tower to a slimline monopole.</p> <p>Erf 2666, Betty's Bay is earmarked for Business Zone 3: Local Business. One of the additional uses listed in the Overstrand Municipality Zoning Scheme 2013 specifically states that the property can be utilized to erect a transmission tower, with consent from the municipality.</p> <p>The uses proposed does not deviate from the permissible rights as set out in zoning scheme. The zoning schema was approved to include these provisions, and should have been disputed during the commenting period for the Overstrand Municipality Zoning Scheme 2013.</p> <p>Furthermore, it should be noted that the Overstrand SDF 2020 includes Environmental Overlay Zones regulations that specifically exclude areas of development that are considered to of high biodiversity significance. Erf 2666, Betty's Bay is not affected by these overlay zones and therefore does not directly impact on protected areas as set out in the Environmental Overlay Zones.</p>

HIGH WAVE CONSULTANTS

10	<p>"The restrictions have set out to protect and control the degradation of the Betty's Bay Environment."</p>	<p>Noted.</p>
16	<p>"Placing a large 15 metre tower in the very centre of Betty's Bay is acting in opposition to the very essence of the Town and its appeal. It is taking away from the unique appeal of Betty's Bay in order to profit a company and increase its bottom line."</p>	<p>The provisions of the Overstrand Municipality Zoning Scheme 2013 allow for transmission towers to be erected on a Business zone 3 erf, with consent from the municipality.</p>
11, 13, 14, 16	<p>"The Tower is in sight of our property. All properties in Central Betty's Bay look towards erf 2666 at sunset in order to watch the sunset. Watching the sunset is an enjoyable right of every person in Betty's Bay. The proposed tower will stick out like a sore thumb right in the area of where all central properties look to enjoy the sunset it will be unavoidable."</p> <p>"Tree mast will look out of place as well as any other structures"</p>	<p>The applicant acknowledges that the transmission tower will have a visual impact, as would any development that is permitted on a Business 3 zoning. However, the applicant is willing to mitigate based on the objections raised and is proposing a alternative slimline monopole mast.</p> <p>The comment made by the objector is noted. As previously stated, the applicant is willing to change the transmission tower type to a slimline monopole reducing the overall visual impact.</p>
11, 13, 14, 16	<p>"Tree mast will look out of place as well as any other structures"</p>	<p>The opinion of the objector is noted.</p>
11	<p>"Utilising the height advantage of the mountain behind the proposed site would be far more beneficial."</p>	<p>The urban areas are already disturbed whilst the mountains are within the Environmental Overlay Zones. Therefore, this is not a viable option.</p>
1, 11	<p>Services Provision</p> <p>"The applicant contradicts themselves regarding the number of service providers they aim to provide for. Please provide clarity on this: 2 or 3 or 4 or all."</p>	<p>In this regard the applicant submits that all network providers will be able to make use of the proposed infrastructure. As mitigation to other objections, a slimline monopole is suggested, which can accommodate 6 antennae.</p> <p>As many of the concerns related to the application are predominantly centred around the overall visual impact, the mast type will be changed from a water tower to a slimline monopole. This will reduce the number of service providers that can utilise the tower (Vodacom, MTN, Cell C etc.).</p>

HIGH WAVE CONSULTANTS

Transmission Infrastructure and coverage	
The applicant acknowledges the request:	
Legend:	
-58 to -65 dbm (Fair - Good Coverage & Availability)	
-65 to -85 dbm (Good - Medium Availability)	
-85 to -95 dbm (Weak coverage & availability)	
-95 to 105 dbm (Very weak Coverage, Dropped Calls)	
1	<p>"The applicant includes these diagrams to depict "expected increase in coverage" as a result of the proposed tower. The writing on the legend is not clear as to what the colours depict. Please supply a legible version."</p>
1, 11	<p>"What is noticed is that much of the proposed increased "coverage" between the 500 - 1000m radius falls onto the mountainside, sea and lake area - out of the residential area, and so of reduced use."</p>
1, 12	<p>"The suggested installation of 3x transmission dishes suggests that this is: a. The first of multiple sites, or b. A hub for existing sites."</p>
1	<p>"What is the intention regarding the fibre installation? Is it the connection to the outside world / internet or intended for distribution to individual properties?"</p>
1	<p>"The internet speed and coverage charts are somewhat misleading and were included in the application to try and prove that the situation is dire. They get full marks for introducing the sympathy vote but the facts presented are not the truth."</p>

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11	<p>"There are alternatives to towers with multiple dishes, telephone lines and power lines in many cities and small towns moving away from such installations in favour of underground installations, our neighbouring Hermanus being one of them."</p>	<p>Wireless services, and underground options still require transmission from one area to the next.</p>
11	<p>"The application refers that it will be a shared installation, this needs to be expanded on and does it mean that the connectivity tower at the Stoney Point penguin colony will be removed?"</p>	<p>The mast will not be replacing any existing masts. The proposed infrastructure will accommodate all service providers, but can only host 6 Antennae.</p>
16	<p>"We are at the dawn of satellite internet. More than 50 000 internet satellites have already been launched into low orbit. Soon in the near future satellite internet will be the main service provider of internet to the planet. Installing large Towers is not technologically necessary as within a short period satellite internet will be available to everyone in Betty's Bay at low cost and the towers will be an unnecessary eyesore. (You are welcome to google satellite internet or Starlink or Amazon satellite internet which will reveal to you the large scale Billion \$ installations currently happening right now.)"</p>	<p>The comment raised by the objector is noted.</p>

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<p>1</p> <p><i>"The applicant quotes data from a WHO report from 2004 that refers to data from 30 years prior: "...have been published for over the past 30 years... the WHO concluded that current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields." That refers to data from 1974 – 2004. This is not current evidence based on the vast increase in number of transmission towers in recent years. It also mentions the statement of the Department of Health another WHO fact sheet was published in June 2011 and reviewed in October 2014 which is 10 and 7 old respectively. Where is the current evidence?"</i></p>	<p>Health</p> <p>A statement made by the Department of Health dated 19 January 2018 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".</p> <p>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."</p> <p>Further on in the document (attached to this response – Annexure A: Letter from Health Department), 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."</p> <p>We are therefore of the opinion that health related 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.</p>
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<p>2, 5, 6, 7, 8, 16, 10</p>	<p>"I wish to place on record my strong objection to the erection of Huawaei 5G towers in the vicinity of Betty's Bay, or anywhere else near here.</p> <p>The hazard of this radiation is well documented, and it is heinous to claim that they have not been proved. Several First World countries have stopped rolling these out these towers because of the danger of these frequencies, and their effects on health. I need not itemise what these dangers are: <i>inter alia</i> they affect nervous systems, cause headaches and fatigue, and can cause tumours. Medical science is increasingly aware that frequencies play an enormous role in body health. To introduce this enormous threat in a proclaimed Biosphere such as Betty's Bay, where the environment and inhabitants should be able to enjoy unspoiled nature, is criminal to say the least.</p>	<p>We wish to confirm that our client's intention is to provide shareable infrastructure for at least three of the four Mobile Network Operators (MNO) e.g. Vodacom, Cell C, MTN and Telkom Mobile. These MNOs are well established in South Africa and intend providing fast and reliable voice and data connectivity.</p> <p>This development complies with the required Health and Safety regulations as stipulated by ICNIRP.</p>
<p>5</p>	<p>Objection to unlimited and unregulated electro magnetic radiation activities and infrastructure allowed.</p>	<p>The Overstrand Municipality Zoning Scheme 2013 makes provision the applicant to apply for consent to obtain the required land use rights to erect a transmission tower. The municipality, at their own discretion may then make a ruling as to it will be suited for the area.</p> <p>Therefore, simply stating that the infrastructure for transmission towers is unregulated is conjecture and should be disregarded.</p>
<p>3</p>	<p>"Dear Loretta Please add this to my comment. In their proposal they said the WHO said it is safe. This is a lie, see attached link – The cellphone companies are lying" https://emfadvise.com/cp-emi-meters-measure-5g-radiation/</p>	<p>The statement made by the objector is conjecture. The site is not an accredited research source and therefore the information provided cannot be regarded as accurate.</p>

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6	<p>"We are not in favour of 5G and all its effects that it has. A lot of countries in the Western World banned 5G, it is only in South Africa that it is allowed"</p>	<p>This statement made by the objector is unsubstantiated.</p>
3,6,9,14,16	<p>"This Rf technology is dangerous to human beings in 2 forms, 1 – Thermal radiation emitted from this equipment would be extremely dangerous to people and children and 2, wave form propagation of this type of rf transmission also has an adverse effect on your immune system and cognitive thinking as well. I have experienced this first hand when they were testing this technology here in Bettys Bay since last year beginning of lock down. I have concrete proof that the technology is damaging, in spite of what the draft proposal states that the WHO says it is safe is utter nonsense, the parties who drafted this proposal have never given their side that technology is good and all the benefits to people, however ASK already do provide safe wireless internet here and the reason to say that we do not have a decent comms infrastructure here is just not true at all, ASK themselves provide it – there is an overwhelming amount of evidence that this technology is very harmful to human beings immune systems and their Biology."</p>	<p>The objections raised does not cite any sources to substantiate the argument. If the objectors suggests that there is evidence to support his claims the factual statements should have been included and cited.</p>

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1	<p>"On page 4 the applicant refers to Betty's Bay as a small holiday town, and that surrounding areas are residential, business related community related.</p> <p>Yet later it states that... both the Overstrand Local Municipality & the operators interests to address the problem of weak voice and data coverage and to provide the surrounding traffic commercial & business community with the basic need of effective voice and data coverage, as it has become an integral part of our daily lives.</p> <p>This is contradictory and please will the applicant identify what surrounding high traffic commercial & business community they refer to.</p> <p>The increase of individuals and commuters utilising the R44 road running through the town of Betty's Bay and surrounding area created a high demand for effective voice and network data requirements. Does a 15m tower need to be imposed on Betty's Bay residents to service commuter's passing through on the R44?"</p>	<p>Other</p> <p>It should be noted that telecommunications service provision, similar to electricity provision is a general public service. The proposed infrastructure for telecommunications may be proposed in Betty's Bay but does not only serve the residents of Betty's Bay.</p> <p>The infrastructure proposed is not to "impose" a mast on the residents of Betty's Bay but is a required service that is necessary to upgrade and maintain existing telecommunications networks.</p> <p>Most of the objections submitted to the municipality was done via email. A convenience made available to them partly by the infrastructure they are now opposing.</p> <p>Betty's Bay forms part of the Greater Hermanus Area. For the telecommunications infrastructure to function efficiently for the surrounding commercial and business community of the Greater Hermanus upgrades as proposed in this application is required.</p> <p>Furthermore, it should be noted that the R44 is used by tourist, commuters and residents of Betty's Bay, therefore it is emphasized that the mast is required to provide a general public service.</p>
1	<p>"This is a business opportunity for the developer. There is no charity involved. They mentioned lower rates, etc. but there will be no discount by anybody for anybody because of this development. Faster downloads only mean faster accumulative charges. this will never change!"</p>	<p>The opinion of the objector is noted. The statement made in this regard is unsubstantiated.</p>

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<p>1, 11, 12</p>	<p>"The proposed tower would present a significant footprint at 15m that would have to withstand the very strong wind conditions. The structure and the fibreglass panel's rigidity / ability to remain attached to the tower in adverse weather conditions over the entire lifetime of this installation are an issue. There is a potentially dangerous situation resulting from panels flying off in adverse weather conditions for which Betty's Bay is renowned and being a safety hazard for roads, buildings and people."</p>	<p>The structural integrity of the mast will be inspected at building plan stage. It is noted that the mast may be a cause for concern and therefore it is proposed that the mast be reduced to a slimline monopole.</p>
<p>1</p>	<p>"Is this merely a competitive installation which may possibly not improve the coverage for this area to the extent promised? Betty's Bay doesn't need 3 or 4 individual service providers installing their own towers to compete with one another commercially. The area should be safeguarded from blatant and blind planning and development."</p>	<p>As previously stated, the applicant is a third-party infrastructure provider that provides infrastructure for all service providers wanting to improve coverage in the area. Eliminating the need for service providers to each erect their own infrastructure, but rather provide a mast that collectively hosts interested providers.</p>
<p>2, 8, 15</p>	<p>"I also object to the secretive manner in which the operation has been carried out. There has been no attempt to engage in public discourse in which informed members of the community can voice their objections. If notices have been posted in the library this is extremely disingenuous, as the library is hardly being frequented by the public since the Covid restrictions. If you have notified ratepayers by means of their rates accounts, then that is also a problem, since I have not received any emailed rates accounts for several months now, despite informing the municipality of this fact. Public meetings need to be held, and any further development should cease until all the issues have been aired."</p>	<p>Please be advised that due course was followed in notifying the public as per the requirements of the Overstrand Amended By-Law on Land Use Planning 2020. Rates and taxes account disputes should be addressed by the municipality.</p>

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3	<p><i>"This amendment is purely for financial gain, as I read through the documents at the library. They have not considered at all the real dangers, they wrote this document for their financial benefit, despite what they have written as 'positive' for all of us here."</i></p>	<p>The statement made by the objector is conjecture and should be disregarded.</p>
11, 12	<p><i>"I would like the applicant to substantiate the claim for reduced cost"</i></p> <p><i>"The applicant is requested to prove this statement with signed agreements or contracts"</i></p>	<p>Additional infrastructure will reduce the strain and upkeep on the existing infrastructure, and make provision for more users in Betty's Bay. If more users are accommodated the overall service provision cost can be reduced.</p> <p>The applicant is not obligated to disclose sensitive information containing client information.</p>
11, 13	<p><i>"It appears that ASK is looking for a cheap, quick fix by using the existing property to gain competitive advantage without any thought or consideration for the aesthetics of the surrounding area of for the community of Betty's Bay. There are other, better alternatives that should be investigated and considered before allowing this to go through."</i></p> <p><i>"Property values of surrounding plots. Any estate agent or professional property valuer will immediately let you know without hesitation that the surrounding properties where the proposed Tower is in sight will immediately be devalued. The Municipality will then have to justify that it feels it is right and correct to devalue other people's properties which can be seen as unfair and unjust towards these property owners."</i></p>	<p>The statement made by the objector that ASK is using the mast to get competitive gains is conjecture. In order to improve coverage transmitters are required to allow mast to send and receive transmission signals back and forth. Wireless LTE for example also obtains signal from transmission towers.</p>
16		<p>The objection is noted.</p>

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CONCLUSION:

We would like to emphasise the positive contribution this base station will have on the immediate area of Betty's Bay, commuters, visitors as well as the surrounding community:

- *This application is by no means a careless act as health and environmental aspects are taken into consideration with associated proof that this development holds no threat for inhabitants and/or 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.*
- *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.

It is clear that the proposed application meets the applicable desirability criteria and precedents set and it is therefore recommended that the application be supported by the relevant authorities.

Annexure G

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS, CONSENT USE & DEPARTURE: ERF 2666, BETTY'S BAY**

Electricity	:	Eskom Area
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 should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigates and determine the limitations of the site in terms of drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning;
5. that any additional and / or extended vehicle entrance will be for the owner's account;
6. that, 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 Senior Manager: Operational Services (Kleinmond) for written approval;
7. that stormwater be allowed to discharge through Erf 2666, Betty's Bay, unobstructed.

p.p. M. Coche
DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

06/04/2021
DATE