



MOTIVATING MEMORANDUM

Motivating memorandum supporting an application being made under the Planning and Development Act 2008 (Act No. 6 of 2008) for the development situated outside the area of a scheme (Chapter 4) in order to obtain the permission from the Municipality for a proposed 35m high telecommunications monopole mast on Portion 17 Farm No. 15840 Reserve No. 20 for BSO International for and on behalf of Cell C (Pty) Ltd

BSO International

19A Old Main Road

Gillitts, 3610

PO Box 1314

Kloof, 3610

Tel: 031 764 1622

Fax: 031 764 1684

Mobile: 084 775 5703





APPENDIX A
APPLICATION FORM





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APPENDIX B
MOTIVATING MEMORANDUM





1. APPLICATION

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This memorandum supports the application.

The Town planning considerations objectives will be discussed in order to describe the site and surrounding and to familiarize and motivate the application. The memorandum will show the need and desirability as well as the suitability for the proposed establishment.

2. BACKGROUND INFORMATION

Local Authority	-	Ulundi Local Municipality
District Municipality	-	Zululand Municipality
Property Description	-	Portion 17 Farm No. 15840 Reserve No. 20
Property Size	-	124 880, 8917 Hectares
Cell C Site Area	-	100m ² (this caters for additional two operators)
Registered Owner	-	Ingonyama Trust-Trustees
Existing Land Use	-	To be confirmed by Town Planner
Title Deed Number	-	T6788/2001





3. MOTIVATION

The information below will be presented and discussed from a 'Needs and Desirability' aspect with reference to the proposed development.

NEED (Timing of the proposed development)

- a. ***Is the land use associated with the activity being applied for considered and agreed to by the relevant environmental authority?***
Yes, as per the amended NEMA regulations listing notice 3 activity 3. The proposed site does not fall within any of the specified geographical areas and is therefore not a listed activity requiring environmental authorisation. (See Appendix A)
 - b. ***Does the community/area need the activity and associated land use concerned, is it a social priority?***
Yes, it is a basic human right to have access to communication, and therefore a social priority. These all place heavy demands on existing communication resources. The existing communication infrastructure needs to be upgraded. In certain areas new communications infrastructure is required in order to meet the current and future demands for both voice and data communication requirements.
 - c. ***Will the proposal cater for additional capacity for future services and other operators?***
Yes, the proposal will cater for communication service offerings that may be available in the future. The proposal has been engineered to facilitate an additional telecommunications operator.
 - d. ***Is this project part of a national programme to address an issue of national concern or importance?***
Yes, it is a license requirement stipulated by the Independent Communications Authority of South Africa (ICASA) that CELL C provide wireless communication services for the population of South Africa.
- DESIRABILITY (Placing of the proposed development)
- e. ***Is the proposed development the best practicable option?***
Yes, the chosen site location provides the most benefit with respect to the provision of communication services and least damage to the environment, at a cost acceptable to the surrounding communities, in the long term as well in the short term.
 - f. ***Would the approval compromise the integrity of the existing approved or future planned Municipal IDP and SDP and the integrity of the environmental management priorities for the area?***





No, approval would complement and enhance the integrity of the existing and future IDP and SDP of the Municipality and due to the location and design, environmental priorities would not be affected or the effects would be minimal.

g. Do location factors favour this land use within the chosen project area?

It will favour this land use, the proposed telecommunications mast will provide necessary communication and data services to the surrounding community and residents of the town.

h. How will the development impact on sensitive natural and cultural areas?

There will be no impact on sensitive and cultural areas from a development aspect within the immediate area.

i. How will the development impact on people's health and well being?

There will be no noise or odours from the proposed development. Visually the proposed development will have minimal impact. The effect on health and wellbeing is negligible and the proposed equipment will operate well within safety guidelines established by, The World Health Organisation (WHO), International Commission on No-ionizing Radiation Protection (ICNIRP) and the Directorate of Radiation Control.

4. CONCLUSION

Mobile telephony has become an integral part of the South African way of life and fulfils an important role in every person's daily routine. Mobile phones have become of utmost importance, due to the fact that communication is made much easier and more readily available. In order to provide mobile telephone communication, mobile telephone masts with antennae and associated base stations have to be provided and they have to be placed in specific localities.

Mobile telephones have made a positive impact on people's lives, as it has provided better access to emergency services and better security in many situations. The demand and popularity of mobile telephones surpassed all expectations and subsequently the existing networks are insufficient to handle the capacity in certain areas.

The development of mobile telephone networks is of national interest because it promotes communications and places mobile telephone communication within reach of the entire population.

CELL C have undertaken to ensure they are able to provide the service level requested by their subscribers and also the proposed installation is not visually obtrusive or environmentally harmful in any way.

In addition we submit the following positive factors and activities that CELL C practice and conform to:





1. Practise appropriate environmental management system and policy in place, which is audited on a regular basis.
2. Complies with the Guidelines for Limiting Exposure to Time Varying Electro, Magnetic and Electromagnetic Fields as compiled by the Department of Health, 1998.
3. Has implemented a Risk Control Management Process based on the NOSA 5 Star System.
4. South African Bureau of Standards ISO 9001 and ISO 14001 certification.

It is the opinion of BSO International that the location and design of the mast and associated base station equipment will have a minimal impact on the surrounding area.





APPENDIX C

**(Extract taken from No. R. 546 National
Environmental Management Act, 1998 (ACT NO.
107 of 1998)**

**LISTING NOTICE 3: LIST OF ACTIVITIES AND
COMPETENT AUTHORITIES IDENTIFIED IN
TERMS OF SECTIONS 24 (2) AND 24 (D)**



<p>3</p> <p>The construction of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast:</p> <p>(a) is to be placed on a site not previously used for this purpose, and</p> <p>(b) will exceed 15 metres in height,</p>	<p>(a) In Eastern Cape, Free State, Kwazulu-Natal, Limpopo, Mpumalanga and Northern Cape provinces:</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas,</p> <p>(aa) A protected area identified in terms of NEMIPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>
<p>but excluding attachments to existing buildings and masts on rooftops.</p>	<p>(ff) Core areas in biosphere reserves;</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMIPAA or from the core areas of a biosphere reserve;</p> <p>(hh) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</p> <p>iii. Inside urban areas; in:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p>



APPENDIX C

LETTER FROM DEPARTMENT OF AGRICULTURE AND ENVIRONMENTAL AFFAIRS





**agriculture, environmental affairs
& rural development**
Department:
Agriculture, Environmental Affairs
& Rural Development
PROVINCE OF KWAZULU-NATAL

Directorate: Environmental Services

Enquiries : G Willis-Smith	Telephone : 034 - 299 98/71	P O Box : 125
Imbizo :	Ushipo :	Isikhwama, Sepsol : Dundee
Nawazi :	Telefon :	Private Sak : 3030
Reference:	Fax : 034 - 299 98/74	Date : 28 July 2011
Intimda :	Itelisi :	Usuku :
Vemysing:	Fano :	Datum :

BSO International
P O Box 1314
KLOOF
3640

Attention: Ricky Du Plessis
Fax No: 031-764 1884

Dear Sir

Re: Need for Environmental Authorisation: Proposed construction of Cell C and MTN Telecommunication Masts at 7 sites in Kwazulu-Natal

1. Your query dated 30 June 2011 regarding the need for environmental authorisation in terms of section 24(2) of the National Environmental Management Act 1998 (Act 107 of 1998) for the construction of telecommunication masts at 7 sites in Kwazulu-Natal refers.
2. According to the Listing Notice 3 Maps (Version 2, January 2011) of this Department, the construction of telecommunication masts on the following three (3) sites would trigger Activity 3 in Listing Notice 3 (Government Notice No. R 546, 18 June 2010) and therefore would require environmental authorization:

No	Name	GPS Co-ordinates	
		S	E
T304	Richards Bay Lighthouse	28.46.30.16	32.07.40.53
T414	Schwama Bay Lodge	27.30.51.1	32.39.36.7
T1239	Borizo	27.44.04,0	32.05.17,0

However, due to the fact that all three (3) masts will be replacing existing masts and will remain within the existing site area, no environmental authorisation will be required.

3. The abovementioned Listing Notice 3 Maps indicate that the construction of telecommunication masts on the following four (4) sites does not trigger any activity in Listing Notice 3:

No	Name	GPS Co-ordinates	
		S	E
POP	Lilundi	28.18.8.889	31.27.5.2338

A champion for a prosperous agricultural productive land use, food security and environmentally sustainable livelihoods





3976	Ahrens	29.03.15,9984	30.45.16,9982
108519	Mkool River	29.07.19,1914	29.55.36,1914
108535	Vukuzza High School	28.17.12,788	31.30.16,3794

4. Please note that the abovementioned evaluation is only to determine if activities under Listing Notice 3 are triggered. Where no activities in Listing Notice 3 are triggered, it is essential that Cell C (Pty) Ltd and MTN (Pty) Ltd provide a detailed project description to the Assistant Manager, Impact Management at the relevant district office to determine if any activity under Listing Notice 1 will be triggered.

Yours faithfully

for: Head of Department:
Department of Agriculture, Environmental Affairs & Rural Development





APPENDIX D
LETTER FROM DEPARTMENT OF HEALTH





Department of Health



Directorate: Radiation Control
Private Bag X62
BELLVILLE
7535

Tel: 021 957 7483
Fax: 021 946 1589
E-mail: DutoitL@health.gov.za

Web: <http://www.doh.gov.za/department/radiation/01.html>

Enquires: LL du Toit
Date: 14 October 2011

To whom it may concern

HEALTH EFFECTS OF CELLULAR BASE STATIONS

The Directorate: Radiation Control is the section within the National Department of Health that is responsible, from the viewpoint of human health, for regulating electronic products producing non-ionising electromagnetic fields (EMF), i.e. EMF operating at any frequency less than 300 GHz. In carrying out this responsibility, the Directorate has been utilising the World Health Organization's (WHO) International EMF Project (www.who.int/emf) as its primary source of information and guidance with respect to the health effects of EMF. The International EMF Project was established by the WHO in 1996 to (i) assess the scientific evidence for possible adverse health effects of non-ionising electromagnetic fields on an on-going basis, (ii) initiate and coordinate new research in this regard, and (iii) compile health risk assessments for different parts of the electromagnetic spectrum. The Department of Health has been a member of the International Advisory Committee of the International EMF Project since 1998.

In June 2005 the EMF Project hosted a workshop that was specifically aimed at considering the possible health consequences of the emissions from cellular base stations and wireless networks. The findings of this workshop were published by the WHO as both a full report and a 2-page Fact Sheet (www.who.int/mediacentre/factsheets/fs193/en/index.html). The following extract from this Fact Sheet provides a clear-cut summary of the findings to date, i.e. "**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.**"

The WHO endorses the set of exposure guidelines published in 1998 by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), and consequently, the Department of Health also endorses these ICNIRP guidelines. The ICNIRP states





categorically that exposure to any EMF at a level below that of the applicable ICNIRP exposure guideline will protect people against the known adverse health effects of EMF.

Measurement surveys conducted in South Africa and around the world have shown that the actual levels of public exposure, as a result of base station emissions, invariably are only a fraction of the ICNIRP guidelines, even in instances where members of the public have been really concerned about their exposure to these emissions. At present there is **no** confirmed scientific evidence that points to any health hazard associated with the very low levels of exposure that the general public would typically experience in the vicinity of a cellular base station. The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. **This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as height of the mast, distance to the mast, and duration of exposure.** In all of this, it is implicitly assumed that the normal engineering and security measures, which are routinely implemented by cellular network providers at base stations, will effectively prevent responsible members of the public from gaining close access to the actual antennas situated on any mast structure.

Although the Department of Health currently neither prescribes nor enforces any compulsory exposure limits for electromagnetic fields, the Department does advise all concerned (whether they be a government department, the industry or the public) that voluntary compliance with the afore-mentioned ICNIRP exposure guidelines is the recommended and science-based way to deal with any situation involving human exposure to non-ionising electromagnetic fields.

The Department of Health is obviously not able to make any pronouncements about the specific levels of EMF that a member of the public would experience at any particular base station site when it is in operation. However, generally-speaking unless a person would climb to the top of a mast (or other structure supporting an antenna) and position him/herself not more than 2 m away and right in front of the active antenna, such a person would have no real possibility of being exposed to anywhere near the afore-mentioned ICNIRP guideline limits. Performing such an action would in all probability not constitute responsible behaviour, because these base stations, as a rule, are cordoned off with barbed wire fencing and locked gates to protect the sensitive and expensive technology involved. The experience globally and locally, based on the results of numerous measurement and calculation surveys, has been that the exposure to base station EMF at ground level is typically in the range of between 0.001 – 1% of the afore-mentioned ICNIRP guideline limits. Given this type of





scenario, there would be no scientific basis for any allegation of adverse health effects due to the EMF emitted by a particular base station.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'LL du Toit', written in a cursive style.

LL du Toit
DEPUTY DIRECTOR: RADIATION CONTROL





APPENDIX E
CIVIL AVIATION APPROVAL
(Waiting)





APPENDIX F
LAND OWNER CONSENT





INGONYAMA TRUST BOARD
ESTABLISHED IN TERMS OF THE KWAZULU-NATAL INGONYAMA TRUST ACT
(ACT No. 3 of 1994)
VAT REGISTRATION No. 426018288



LANDOWNER CONSENT

I, the undersigned Duncan Jarvis,

Telephone Number: 033-8469821

In my capacity as the registered owner/duly authorised representative of the registered owner of the properties known as:
(Herein referred to as the 'Properties')

Site ID	Site name	Property Description	Co-ordinates South	Co-ordinates East
108515	Mpotana	REM of Farm No. 4677 Impatana Location	528.793878	E30.485643
108516	Kwamlamula	Portion 16 of Farm No. 15834, Reserve No 14	527.286980	E32.435084
108518	Nkangala	REM of Reserve no 17, Farm no. 15837	528.852161	E31.288539
108520	Ulundi	Portion 17 of Farm No. 15840, Reserve No. 20	528.249847	E31.422346
108522	Mdletshe	Remainder of Farm No. 15832, Reserve No. 12	527.965706	E32.057496
PIF2126	Ulundi	Portion 17 (REM) of Farm 15840, Reserve no. 20.	528.302386	E31.451454
3798	Dassenhoek	REM of Farm No. 16700, Newhope	5 29.844681	E 30.787011

Do hereby agree to lease a portion of the properties, to Cell C (PTY) Ltd (herein after referred to as 'Cell C') for the construction by Cell C of a GSM mobile transmission Base Station and associated Infrastructure (herein after referred to as the 'BS' on the properties on condition that:

1. Cell C or its duly authorised representative is granted permission to obtain all necessary plans and documentation and to make application to the relevant authorities on my behalf for the purposes of the construction of the BS.

Signed by Peter Munitzberg on this 20 day of January 2012

Registered Owner or Duly Authorised Representative

Ingonyama Trust Board
65 Trolawngy Road
P.O. Box 601, P.M. Burg 3200
20 JAN 2012
REAL ESTATE DEPARTMENT
SIGNED BY:.....





TRADITIONAL AUTHORITY CONSENT

1. Description of site Cell telecommunications mast and associated base station: 108520 Alundt and Pop Alundt;
2. At a meeting held on 13 July 2011 at the Mpurage TC Traditional Authority resolved that it had no objection to the granting of a sitg to construct a base station.
3. The Traditional Authority confirm that all persons occupying or having an interest in the said Land have been consulted and have no objections to the proposals.

Signed

[Signature]
CHAIRMAN

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
SECRETARY

Notes:

1. The consent submitted to the Trust must be an original, on Traditional Authority headed notepaper and with a Traditional Authority date stamp.
2. Please provide a full legal description supported if possible by a site plan and co-ordinates. Insert the land right required such as:
 - (a) Land Availability Agreement for a period of years in favour of
 - (b) Short-term lease for a period of two years to in order to facilitate the proposed development of It was further resolved that the Traditional Authority would have no objections to the granting of a lease for years once the conditions of the said short term lease have been satisfactory fulfilled.
 - (c) Long-term lease for a period of years with an option to renew.





APPENDIX G TITLE DEED

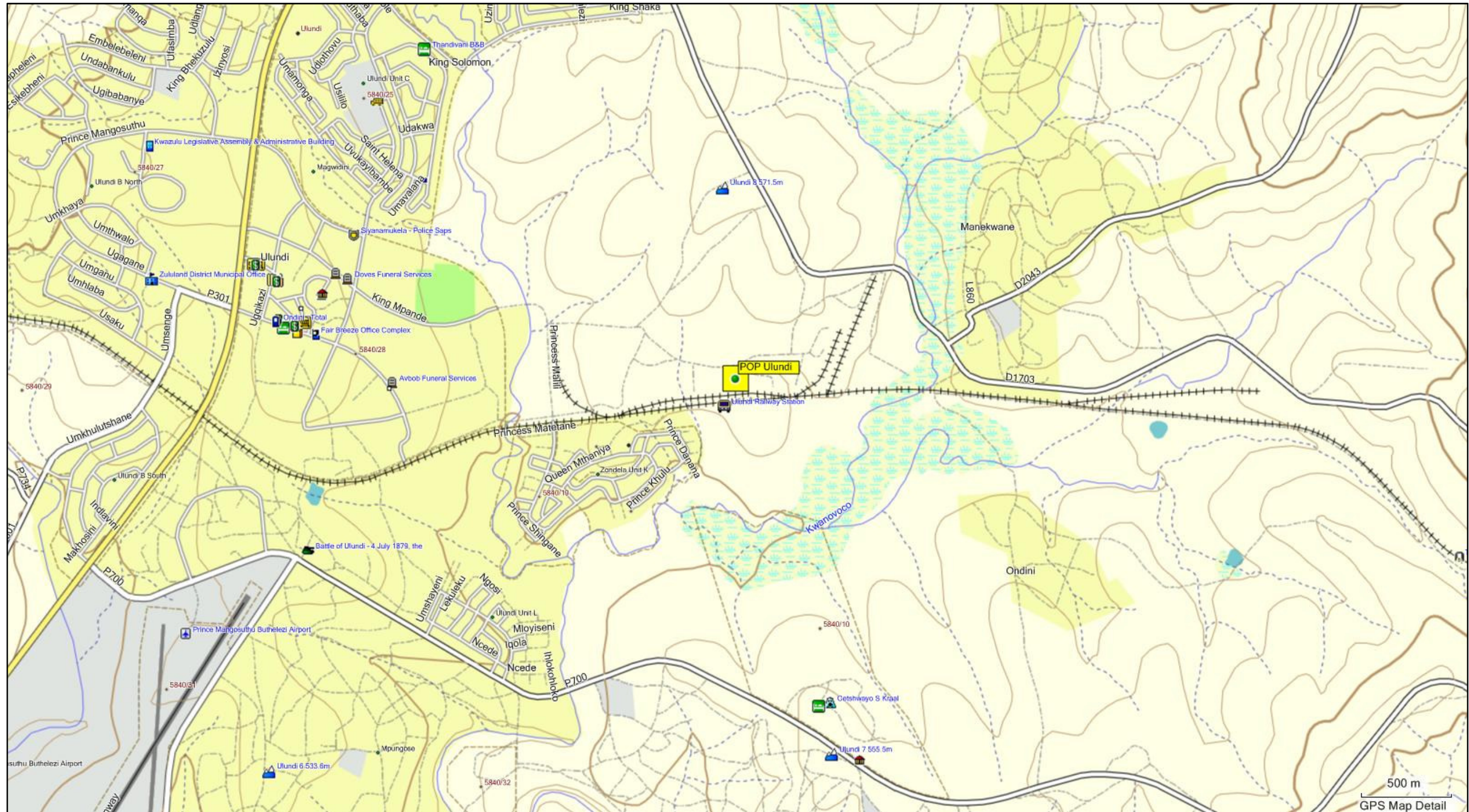




APPENDIX H SURVEYOR'S GENERAL DIAGRAM

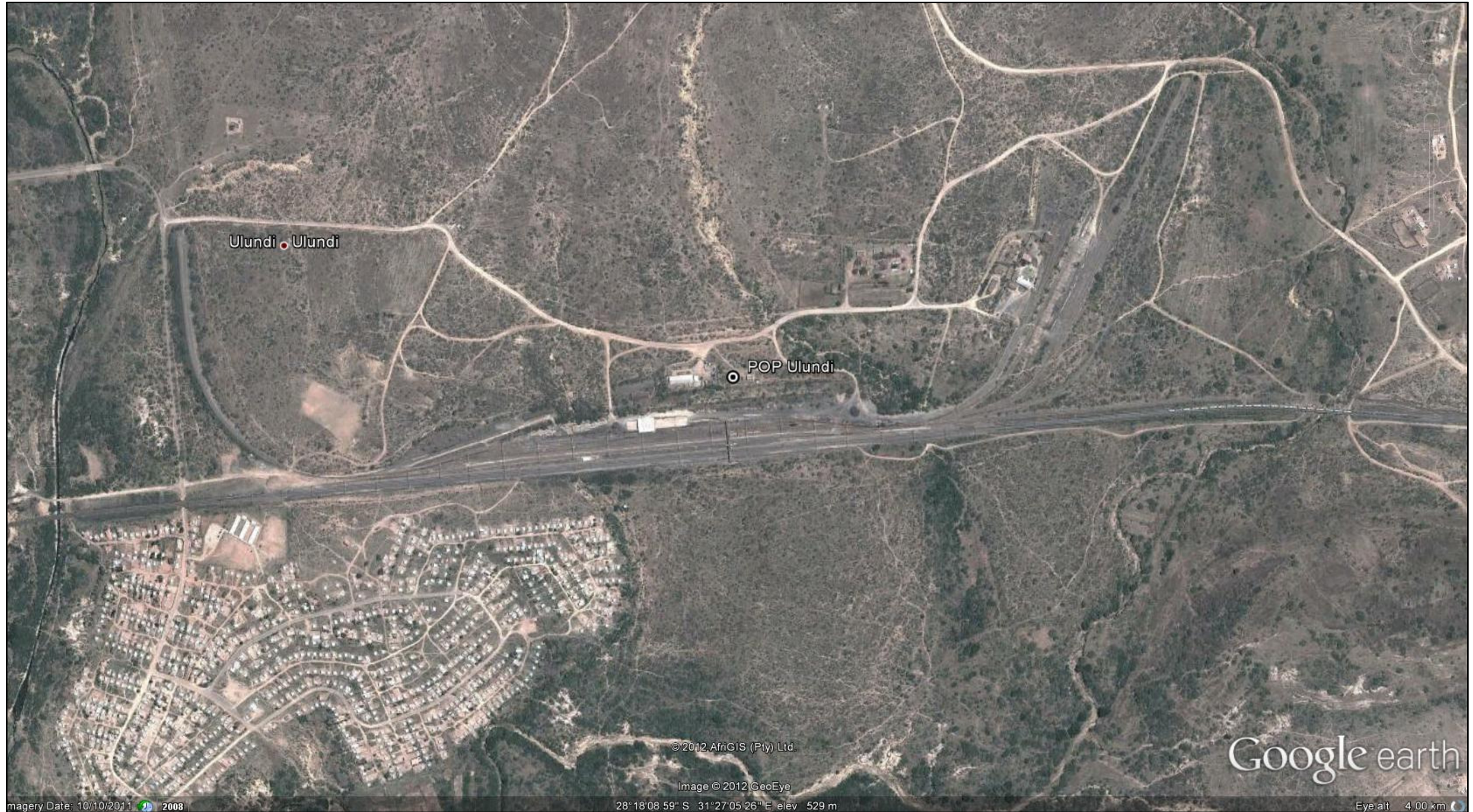


Appendix I: Street Map

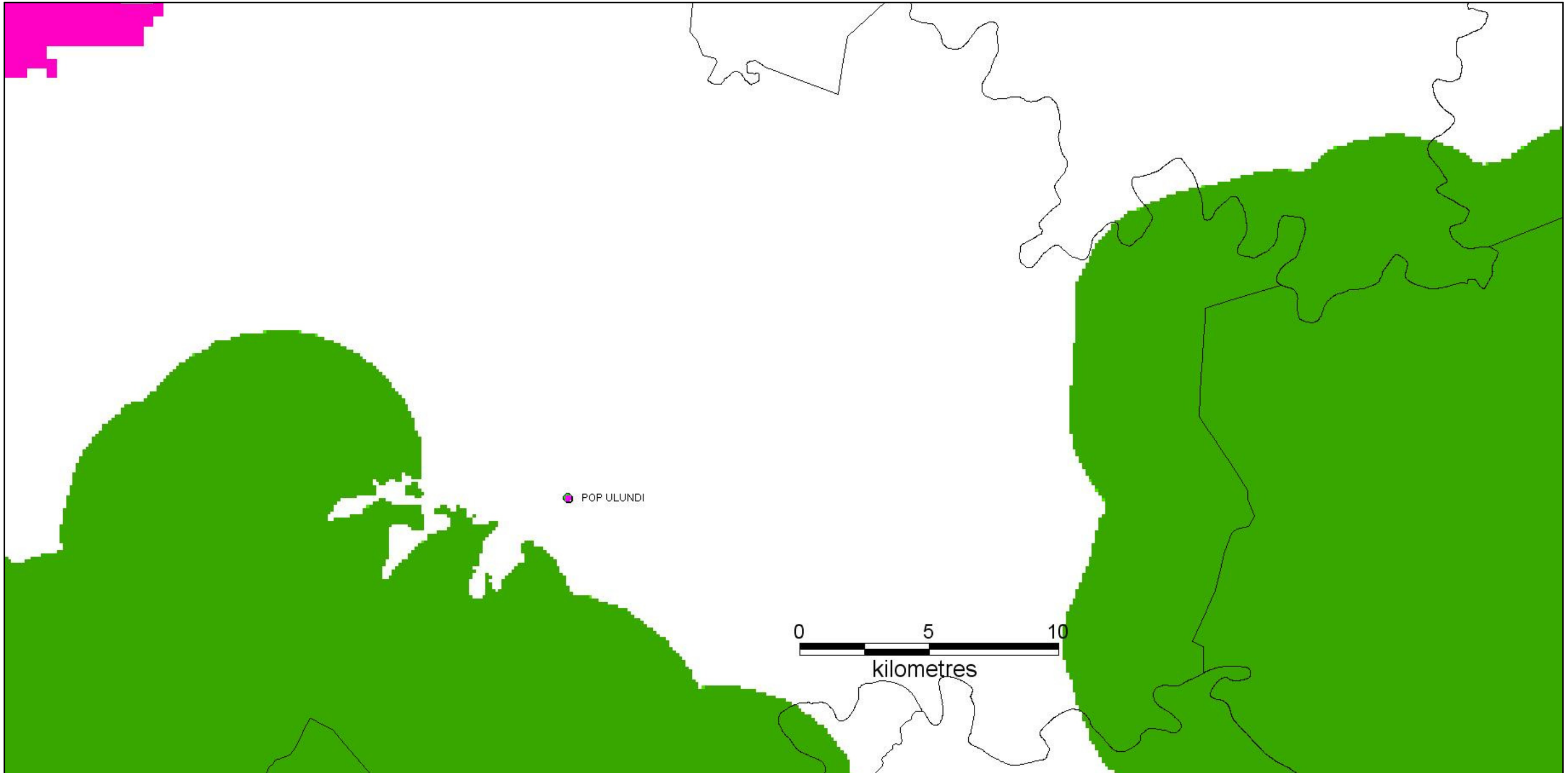




Appendix I: Ortho photo



Appendix J: EIA image



Candidate locations overlaid on spatial data (Listing Notice 3 Maps; Version 2, January 2011) which shows the geographical trigger areas as defined in Activity 3, Listing Notice 3 (GNR 546, 18June 2010)



Appendix K:
SITE DRAWING

