

## 4.2

**ERF 1132, HAWSTON, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSENT USE AND DEPARTURES: MESSRS HIGHWAVE CONSULTANTS ON BEHALF OF HAWSTON SECONDARY SCHOOL FOR PROVINCIAL GOVERNMENT: WESTERN CAPE**

1132 HHW

H Olivier

23 September 2021

(028) 313 8900

Hermanus Administration

**1. EXECUTIVE SUMMARY**

An application was received on 4 December 2020 from Messrs Highwave Consultants on behalf of Hawston Secondary School for Provincial Government: Western Cape on Erf 1132, Hawston for an application in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- ❖ Consent use in terms of Section 16(2)(b) of the By-Law to erect a 25m high transmission apparatus on the property.
- ❖ Departures in terms of Section 16(2)(b) of the By-Law for the following:
  - To relax the 5m rear and northern lateral building line to 0m to accommodate the proposed transmission apparatus.
  - To exceed the applicable 10,5m height restriction in order to accommodate a proposed 25m high 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, and the Site Development Plan is attached as Annexure C.

**2. DECISION AUTHORITY**

Municipal Planning Tribunal

**3. BACKGROUND / SITE HISTORY**

The erf measures 7,0751 ha in extent and is zoned Community Zone I. The site is developed with a secondary school and some sports fields.

**4. SUMMARY OF APPLICANT'S MOTIVATION**

- Application is for an 25m monopole type land-based transmission apparatus which also will traverse the 5m building lines and 10,5m height restriction applicable to the site zoned Community Zone I.
- The site is no 7,0751 ha and developed with a school.
- There are no title deed restrictions limiting this development.
- Surrounding land uses are mostly residential and business related.
- Access will be obtained via Church Street.
- A 2,4m high palsied fence will be constructed around the site for security, and access to the site will be limited to qualified personnel.
- Electricity will be obtained via the on-site supply.
- No environmental legislation is triggered as the site falls inside an urban area and is not an area designated for conservation.
- Greater need for cellular communication due to increased usage.

- It will comply with most development parameters; application is only made to relax the applicable 5m building lines and 10,5 height restriction to 25m.
- Physical characteristics makes it ideal to be used for the purpose.
- Research shows telecommunication base station's pose no health threats.
- Need and Desirability – People use more devices which requires better data and voice coverage. The application will address high data traffic.
- No impact on surrounding land uses.
- Bad reception leads to dropped calls and complaints.
- Lack of telecommunications in the area create a need for coverage.
- SDF, 202 – SDF provide criteria, which the application complies with. There are also no buildings in the area for which a roof top alternative can be considered. No visual impact assessment is required, as the tower will be far away from residential dwellings.
- In line with Western Cape Economic Development Strategy, 2009.
- Alternatives – Rooftop option not possible due to all buildings in the area being lower than 15m.
- SPLUMA and LUPA General Principles
  - Spatial Justice – Will provide excellent service to the inhabitants.
  - Spatial Sustainability – Enhanced signal will provide economic sustainability as it will benefit businesses. It will improve communication for emergencies. One larger tower will have a more positive environmental impact, as less towers are required.
  - Spatial Efficiency – Will contribute to specialized skill development and using local resources in the Municipality.
  - Spatial Resilience – Will help in state of crisis with communications.
  - Good Administration – A reasonable and fair public participation process will be followed by the Municipality.
- Will help with social integration.

## 5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Notices	<b>Yes</b>	28 April 2021	4 June 2021
Local newspaper	<b>Yes</b>	28 April 2021	4 June 2021
Ward Councillor	<b>Yes</b>	29 April 2021	4 June 2021
Total comments	<b>TWO (2)</b>		
Total letters of support	<b>NONE</b>		
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
Waste Management	01/05/2021	No objection.
Fire Department	29/04/2021	No objection.
Environmental Management Services	25/06/2021	No objection but must indicate service roads required for the development.
Building Department	29/04/2021	Building plan must be submitted to Building Branch.
Engineering Services	01/07/2021	See Annexure F.
Telkom	13/06/2021	See Annexure G.
Eskom	05/05/2021	See Annexure H.

## 7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

The application was duly advertised, and two (2) letters of objection, of which one contained a petition list, were received.

The applicant and Municipal Town Planner were also provided an opportunity to comment on the objections and concerns which can be summarized as follows:

### **OBJECTION 1**

#### ***What job opportunity will be created for the Hawston Community?***

##### Applicant's response

Opportunities created by improved voice and data coverage is limitless. Locals, craftsmen, and construction workers will be utilized with the construction of the mast, where required.

##### Town Planner's response

The applicant sufficiently addressed this point.

### **OBJECTION 2**

#### ***Will there be free Wi-Fi for erven close to the transmission tower?***

##### Applicant's response

The developer does not provide data or voice coverage, rather the opportunity for network providers to re-locate. The request cannot be accommodated.

##### Town Planner's response

The applicant sufficiently addressed this point.

**OBJECTION 3**

*Person providing comment appears to think the notice sent to them had something to do with ownership of her deceased mother's property.*

Applicant's response

This does not make out an objection against the application.

Town Planner's response

The applicant's comment is supported.

**8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS**

See Point 7 above.

**9. MUNICIPAL ASSESSMENT OF COMMENTS**

See Point 7 above.

**10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)****10.1 Background**

N/A

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

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

The objectives relating to:

Spatial Justice

The new infrastructure would help improve signal quality in a previously disadvantaged area.

Spatial Sustainability

The land to be used is not environmentally sensitive or agricultural land.

Efficiency

The placement of a transmission tower on a site that is already serviced would help make use of services to its maximum capacity.

Spatial Resilience

Improved voice and data signals allow residents to do certain functions online, making them less reliant on public transport or attending meetings, etc. at a property. This is especially important during the Covid-19 pandemic.

Good Administration

The application followed the required planning procedures to ensure that land use activity is in line with Municipal By-Laws and the public participation process has been followed.

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

Same as Point 10.2 above.

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

N/A

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

N/A

**10.6 Impact on Municipal Engineering Services**

No new services will be required.

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

N/A

**10.8 Existing and proposed zoning comparisons and considerations**

N/A

**11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

N/A

**12. THE DESIRABILITY OF THE PROPOSAL**

Erf 1132, Hawston is zoned Community Zone and is developed with a Secondary School. The erf measures 7,0751 ha in extent.

The proposal is to construct a 25m high transmission apparatus on the property in the north-eastern corner of the property. It is positioned approximately 190m from the school to the west, 220m from the residential development to the south and 630m from the R43 to the east.

The land to the east is vacant land zoned Agriculture Zone, and to the north is agricultural land and vacant Authority Zone land.

The transmission tower will be situated a fair distance from existing development, and although it will be a tower of significant height, it should not be visually impeding. It is also the opinion that one higher tower would fit in more with this area than more towers of for example 15m in height.

Only two (2) options were considered being this specific site and possible roof top options. The applicant however motivates that the buildings in this area are so low in height that a roof top tower could not be considered.

The application also then includes departures of the 5m erf building lines and the height restriction of 10,5m applicable to Community Zone to 25m. This will enable the client to use limited space of the school site for the tower.

All relevant state and municipal departments did comment on the application, and no objections were received.

The Electrical Department indicated that the transmission tower would have to feed from the school supply, and the school will be responsible for their own sub-metering. The Environmental Department also indicated they had no objection, but that a clear service road must be provided. No new erf will be created for the tower and there is hardened grass areas between the school building and proposed tower site, and therefore the access to the tower must be dealt with between the school and applicant.

Two (2) objections were received in the public participation process. The one letter had nothing to do with the application, whilst the second letter did not question the desirability of the application. The comments related more about the benefit for the Hawston community regarding free services and job creation. The applicant sufficiently addressed these comments/objections.

The construction of transmission towers is a sensitive issue in the Overstrand area, and placement thereof should be carefully considered to provide a maximum service without impacting on the visual of aesthetics of an area. The fact that all municipal branches, the Environmental Department and Building Department indicated their support for the application, clearly show the placement of the transmission tower is desirable and can be supported. Its height will make it possible to also cater for Fisherhaven, Hawston and surrounds.

### 13. RECOMMENDATION

1. that the application in terms of Section 16.(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 1132, Hawston for a consent use to allow the construction of a 25m high transmission apparatus, **be approved** in terms of Section 61 of the By-Law;
2. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 1132, Hawston for the following departures to accommodate the proposed transmission apparatus, **be approved** in terms of the provisions of Section 61 of the By-Law
  - ❖ to relax the 5m rear and northern lateral building line to 0m
  - ❖ to exceed the applicable height restriction from 10,5m to 25m;
3. that the approvals in 1. and 2. above be subject to the following conditions:
  - (a) that the transmission apparatus be restricted to the development indicated on Plan 2953-D-003RevE(undated), 2953-D-005RevE(undated) and elevation plan 2953-D-006RevE(undated) submitted with the application;

- (b) that should the transmission tower becomes defunct, the structures be removed to an approved landfill site;
  - (c) that all the conditions in the Service Report (attached as Annexure F), be complied with;
  - (d) that the conditions in the letter from Telkom (attached as Annexure G), be complied with;
  - (e) that the conditions in the letter from Eskom (attached as Annexure H), be complied with;
  - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
4. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above-mentioned approval.

#### 14. REASONS FOR RECOMMENDATION

- ❖ All relevant departments and institutions support the application.
- ❖ The position of the transmission tower will not be close to residential or other development and would not impact the character of such areas.
- ❖ The position of the 25m tower is a fair distance from the R43 District Road and on a much lower contour height, which will limit its visual impact.
- ❖ The objections received relate to the benefit to the community. The applicant did successfully address the objections indicating that during the construction of the tower local labour could be used.
- ❖ It is a relatively high tower (25m), but this will help ensure that a wider area can be served.
- ❖ The departures for building lines will ensure that limited school yard space will be used to accommodate the transmission apparatus.
- ❖ The application is desirable.

#### 15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan
Annexure D:	Objections received
Annexure E:	Applicant's response to objections
Annexure F:	Services Report
Annexure G:	Comments: Telkom
Annexure H:	Comments: Eskom

**SIGNATURES****AUTHOR:**

Name:

**H OLIVIER**

SACPLAN Reg No:

**B/8128/2004**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**REGISTERED PLANNER:**

Name:

**H VAN DER STOEP**

SACPLAN Reg No:

**A/1708/2013**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Annexure B 1/31

ERF 1132 HAWSTON: CONSENT USE AND PERMANENT DEPARTURE APPLICATION**HIGH WAVE**  
CONSULTANTS**1. THE APPLICATION**

Application is hereby made on behalf of our client Blue Sky Towers (Pty) Ltd to allow the following on Erf 1132 Hawston.

- **Consent use application** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the purpose of erecting a 25m monopole type land-based transmission apparatus.
- **Permanent departure application** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the purpose of erecting a 25m monopole type land-based transmission apparatus. The departures include the following:
  - Relaxation of the height restriction from 10.5m to 25m;
  - Relaxation of a side building line (northern boundary/ adjacent Erf RE/1 Hawston) from 5.0m to 0.0m; and
  - Relaxation of a side building line (eastern boundary/ adjacent Portion 6 of Farm Afdaks Rivier no. 575) from 5.0m to 0.0m.

This consent use and permanent departures application will allow for the installation of 25m land-based transmission apparatus which is a permitted by means of a consent use for 'Community Zone 1' zoned properties in terms of the Overstrand Municipality Land Use Scheme, 2020 (Schedule 2).

**2. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP**

The subject property relating to the application is identified as Erf 1132 Hawston with an extent 7.0751HA (seven comma zero seven five one hectares). The property is situated in Hawston. The subject property is located at 1938 Church Street, Hawston. Approval for the intended development was received from the Minister of Education (DA Schäfer) from the Western Cape Education Department on 29 September 2020 – refer to Annexure J.

There are no title deed conditions contained in the title deed no. T78480/1992 that restrict or prevent the installation of a land-based transmission apparatus on the subject property. A copy of the Title Deed for Erf 1132 Hawston containing the details outlined below is contained in Annexure A. *(Please refer to Annexure A: Title Deed)*



**ERF 1132 HAWSTON: CONSENT USE AND PERMANENT DEPARTURE APPLICATION****HIGH WAVE**  
CONSULTANTS

<b>TITLE DEED DESCRIPTION:</b>	ERF 1132 HAWSTON IN THE OVERSTRAND MUNICIPALITY, DIVISION CALEDON, PROVINCE OF THE WESTERN CAPE
<b>TITLE DEED NUMBER:</b>	T78480/1992
<b>TITLE DEED RESTRICTIONS:</b>	None that restricts the installation of a land-based transmission apparatus . Drawings abide by the building lines imposed by the title deed.
<b>PROPERTY SIZE:</b>	7.0751HA (seven comma zero seven five one hectares)
<b>ZONING:</b>	Community Zone 1
<b>PROPERTY OWNER:</b>	Provincial Government – Western Cape
<b>SERVITUDES:</b>	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 1132 Hawston located within the Overberg Region. The property is situated at 1938 Church Street, Hawston.

**b. Surrounding Area**

Hawston is a small fishing village situated on the Overberg coast of South Africa's Western Cape province. It is located approximately 100 km from Cape Town along the scenic R43 ocean drive between Fisherhaven and Onrus, close to Hermanus. 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 land-based transmission apparatus on Erf 1132 Hawston. The property is currently zoned "Community Zone 1" and is currently used as a place of instruction and comprises of buildings utilised for educational purposes. The surrounding land uses in the area are predominantly utilised for residential and business-related purposes

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CONSULTANTS

(small local shops) with community related land uses in close proximity of the concerned property.



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

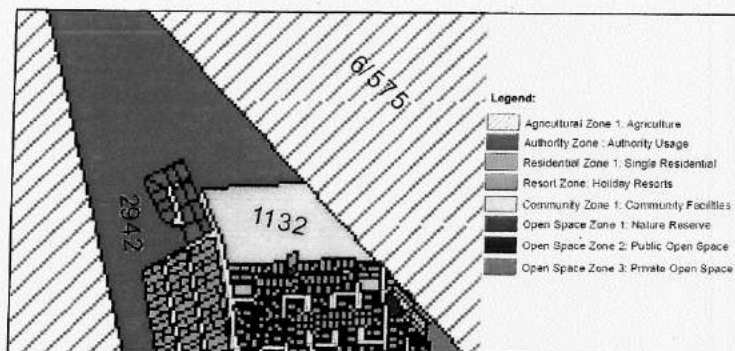


Fig. 2 – Zoning of compliant area (adapted from the Overstrand Zoning Scheme Regulations, 2014 – Rural Zoning (Fisherhaven/ Hawston/ Hermanus/ Stanford/ Rural Areas) - Map 2)

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ERF 1132 HAWSTON: CONSENT USE AND PERMANENT DEPARTURE APPLICATION**HIGHWAVE**  
CONSULTANTS**4. DEVELOPMENT PROPOSAL****a. Development**

It is the intention of our client to apply for a consent use and permanent departure (height restriction and two common building line relaxations) application to allow for the installation of a 25m monopole type land-based transmission apparatus on the Erf 1132 Hawston. The application entails the following proposed development parameters:

- Erection of a 25m monopole type land-based transmission apparatus situated in the north-eastern corner of the property (adjacent Erf RE/1 Hawston and Portion 6 of Farm Afdaks Rivier no. 575).
- Erection of a DB Pole mounted with floodlight;
- Installation of 9 triband antennae on the proposed 25m mast;
- Installation of 3 transmission dishes on the proposed 25m mast;
- Construction of 4 concrete plinths and installation of 4 x telecommunications equipment containers at ground level;
- 3 Portable fire extinguishers to be installed on site;
- Fibre optic line connecting with a specific point within the compound;
- The mast & equipment containers will be placed inside a +/- 90m<sup>2</sup> compound enclosed off by a 2.4m palisade fence.

*(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 Church Road.

**c. Permanent Departure**

A height departure will be required as an installation of 10.5m high will not provide sufficient coverage for the complaint area.

**d. Building line relaxations**

This application includes the relaxation of the northern and eastern side building lines adjacent Erf RE/1 Hawston and Portion 6 of Farm Afdaks Rivier no. 575 respectively. These relaxations will allow for the mast to be installed in an unused portion of the school premises. Further, these building line relaxations are required for the proposal to comply with the requirements set by WCED – refer to Annexure K.

**e. Security**

The proposed monopole type land-based transmission apparatus will be constructed on Erf 1132 Hawston. Extra security will be added to the actual land-based transmission apparatus through a 2.4m 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 18-25m above ground level. Only authorised personnel will have access to the antennae. 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, containers and mast door. 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:

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*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 Hawston 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. 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.

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 Municipality Land Use Scheme (2020):

*"transmission apparatus" means any land- and roof-based support structure and associated infrastructure that is used for the transmission and/or reception of electromagnetic waves and includes telecommunication, cellular telecommunication, radio, television and satellite transmission that is used for commercial purposes;*

**b. Proposed Development Parameters**

The current and proposed allowable development parameters as per the Overstrand Municipality Land Use Scheme (2020) are indicated in the tables below:

Development Parameters	Overstrand Zoning Scheme Regulations (Community Zone 1)	Proposed Development on Erf 1132 Hawston
Floor Factor	1.2	<b>COMPLY:</b>
Coverage	60%	<b>COMPLY</b>
Setback	8m	<b>COMPLY</b>
Building Lines	Street Building Lines: 5.0	<b>COMPLY</b>
	Side building line: 5.0	<i>DEPART: Relax from 5.0 – 0.0m (northern side building line adjacent Erf RE/1 Hawston)</i>
	Side building line: 5.0	<i>DEPART: Relax from 5.0 – 0.0m (eastern side building line adjacent Portion 6 of Farm Afdaks Rivier no. 575)</i>
Parking	1 bay per classroom or office plus a stop and drop facility	<b>COMPLY:</b> No parking spaces will be affected by this development
Height	10.5	<i>DEPART: RELAX FROM 10.5M TO 25M to allow for a land-based transmission apparatus</i>

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

**c. Physical Characteristics**

RF Engineers are subject matter experts and identify sites by utilizing a specific set of engineering rules and principles, Erf1132 Hawston 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 Church Street and the R43 road and surrounding schools, business and residential units which will benefit from more effective voice- and data coverage (e.g. access to WIFI).
- Location hard in the north-eastern corner on property is preferred by WCED. At this location the creation of "dead spaces" are eliminated – which might have become potential hiding places for children behind the base station.
- At the proposed location, the base station will be far away from the school building and surrounding residential dwellings.
- 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.

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 Fresnel 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. Title Deed Restrictions**

In respect of Erf 1132 Hawston it was found that there are no restrictive conditions contained in title deed no. T78480/1992. Drawings abide by the building lines imposed by the title deed. *(Please refer to the attached Annexure A: Title Deed)*

**e. 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

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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/pah-erf/research/database/en/>

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

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

#### **f. Need & Desirability**

In modern times it is become a rear 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.

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.

In recent events e.g. COVID-19 outbreak, the importance of optimum voice- and data coverage in residential areas were proven. In order to perform important employment duties, these services are considered to be essential.

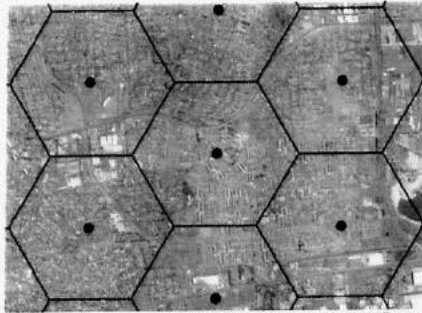
When choosing a site for a telecommunication base station, service providers are guided by nominal points indicating the areas where poor signal is being experienced.

#### f.1 Choice of site

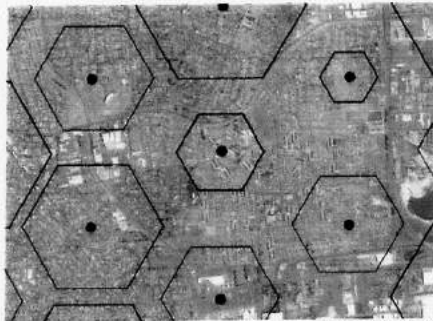
These nominal points are selected because of an increase of customer complaints, within an area. When there is an increase in the number of users in an area. The coverage provided by the existing network decreases, leading to dropped calls and lack of data services. Figures 4 - 9 strive to explain how the need for an increase in cellular infrastructure evolves in a typical urban area.

f.2 Cellular infrastructure explained:

Figure 3 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 4). 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 4). 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 3 - Initial coverage (cell) provided by Telecommunication Base Stations*



*Fig 4 - Coverage decreases due to increase in network users – cell size decreases*

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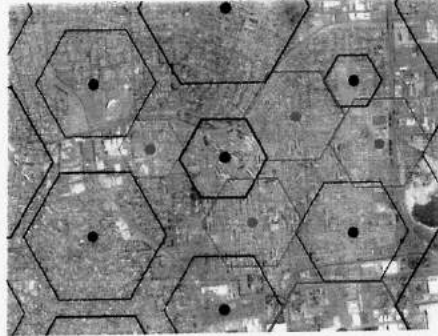


Fig 5 - Additional telecommunication base stations required to fill the gaps

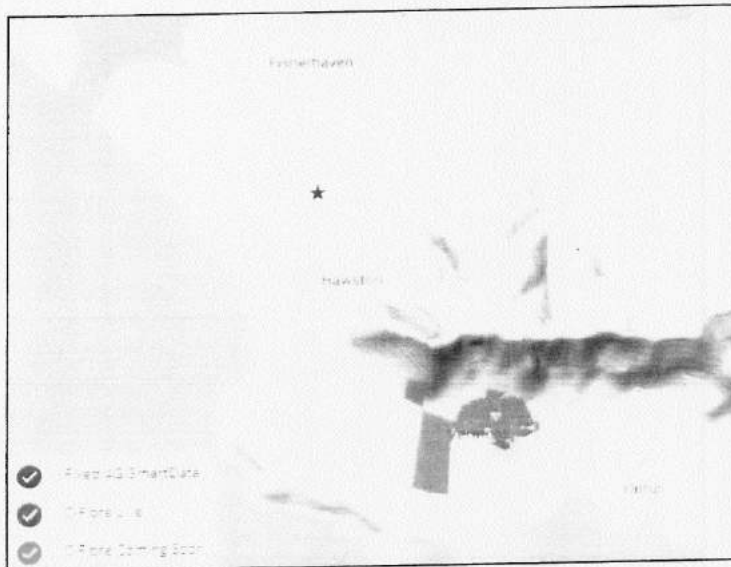


Fig 6 – Cell C Fixed-LTE connectivity in the area of Hawston – Red star indicates the location of the site (Source: <https://www.cellc.co.za/cellc/coverage-map>)

Figure 6 illustrates the current Cell C Fixed LTE coverage in Hawston. It should be noted that some areas have very limited LTE and 4G technology (especially MTN and Vodacom Advanced LTE and Fibre connectivity). Therefore, a land-based transmission apparatus as proposed in this application will increase the amount of coverage in this area.

**g. Existing Infrastructure**

Figures 7 and 8 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. 7 – 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. 8 – RF plot indicating the expected increase in coverage provided by the proposed installation (Source: As composed by the client's RF Planners)

**h. Existing Policy Frameworks**

**Overstrand Municipality Land Use Scheme, 2020 (Schedule 2)**

Chapter 16.10.23 of the Overstrand Municipality Land Use Scheme, 2020 (page 152) provides a standard list of criteria for the assessment of applications related to the erection of transmission apparatus. For ease of reference, this criterion is presented in a tabular fashion coupled with the manner in which our proposal addresses each point.

CRITERIA	PROPOSAL ON ERF 1132 HAWSTON
(a) Site Development Plan which clearly illustrates the proposal in the context of the existing landscape and receiving environment, with reference to application guidelines as may be	Please refer to submitted building plans and supporting documents that addresses this criterion.

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ERF 1132 HAWSTON: CONSENT USE AND PERMANENT DEPARTURE APPLICATION

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incorporated in the application form;	
(b) Transmission Apparatus Infrastructure Plan (indicating but not limited to the following, namely dimensioned plans showing detail of TA, graphic illustration of the proposed facility, elevation details, proposed materials and colours, screening or fencing);	Please refer to submitted building plans and supporting documents that addresses this criterion.
(c) Site Development Plan and Transmission Apparatus Infrastructure Plan to be accompanied by a report detailing the motivation for the selected site, how the siting and design of the facility responds to the SDP;	With reference to accompanying development plans, this report aims to confirm that the TA is presented in an unused portion of the school property with a considerable distance away from residential dwellings. The TA at this position holds the ability to accommodate at least three of the four MNOs operating in SA. The design is carefully selected as it will accommodate the most operators while limiting the number of future base stations. The position in the north-eastern corner is favoured as it is far away from the road and will have the least visual impact.
(d) Motivation report to be accompanied by relevant proof pertaining to need and desirability (demand & technical requirements);	Figures 6, 7 and 8 reflects the current coverage in the area. During the National State of Disaster issued by the National Government during the COVID-19 pandemic, telecommunication services were realised as essential. These services allowed people to work-from-home, educate children and staying connected with loved ones. As more people depend on these services during these uncertain times, the pressure on existing infrastructure and the general coverage increases. Additionally, this development will be able to provide optic fibre connectivity to the community of Hawston.
(e) Application to satisfactorily demonstrate to the AO / MPT that	Surrounding properties are predominantly zoned for residential and agricultural uses. Therefore, the school

all alternatives to the site itself have been explored within a 1km radius of the subject property;	property is one of the only properties that will be able to accommodate this development without compromising any future expansions or developments in the surrounding area.
(f) Minimum of two alternative sites and design options to be considered;	As discussed under criterion (e), limited alternative sites in the surrounding area exist that may act as alternative sites. No buildings exist that may present a rooftop-based TA as alternative.
(g) Zoning and land use map to accompany application, that shall also indicate all areas of heritage or environmental significance, if applicable;	Accompanying drawings aligns with this criterion. No heritage or environmentally significant sites are located in close proximity to the site.
(h) Visual Impact Assessment prepared by a suitably qualified professional, if required by the municipality, that shall incorporate mitigation measures limiting visual impact;	The proposal site is not close to residential dwellings. Therefore, it is our opinion that a Visual Impact Assessment in this instance is not required.
(i) Landscaping plan to accompany application, if required by the municipality, and	The proposal site is located in the far north-eastern corner of the school property. Landscaping in this instance will not aid in mitigating the visual impact of the development. Should council require this, our office will prepare and submit such a plan.
(j) Statement demonstrating that the installation complies with the applicable health and safety standards.	Blue Sky Towners only uses competent contractors for the installation of TA. Blue Sky Towers manages its Tower build operations in line with the Occupational Health and Safety (OHS) Act, 1993 (Act No. 85 of 1993) and the applicable sub-regulations, in particular the Construction Regulation (CR) 2014.

#### Western Cape Integrated Development Plan

As depicted in the Western Cape IDP, a change in intensified land use and form is anticipated. Hawston has been identified as an easily accessible activity corridor where increased public

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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.

#### **i. 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.

#### **j. Visual Impact**

Special consideration has been given to the placement of the proposed land-based transmission apparatus in order to minimize the visual impact as far as possible however this is challenging at times. The proposed erection of a 25m monopole type land-based

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transmission apparatus will offer the opportunity for operators to collocate resulting in the reduction of future transmission apparatus (refer to Figure 10). The mast compound is also smaller (+/-80m<sup>2</sup>) than the typical mast compounds (standard 100m<sup>2</sup>). Our client Blue Sky Towers (Pty) has selected to erect a monopole type land-based transmission apparatus design in order to be sympathetic to the character of the area and blend with the activities found on the property (existing school buildings). A monopole is an option that blends with an urban setting. Although it does not echo existing streetlights in the compliant area. If there is lush trees and plants in the area, a green painted mast will best blend in the area. Alternatively, it can be left in galvanised silver or painted white.

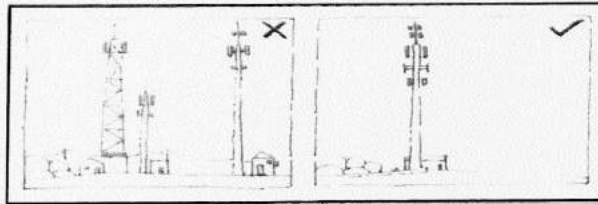


Fig.10- Sharing of Infrastructure



Fig. 12 – Artist impression of proposed development as observed from Church Street

The visual impact of the land-based transmission apparatus will be further reduced by the existing vegetation found in surrounding the area. The position of the development behind an existing building 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 7,8 and 9 this land-based transmission apparatus will create collocation options for two/ three of the four Mobile Network Operators e.g. Vodacom, MTN, Cell C and/ or Telkom Mobile.

#### k. Access & Traffic considerations

Erf 1132 Hawston is easily accessible, and access will be obtained from Church Street. This road has low-to medium traffic volume thus this development will not affect traffic negatively and will not cause any additional traffic volume to the area.

#### l. Alternative candidates

Various alternative candidates were evaluated and approached for this proposal as detailed below:

- **Rooftop option** was considered but would be impractical due to the average building height on the area being less than 15m in height.
- This area is primarily used for residential and community uses. Therefore, the Erf 1132 Hawston holds sufficient unused space to permit the installation in question.
- **ALTERNATIVE DESIGNS:** should council require mast amendments with regards to the monopole type land-based transmission apparatus design, our client would be satisfied to provide alternatives.

#### 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?	
<b>Spatial Justice</b>	<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>
<b>Spatial Sustainability</b>	<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 land-based transmission apparatus and the possibility of co-location will limit the amount of transmission apparatus, 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>
<b>Spatial Efficiency</b>	<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>
<b>Spatial Resilience</b>	<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	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.
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## 7. CONCLUSION

This application for consent use and permanent departure (height restriction and two side building line relaxations) application aims to obtain council's permission to install a proposed 25m monopole type land-based transmission apparatus on Erf 1132 Hawston. We would like to emphasise the positive contribution this transmission apparatus will have on the immediate area, as well as the surrounding community and passing commuters:

- This proposed development comprises a 25m monopole mast (in the north-eastern corner the property), triband antennae (3 x 3 = 9 antennae), 3 x Transmission Dishes, 4 x concrete plinths and 4 x equipment containers within an approximately 90m<sup>2</sup> compound, surrounded by a 2.4m palisade fence.
- Access to the compound will be obtained through the existing point-of-entry of the property;
- The base station will be surrounded by a 2.4m palisade fence and antennae will be securely positioned at the top of the mast.
- 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 4 – 9 strive to illustrate the need and desirability for enhanced voice- and data coverage in the subject area.

- 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.

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**HIGH WAVE**  
CONSULTANTS

TP-A Theart  
(Holivier)

11A Gladstone Street  
Durbanville  
7550

File reference: 1132 HHW

20 January 2021

DIRECTOR: INFRASTRUCTURE & PLANNING  
Overstrand Municipality  
Town Planning  
16 Paterson Street,  
Hermanus,  
7600

Dear Madam/ Sir

**RE: RESPONSE TO ADDITIONAL INFORMATION REQUESTED ON THE APPLICATION  
FOR CONSENT USE AND DEPARTURE TO PERMIT LAND-BASED TRANSMISSION  
APPARATUS ON ERF 1132 HAWSTON**

This letter serves as a response to two letters requesting additional information. First letter is dated 8 December 2020 and extension was granted until 29 January 2021. The second letter is dated 22 December 2020. This response is presented in a twofold fashion as it first provides a response to the first letter, followed by a response to the second letter.

First letter: Dated 8 December 2020 (extension granted until 29 January 2021)

The requested additional information read as follow:

*"Owner's Consent to be submitted where Provincial Government – Western Cape give the Principal of Hawston Secondary School permission to appoint the applicant on their behalf. Document to be undersigned by a minimum of two witnesses. (see attached database information for ease of reference).*

FILE NO: EL 1132 - HAW
SCAN NO: 02
COLLABORATOR NO: 1501392

TP 28 JAN 2021

## HIGH WAVE CONSULTANTS

### Response:

Application to WCED from Hawston Secondary School: With reference to the circular 0008/2019, Mr Philander on behalf of Hawston Secondary School acknowledged that the school is required to apply for ministerial approval to host a cellular mast and base station on the school property. Annexure A of this letter of response, provides a copy of the letter addressed to Mr. De Pontes (WCED) to obtain permission to enter into such an agreement.

WCED APPROVAL: We wish to highlight the fact that the Western Cape Government Education Department awarded permission to Mr. Philander in an official state document date 29/09/2020, reference no.: 12/2/1/E1802, IMS number: 20200805-7386, signed by the Minister of Education (Western Cape), DA Schäfer (MPP). This letter specifically deals with the application for approval to erect a Telecommunication Base Station. (See Annexure B that accompanies this letter of response)

Amendment to Annexure "B and C": This state issued consent awarded to Mr. Philander, is accompanied an *Amendment to Annexure "B and C"*. This amendment is signed by two witnesses and confirms that an agreement was entered into by and between Hawston Secondary School as ratified by the Western Cape Education Department (the Landlord) and Blue Sky Towers (Pty) Ltd (the Tenant). The amendment is accompanied by a signed set of the drawings as submitted to the Overstrand Municipality. (See Annexure C that accompanies this letter of response)

Minutes of SGB Meeting: Contains signatures of entire School Governing Body of the Hawston Secondary School that approves the request for the installation of telecommunication equipment on the School's property. Mr. Philander is the principal and is duly authorised to act as power of attorney. (see Annexure D)

Power of Attorney: The Power of Attorney signed by Mr. Philander confirms that Highwave Consultants are appointed for and on behalf of Blue Sky Towers (Pty) Ltd to apply for the necessary land use applications at the Overstrand Municipality. (See Annexure E)

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# HIGH WAVE

CONSULTANTS

Second letter: Dated 22 December 2020

- *"Motivate why a lower transmission tower cannot be considered.*
- *Indicate the height of the transmission tower clearly on the elevation plan.*
- *A more detailed description (property, what building etc.) must be provided and also why the alternative could not be considered. Two alternatives must be provided, which could also include a co-location. Please provide an additional alternative.*
- *The dimension of the transmission apparatus yard must clearly be indicated on the site plan (larger dimensions)."*

Response:

- *Motivate why a lower transmission tower cannot be considered.*

At its current position, the closest building other than the school property is located at +/-220m south of the tower.



Figure 1 – Location of mast (proposal area indicated by star)

## HIGH WAVE CONSULTANTS

To the north of the proposal, no buildings are found as it is primarily vacant/ agricultural land. As the mast is placed quite significantly further away from the residential area, a lower mast will be illogical as it will not be able to provide the community of Hawston with significantly faster voice- and mobile data. This will in future, result in the need for an additional mast in the area to provide optimum coverage to the community.

It should be noted that Blue Sky Towers aim to accommodate at least three of the four Mobile Network Operators (MNOs) operating in South Africa namely Vodacom, Cell C, MTN and Telkom Mobile. A standard 25m Mast accommodates at least three operators at three different tiers at the heights between 16m and 25m above ground level. When the height of the mast is reduced, the potential coverage (especially for the operator that is accommodated at the bottom tier of antennae), significantly reduces. For the sake of argument, if the mast is reduced to 15m, the three tiers of antennae is found at the heights 6m and 15m above ground level. A mast at this height is only sensible when it is located closer to the area intended to receive enhanced voice- and data coverage. In this event, the mast will need to be relocated to the area indicated by the blue triangle in Figure 1. However, at this location, the visual impact on the adjoining properties is much higher.

Therefore, for the proposal to be sensible, delivering the optimum level of coverage, accommodating the most possible MNOs, while being placed on an unused portion of the school grounds with least visual impact, a 25m transmission tower is required to assist the current networks with additional infrastructure.

- *Indicate the height of the transmission tower clearly on the elevation plan.*

Kindly refer to the revised set of drawings that provides more detail on the elevation plan (see Annexure F)

- *A more detailed description (property, what building etc.) must be provided and also why the alternative could not be considered. Two alternatives must be provided, which could also include a co-location. Please provide an additional alternative.*

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## HIGH WAVE CONSULTANTS

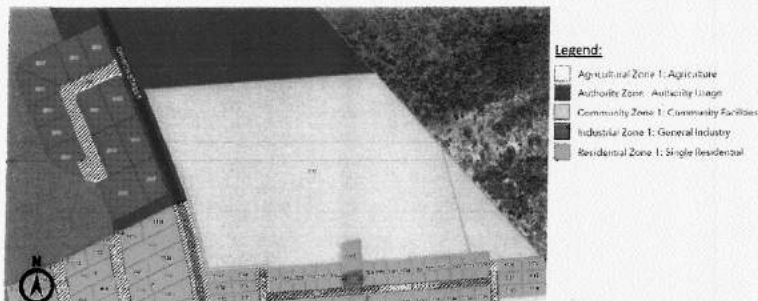


Figure 2 – Zoning Map of subject area

Erf 1 Hawston – Zoned 'Authority Zone'. Located north of Erf 1132 Hawston. Development of transmission apparatus possible by means of consent use. However, as the property is undeveloped and hold greater potential for future development, this site was not considered. Additionally, this property is too far away from the residential area intended to be served with enhanced voice- and data coverage provided by this development. No buildings are found on the property with an adequate height to allow for a rooftop installation.

Industrial zone 1 properties – Erven 2401, 2400, 2399, 2398, 2397, 2396, 2395, 2405, 2406, 2407, 2402, 2403 and 2403 allows for transmission apparatus as primary right. However, these properties are currently vacant. Proposing a mast on any of these properties will limit their future use. As no building plans for buildings exist. Additionally, no services are available at these properties yet. Therefore, an unused portion of the schoolgrounds in the northern corner of Erf 1132 Hawston was preferred.

Residential Zone 1 properties – To the south of Erf 1132 Hawston. Residential Zone 1 properties does not allow for transmission apparatus. Therefore, a rezoning will be required to accommodate the said development.

The closest transmission apparatus found in the area is located +/- 750m south-east of the subject property. Due to the distance from the subject area, this single mast fails to provide

## HIGH WAVE CONSULTANTS

sufficient voice- and data coverage to the entire Hawston (see Annexure G – RF Plots). Due to the COVID-19 pandemic, people are encouraged to remain indoor, work-from-home and educate children. Fast and reliable internet connectivity allows people to stay connected socially, educate children and conduct day-to-day employment duties. Therefore, this mast is not a careless act, as it strives to provide sharable infrastructure with the addition of optic fibre connectivity.

- *The dimension of the transmission apparatus yard must clearly be indicated on the site plan (larger dimensions)."*

Kindly refer to the revised set of drawings that clearly indicates the dimensions of the transmission apparatus yard on the site plan (see Annexure F)

### **CONCLUSION:**

*We would like to emphasise the positive contribution this base station will have on the immediate area of Hawston, commuters and surrounding community:*

- *In recent events e.g. COVID-19 outbreak, the importance of optimum voice- and data coverage in residential areas were proven. In order to perform important employment duties, these services are considered to be essential.*
- *The position of the mast was reconfigured to an area where it is as far away from any residential dwellings as possible, while still providing voice- and data coverage.*
- *A lower height will require the mast to be relocated closer to residential units which will in turn have a greater visual impact.*
- *No additional access points will be required*
- *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*

## HIGH WAVE CONSULTANTS

*(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.*

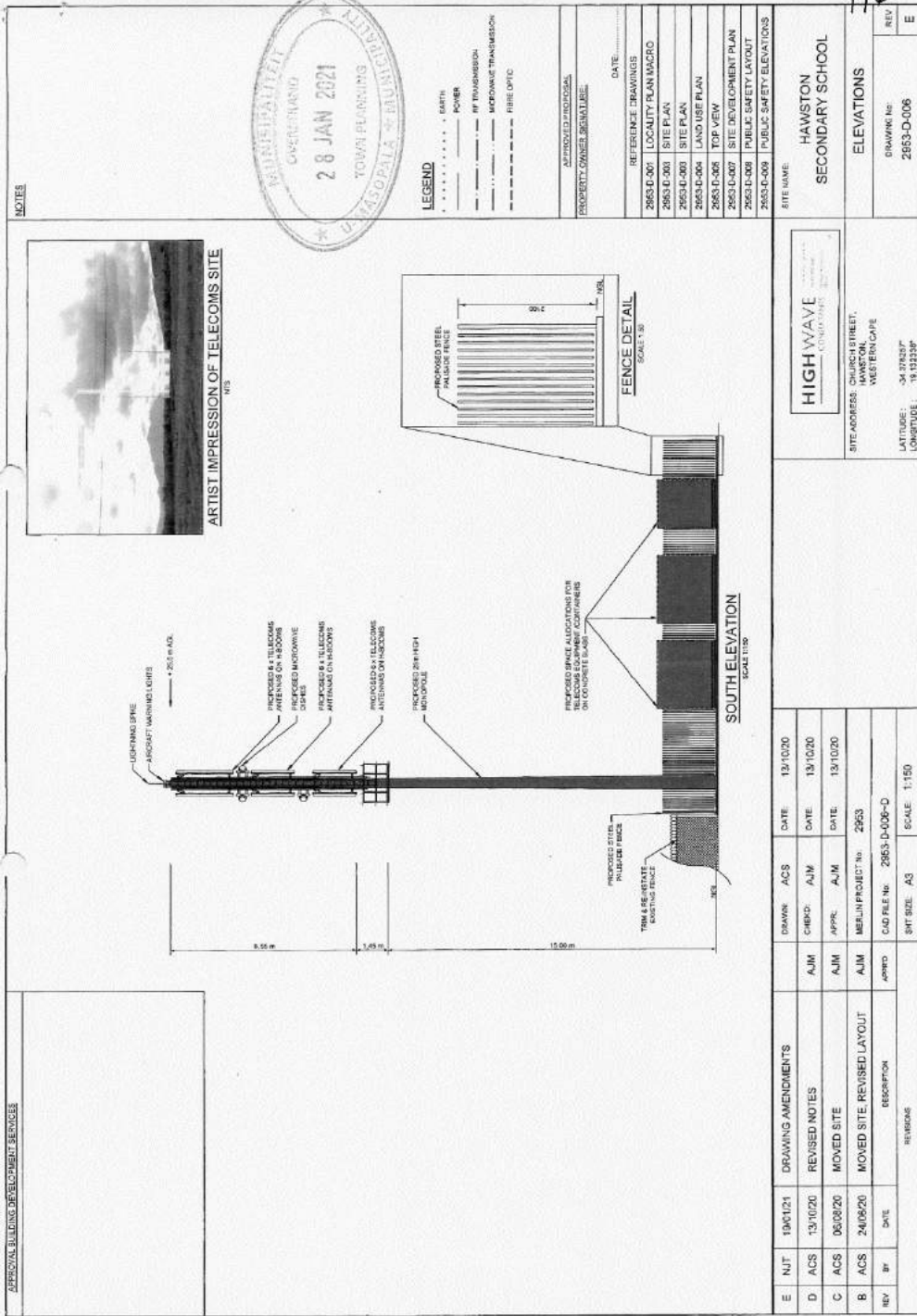
*Finally, we would like to emphasize that communications companies deliver an important service to the wider public, and in terms of their license with ICASA they have to meet certain standards in order to retain their licenses. One of these standards is to supply adequate network coverage to their demanding 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.*

*We trust the above response addresses your concerns. Please do not hesitate to contact me should you have any additional queries.*









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Annexure D 1/5

**L Gillion**

**From:** lynn appel <lynnappel0@gmail.com>  
**Sent:** Monday, 24 May 2021 17:57  
**To:** L Gillion  
**Subject:** Notice To Affected Persons.FILE REFERENCE1132HHW.

Goeie dag,eerstens vra ek verskoning,vir my laat terugvoering. My naam is Magdalena Appel,dogter en ook boedeleiser,van Wyle FRANCINA APPEL,Gebore 28/07/1950 en afgesterwe 10/07/2019.

U sien,die rede vir alles is,ons(kinders)effens dit moeilik vind want volgens hierdie ERF1132CHURCH STREET,is dit glo al die tweede opeis.Ons was glad nie benader met die eerste een nie "maar nietemin n ander dag se probleme".

Kan U net laat weet alles wat ek moet saambring,wat dokumente en veral,wie van Wyle FRANCINA APPEL,se kinderstwhile is,ook by moet wees.

Sal dit baie waardeer want dit is nogal n ingewikkelde saak,opeising aangesien ek(Magdalena Appel)eksekuteur en boedeleiser is van my ma.

Die pos was toevanklik geadresseer na 1205 Woodlands weg Hawston7202.ñ getitel aan FRANCINA APPEL.

My epos, as U my terug antwoord, is lynnappel03@gmail.com.Nogmaals baie dankie.

M.Appel



Overstrand Municipality  
Hermanus  
7200

TP-A Theart  
(H Olivier)

Dear Sir/ Madam

I Francious Joseph Marais a community representative of the Hawston area erf 1132, and hereby writing this letter concerning the use and departure to permit land -based transmission apparatus on erf 1132 Hawston.

With respect to the installation at Hawston area erf 1132 , we have considered the following:

- . We would like to know what job opportunities will there be for our community.
- . Will there be free Wi -Fi for the erf closed to this transmission.

Based on mutual interest and benefits through equal and friendly communication, we agree to work on establishment of Strategic Partnership with you.

I look forward to hearing from you.

Yours sincerely

Francious Marais

FILE NO: EL 1132-Haw ✓
SCAN NO:
HHW 1132
COLLABORATOR NO:
1542842

26 MAY 2021



I, the undersigned

Francious Joseph Marais of the legal representative of the community signing this mandate

Representing ,Downing street, Gardenia street, Acacia street in our Hawstonerea

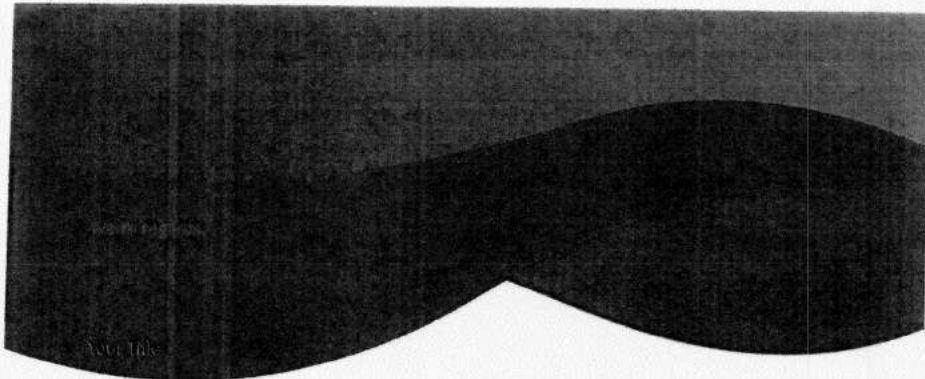
Hereinafter referred to as " Community Representative

For the purpose of participating in the project under the programmed of a land base transmission apparatus on Erf 1132

Signed [Signature] date 17/06/2021

Full name of the Community Representative

Franciois



1152.	J.R. Hoops	0714986748	<del>J.R. Hoops</del>
1151	E. Swartland	0790154952	Swartland
1157	RW FISHER	0743092204	R. Fisher
1158	G.M. DE BRUIN	073 526 9487	G. DE BRUIN
1183	J.W. Hendricks	0760462411	
1159	S. SPALIE	0256652339	<del>Spalief</del>
1187	Juan Wyn Gred	0712252182	<del>Juan Wyn Gred</del>
1165	Deano Mafais	0683332829	<del>Deano Mafais</del>
1166	J.D. GILLION	0829710586	<del>J.D. GILLION</del>
1191	Max J. Sebastiaan	0710352456	J.S.
1169	F Benjamin	0661040755	<del>F Benjamin</del>
1170	M. WESSELS	0834963632	M. Wessels
1193	C. Dwyer	0727729434	<del>C. Dwyer</del>
1172	P. Booysse	0763717855	P.B. S.M. De Boer
1173	SM DE Boer		
1174	C Laase		C. Laase
1181	B. Bailey	0630367747	B. Bailey
1180	E Manuel	0732206818	E. Manuel
1177	D. Smuts	0607093055	D. Smuts
1176.	A SEPTEMBER	0722481412	<del>A SEPTEMBER</del>

5/5



1217 L. Ptaactjiao 076 216 8962 L. Ptaactjiao  
 1178 D. Heynes 072 916 77 81 D. Heynes  
 1203 Mev F Klunsmidt 078 57 55 578 Bjorn  
 1199 A Swertz 072 75 34 13 9 A.S.  
 1186 A. JH Philander 079 16 92 552. JH Philander



Annexure E 1/3

**HIGH WAVE**  
CONSULTANTS

TP - A Theart  
(H Olivier)

18 Sunbird Crescent  
Durbanville  
7550

APPLICATION ID: 1132 HHW

25 June 2021

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

Dear Sir/ Madam

**RE: RESPONSE TO OBJECTIONS RECEIVED ON THE APPLICATION FOR CONSENT USE AND DEPARTURE: ERF 1132 HAWSTON (obo HAWSTON SECONDARY SCHOOL for PROVINCIAL GOVERNMENT – WESTERN CAPE)**

This letter serves as a response to letter dated 25 June 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, two (2) letters/ emails was received from the general public. One letter of request and one letter submitted on behalf of a deceased property owner was received.

The general comments relate to work opportunities. This document aims to address these concerns accordingly.

**LIST OF OBJECTERS:**

1. F. Marais
2. M. Appel on behalf of F. Appel

FILE NO:	EL 1132 - Haw ✓
SCAN NO:	HHW 1132
COLLABORATOR NO:	155 5960

## HIGH WAVE CONSULTANTS

The first comment received relates to job opportunities and WIFI connectivity. This was submitted by Francious Marais;

Dear Sir/ Madam

I Francious Joseph Marais a community representative of the Hawston area erf 1132, and hereby writing this letter concerning the use and departure to permit land-based transmission apparatus on erf 1132 Hawston.

With respect to the installation at Hawston area erf 1132, we have considered the following:

We would like to know what job opportunities will there be for our community.

Will there be free Wi-Fi for the erf closed to this transmission.

Based on mutual interest and benefits through equal and friendly communication, we agree to work on establishment of Strategic Partnership with you.

I look forward to hearing from you.

It should be noted that our client does not provide data or voice coverage but rather the opportunity for network providers to co-locate. Therefore, the request made by Mr. Marais cannot be accommodated.

The opportunities created by improved voice and data coverage is limitless. Job opportunities that directly relate to the construction of the mast will utilise local craftsman and construction workers, where required.

Ms. Magdalena Appel submitted a request on behalf of her late mother Ms. Francina Appel;

Goeie dag,eerstens vra ek verskoning,vir my laat terugvoering. My naam is Magdalena Appel,dogter en ook boedeleiser,van Wyle FRANCINA APPEL,Gebore 28/07/1950 en afgesterwe 10/07/2019.

U sien,die rede vir alles is,ons(kinders)effens dit moeilik vind want volgens hierdie ERF1132CHURCH STREET,is dit glo al die tweede opeis.Ons was glad nie benader met die eerste een nie "maar nietemin n ander dag se probleme".

Kan U net laat weet alles wat ek moet saambring,wat dokumente en veral,wie van Wyle FRANCINA APPEL,se kinderstwhile is,ook by moet wees.

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Die pos was toevanklik geadresseer na 1205 Woodlands weg Hawston7202.N getitel aan FRANCINA APPEL.

My epos, as U my terug antwoord, is lynnappel03@gmail.com.Nogmaals baie dankie.

## **HIGH WAVE** CONSULTANTS

The comment received in this regard does not make any objection against the proposed application. The comment is noted.

### **CONCLUSION:**

*No negative comments relating to the erection of the tower was received. We would like to emphasise the positive contribution this base station will have on the immediate area of Hawston, 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 F

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR CONSENT USE & DEPARTURE: ERF 1132, HAWSTON**

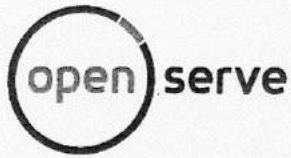
Stormwater (SW) : In Order  
Electricity : In Order  
Water : In Order  
Sewer : In Order  
Roads and traffic : In Order

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Operational Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 1132, Hawston, unobstructed;
6. that any additional and / or extended vehicle entrances will be for the owner's account;
7. that no on-street parking be allowed.

*D.P. R. Andrew*  
**DENNIS HENDRIKS**  
SENIOR MANAGER: ENGINEERING SERVICES

*01/07/2021*  
DATE



Annexure G  
1/2

TP: A Theart  
(H Olivier)

Cape Rd, Linton Grange Microwave  
Gqeberha, 6025  
P.O. Box 1142, Gqeberha, 6000

Our reference: WWIP\_WHWS1739\_21  
Your Reference: Erf 1132 Hawston  
Enquiries: Wayleave Office Southern Region  
Tel: +27 41 407 8226  
Email: WayleavesSR@telkom.co.za

03 June 2021

**OVERSTRAND MUNICIPALITY**  
16 Paterson Street  
Hermanus  
7200  
ATTENTION: Loriaan Isaacs

SERVICES ARE NOT AFFECTED

RE: ERF 1132 HAWSTON: CONSENT USE AND PERMANENT DEPARTURE APPLICATION

Your proposal as depicted on the attached drawing has been examined and the following are applicable:

- Openserve services **will not be affected**. (Note: important fibre services indicated in **PINK**).
- This approval has a validity period of 12 months. If your proposed services are not installed before the 12 months period has expired, a new approval must be obtained from this Company
- Any deviation from the original proposal should be brought to my notice prior to undertaking, please.

Yours faithfully  
Sizwe Nyengane

On Behalf of Selwyn Bowers  
(Operations Manager – Wayleaves)

FILE NO: ERF 1132 , HHW
SCAN NO: HHW 1132
COLLABORATOR NO: 1558761

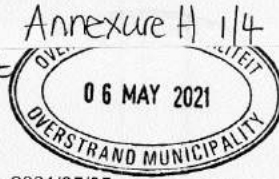
TP 12 JUL 2021

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





TP - A Theart  
(Hollivier)



Overstrand Municipality

Date: 2021/05/05

Loretta@overstrand.gov.za

Enquiries:

WayleavesWesternOU@eskom.co.za

**WAYLEAVE APPLICATION:** Consent Use to accommodate a proposed 25m high transmission apparatus.

· CHURCH STREET HAWSTON · Hermanus

**YOUR REF:** 1132 HHW

**ESKOM REF:** 01329-21

### THIS IS NOT AN APPROVAL TO START CONSTRUCTION

I hereby inform you that Eskom has no objection to the proposed work indicated on your drawing in principle. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

1. **Eskom services are affected by your proposed works and the following must be noted:**

- Eskom has no objection to the proposed work and include a drawing indicating Eskom 11kV/LV underground services in close proximity.
- Please note that underground services indicated are only approximate and the onus is on the applicant to verify its location.
- There may be LV overhead services / connections not indicated on this drawing.
- The successful contractor must apply for the necessary agreement forms and additional cable information not indicated on included drawing, in order to start construction.

Application for Working Permit must be made to:

Customer Network Centre: Caledon

Dirk Swart / Francois Swart

028 214 5710 / 028 214 5713 / 083 502 2590

SwartDi@eskom.co.za

**Include Eskom Wayleave as-built drawings and all documentation, when applying for Working Permit.**

Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Customer Services on 08600 37566 or customerservices@eskom.co.za

Distribution Division - Western Region [Land Development]  
Western Region  
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA  
Tel +27 86 003 7566 www.eskom.co.za  
Eskom Holdings SOC Limited Reg No 2002/015527/30

FILE NO:	EL 1132 - Haw ✓
SCANNER:	HHW 1132
COLLABORATOR NO:	1537491

- 6 MAY 2021

## 2. Underground Services

The following conditions to be adhered to at all times:

- a) Works will be carried out as indicated on plans.
- b) No mechanical plant to be used within 3.0m of Eskom underground cables.
- c) All services to be verified on site.
- d) Cross trenches to be dug by hand to locate all underground services before construction work commences.
- e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Graham Hector from the Land Development Office to be contacted on 021 980 3551 / HectorG@eskom.co.za, to arrange the capturing of such services.
- f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm.
- g) Where proposed services cross underground power cables the separation should be a minimum of **300mm** with protection between services and power cables. (Preferably a concrete slab)
- h) No manholes; catch- pits or any structure to be built on top of existing underground services.
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables.
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work.
- k) **No work can take place within the servitude of a 66kV Cable or 13kV Cable if indicated.** Should you need to undertake any work within the proximity of our 66kV or 132kV Cables please contact Graham Hector on 082 7720 359 or graham.hector@eskom.co.za

## 3. O.H. Line Services:

- a) The following building and tree restriction on **either side of centre line** of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11 / 22kV	9.0 m
66kV	11.0 m
132kV	15.5 m

- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.
- c) No work or no machinery nearer than the following **distances from the conductors**:

Voltage	Not closer than:
11 / 22kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- e) That a **minimum ground clearance** of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11 / 22kV	6.3 m
66kV	6.9 m
132kV	7.5 m

3/4

- f) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- g) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
  - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
  - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
  - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- i) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- j) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- k) Eskom shall at all times have unobstructed access to and egress from its services.
- l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- m) Lungile Motsisi MotsisL@eskom.co.za. Eskom: Transmission must be contacted on 011 800 5734 to comment on behalf of the 400 kV OVERHEAD POWERLINES, NO WORK WITIN THIS SERVITUDE OR UNDERNEATH POWERLINES IS ALLOWED until comment from Eskom Transmission has been obtained.

#### 4. **NOTE**

Wayleaves, Indemnity form (working permit) and all as-built drawings issued by Eskom to be kept on site at all times during construction period.

Yours faithfully

**LAND DEVELOPMENT (BRACKENFELL)**

