



## 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 60m high telecommunications lattice mast and associated with associated base station on the Portion 0 of Farm LOT B 50 Winterton Settlement No. 11573, within the Okhahlamba Local Municipality.

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



ATC SOUTH AFRICA



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## APPENDIX A

### MOTIVATING MEMORANDUM



## 1. APPLICATION

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 60m high telecommunications lattice mast and associated with associated base station on the Portion 0 of Farm LOT B 50 Winterton Settlement No. 11573, within the Okhahlamba Local Municipality.

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	-	Okhahlamba Local Municipality
District Municipality	-	Uthukela District Municipality
Property Description	-	Portion 0 Farm 11573 LOT B 50 Winterton Settlement
Property Size	-	52, 3411 hectares
Geographical co-ordinates	-	S 28.814267° E 29.519872°
ATC Site Area	-	144m <sup>2</sup>
Registered Owner	-	Isibonelo Community Trust trustees
Existing Land Use	-	To be confirmed by Town Planner
Title Deed Number	-	T29189/1997





### 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 ATC 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?***



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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.

ATChave 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 ATCpractise 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.



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## APPENDIX B

# LETTER FROM DEPARTMENT OF AGRICULTURE AND ENVIRONMENTAL AFFAIRS





**agriculture  
& environmental affairs**  
Department:  
Agriculture  
& Environmental Affairs  
PROVINCE OF KWAZULU-NATAL

KZN Department of Agriculture & Environmental Affairs  
Environmental Services, eThekweni District  
Private Bag X64 3211 Durban, 4000  
Tel: 031 302 2890 | Fax: 031 302 2824  
Email: [malcolm.moses@kzndae.gov.za](mailto:malcolm.moses@kzndae.gov.za)  
Website: [www.szndae.gov.za](http://www.szndae.gov.za)  
Enquiries: Mr Malcolm Moses  
Reference: MAY/BSO/2013  
Date: 07 June 2012

### FAX TRANSMISSION

**BSO International**  
P O Box 1314  
Kloof  
3640

**Attention: Mr Brendan Smith**  
Tel no: 031 764 1622  
Fax no: 031 764 1684

Dear Sir

**RE: CONFIRMATION OF WHETHER OR NOT VARIOUS PROPOSED TELECOMMUNICATION MASTS WITHIN THE SOUTHERN REGION OF KWAZULU-NATAL REQUIRE ENVIRONMENTAL AUTHORISATION – MAY 2013.**

The Department of Agriculture and Environmental Affairs: Southern Region (hereafter referred to as 'the Department') has a standing agreement with telecommunication companies (namely MTN and Cell C) to assist in the confirmation of whether or not proposed masts within the South Region of KwaZulu-Natal require Environmental Authorisation in terms of Section 24 of the National Environmental Management Act (No. 107 of 1998) (NEMA). This is done at the start of every month, and this correspondence summarizes the Department's opinion on those masts queried in May 2013 with the Department's reference number MAY/BSO/2013.

It is based on the following information provided to the Department for each proposed mast:

- Site photographs; and,
- Screening document or Site Acquisition Report.

Although the initial agreement was to exclusively cater for MTN and Cell C, the Department extends the same service to all other telecommunication/cell mast service providers.

- A. Proposed masts not requiring Environmental Authorisation**
1. Based on the co-ordinates provided, the following proposed masts do not trigger activity 3 of 2010 Listing Notice 3:

Department of Agriculture and Environmental Affairs, KwaZulu-Natal	Correspondence	Query number: Mast	Page 1 of 3
		MAY/BSO/2013	

GIBELA UMKHUMBI OLWA NOBUBHA



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Site	District Municipality	South (d, m, s)	East (d, m, s)
T1139 – MTN Umhlabi Golf Course FP, Portion 0 of Erf No. 2248, Ballienville	llembe	29° 30' 45.7"	31° 11' 44.1"
351884 – American Tower Corporation (ATC) Shakas Head East, Portion 2 of Farm No. 1526, Lot 72	llembe	29° 29' 48.67"	31° 13' 0.99"
351887 – American Tower Corporation (ATC) Amandawe, Portion 0 of Farm No. 8317, Amantlangwe Mission Reserve	Ugu	30° 14' 36.14"	30° 42' 41.17"
351886 – American Tower Corporation (ATC) Thuthuka Supermarket, Rem of Farm No. 1789, Umhlabi Location	eThekweni	30° 08' 28.33"	30° 46' 52.10"
351885 – American Tower Corporation (ATC) Adams Rural, Rem of Farm 8318, Amantzimtoti Mission Reserve	eThekweni	30° 0' 19.63"	30° 47' 59.13"
351884 – American Tower Corporation (ATC) Mankwanini, Portion 0 of Farm No. 15828, Reserve No. 8	llembe	29° 7' 0.6"	31° 29' 58.5"
351881 – American Tower Corporation (ATC) Wartburg, Portion B4 of Farm No. 1012, Kort Krans Kloof	uMgungundlovu	29° 27' 14.5038"	30° 31' 14.397"
351889 – American Tower Corporation (ATC) Lidjetton West, Portion 5 of the Farm No. 15193, Woodstock	uMgungundlovu	30° 0' 19.63"	30° 47' 59.13"
351887 – American Tower Corporation (ATC) Winterton West, Portion 0 of Farm No. 11573, Lot B 50 Winterton Settlement	uThukela	28° 48' 52.93"	29° 31' 11.67"
351888 – American Tower Corporation (ATC) Bethany, Portion B of the Farm No. 14123, Lot 5 Zand Spruit	uThukela	28° 40' 45.2"	29° 20' 11.58"
351885 – American Tower Corporation (ATC) Bergville, Portion 1 of Erf No. 360, Bergville	uThukela	28° 43' 57.62"	29° 216.91"
351883 – American Tower Corporation (ATC) Peace Town, Portion 25 (REM) of Farm No. 2105, Kirkintuloch	uThukela	28° 26' 36.92"	29° 44' 28.56"
351885 – American Tower Corporation (ATC) Matwane, Rem of Farm No. 1393, Matlovaans Kop	uThukela	28° 22' 21.88"	29° 53' 16.74"
Department of Agriculture and Environmental Affairs, KwaZulu-Natal	Correspondence	Query number: Mast MAY/BSO/2013	Page 2 of 3

GIBBELA UMKHUMBI OLWA NOBUHHA



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2. Furthermore, according to the information provided to the Department the proposed masts:
    - a. Are not situated within 100 metres of the high-water mark of the sea;
    - b. Will not require new roads to be built; and
    - c. Will require electricity distribution of less than 33 kilovolts.
  3. The above-mentioned proposed masts therefore do not require Environmental Authorisation (EA) in terms of Section 24 of the National Environmental Management Act (No. 107 of 1998), provided they are not situated within 32 metres of a watercourse.
  4. Any change in position or increase in height of the proposed masts must be cleared with this Department prior to commencing construction.
- B. General**
5. Please be aware that this correspondence was issued in terms of sub-regulation 5(1)(b) the 2010 EIA Regulations. It does not exempt the proponent and or your client from having to comply with other applicable regulations and legislation.

Please do not hesitate to contact this Department should you have any queries regarding this correspondence.

**Yours Faithfully**

A handwritten signature in black ink, appearing to read 'Malcolm Moses', written over a horizontal line.

For: Acting Head of Department  
Department of Agriculture and Environmental Affairs

Date signed: 07/06/2013  
Signed By: Mr. Malcolm Moses  
Designation: Control Environmental Officer, Ilembe District

Department of Agriculture and Environmental Affairs, KwaZulu-Natal	Correspondence	Query number: Mast MAY/BSQ/2013	Page 3 of 3
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GIBELA UMKHUMBI OLWA NOBUBHA



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APPENDIX C  
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: [Dutoli@health.gov.za](mailto:Dutoli@health.gov.za)

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

Enquiries: LL du Toit  
Date: 18 March 2013

### 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](http://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.int/mediacentre/factsheets/fs193/en/index.html](http://www.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 Anti Fraud & corruption hotline – 0800 20 14 14 or [health@tip-offs.com](mailto:health@tip-offs.com)



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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 reasonable 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.

Yours sincerely,

A handwritten signature in black ink, appearing to read "L.L. du Toit".

**L.L. du Toit**  
DEPUTY DIRECTOR: RADIATION CONTROL





APPENDIX D  
LAND OWNER CONSENT





Business Address: 4th Floor • 23 Friedman Drive • Sandton 2196 • Postal Address: PO Box 650667 • Benmore 2010

**LANDOWNER CONSENT**

I, the under-signed Peter Arthur Stoodil  
Currently residing at Bongu River Farm, P.O. Switzdam 3340

Telephone number: 082 6507091

In my personal capacity as the registered owner/duly authorized representative of the registered owner.

The property known as: Portion 6 of Farm No 1573, Lot B50 W. side, Saldouit

ID Number: 520501 5082 082

Title Deed Number: T 29189 / 1997

Situated at: Mintaka

(Herein referred to as the 'Property')

Do hereby agree to lease a portion of the property, to ATC South Africa (Pty) Ltd (herein referred to as 'ATC') for the construction by ATC of a telecommunications mast and associated infrastructure within a defined site area (herein referred to as the 'TMAI' on the property on condition that:-

1. ATC or its duly authorized representative is granted permission to obtain all necessary plans and documentation and to make application to the relevant authorities on my behalf for the purpose of the construction of a TMAI.
2. The monthly rental shall be for the amount of R 3000,00 - (ex. VAT), where applicable and escalating annually at 7 %.
3. ATC and I will in due course enter into a formal lease agreement on terms and conditions as agreed upon.

Signed at Mintaka on this 21 day of February 2013.

Peter Arthur Stoodil  
Registered Owner or Duly Authorised Representative

ATC South Africa Wireless International (Pty) Ltd  
Registration Number 20100030940/07  
+27 011 003 8800 • www.atcsouthafrica.co.za

*PA*  
*BS*



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## APPENDIX E SURVEYOR'S GENERAL DIAGRAM



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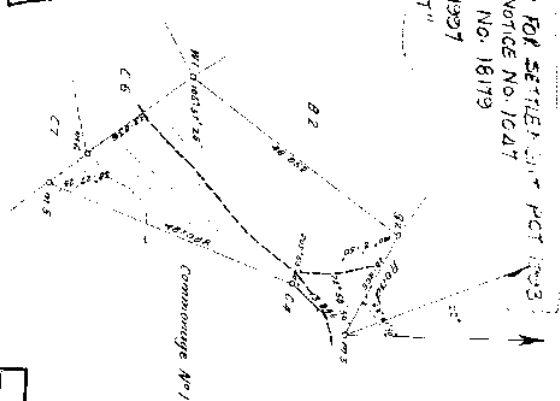


PAPER 11  
151 100

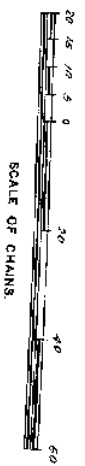
S.G.O.  
Sub. Vol. 787 Fol. 85

DESIGNATED FOR SETTLEMENT PCT 1003  
WIDE GOV NOTICE NO. 1047  
GOV. INT. NO. 18179  
dd 8-8-1907  
"JUST"

*W. H. H. H.*  
S. G. O.



SECTION 50



COORDINATES

	X	Y
M1	28 436	579 454
M2	0 739	546 018
M3	8 202	377 346
M4	19 041	356 844
M5	65 125	353 579

The above Diagram represents the figure and extent of  
 129 Acres 1 Stack 14 Banks of Land known as  
 Lot No 850 of the Winton Settlement No 10575  
 situated in the Township of Werrim  
 bounded - N.E. by Road  
 EAST by Commonage No 1  
 SW by Lots C 1 & C 6  
 N.W. by Lot B 2

Surveyed by me,  
 (Sgd) W. H. H. H.

A true copy  
*W. H. H. H.*  
 Surveyor General  
 15/12/07  
 Governor's Surveyor,  
 November 1908  
 65-87-82

SNB-24,478-SNB



Appendix F : Street Map, Orthophoto and EIA Image

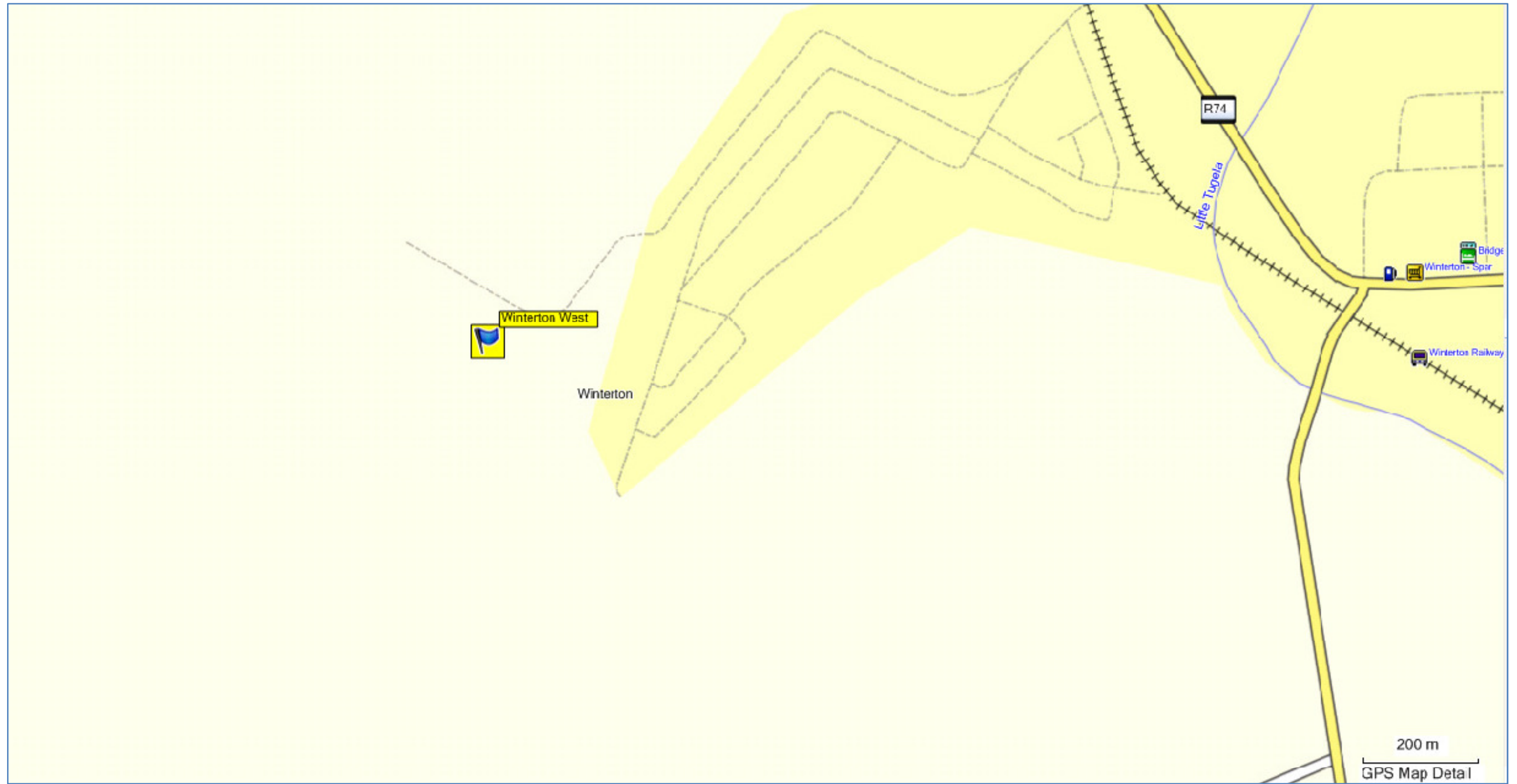


Figure 1: Proposed site location overlaid on GPS Street Map at 200m detail.



Figure 2: Proposed site location overlaid on Google Earth Orthophoto

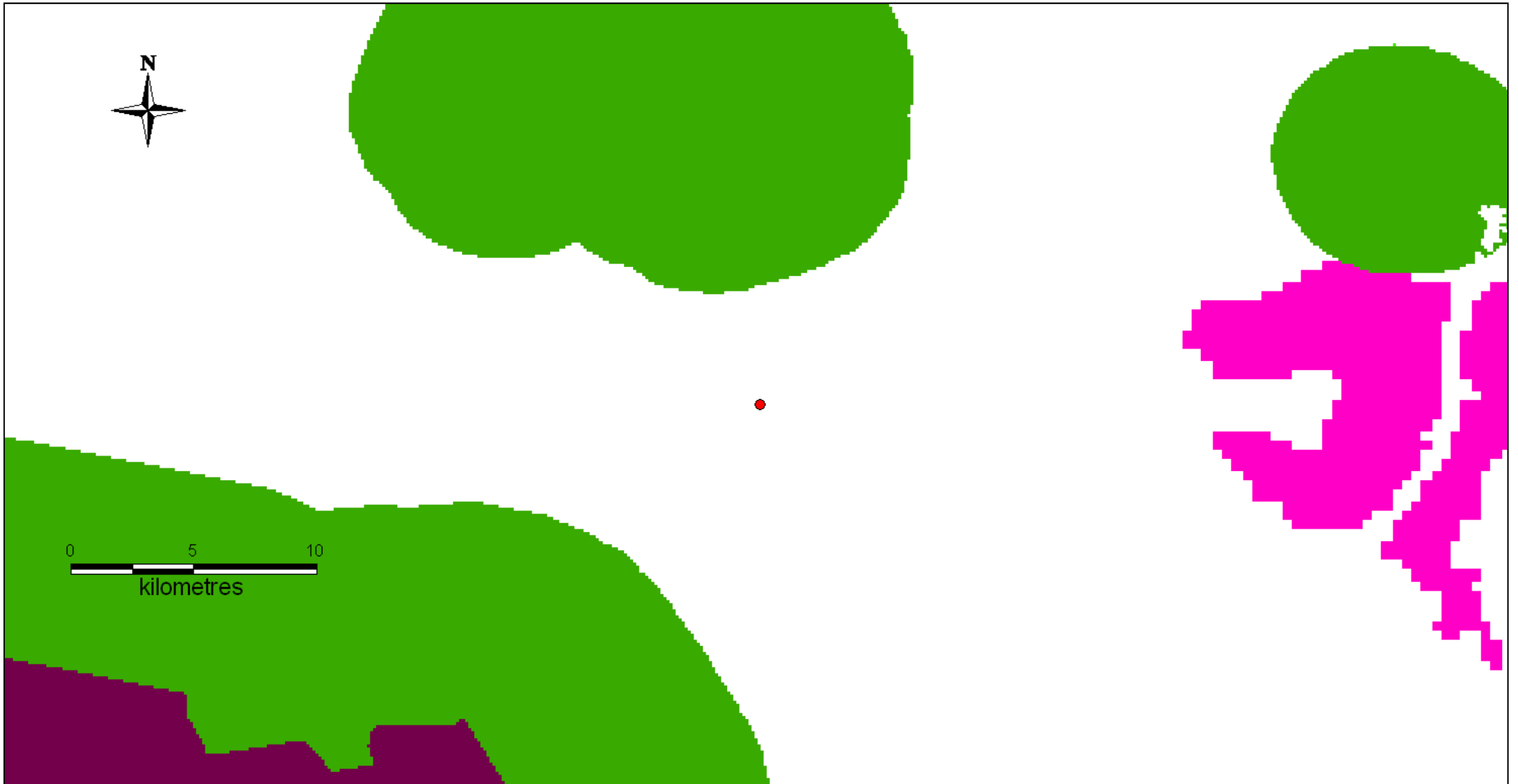


Figure 3: Candidate location overlaid on spatial data (Listing notice 3 Maps; Version 2, January 2011) which shows the geographical trigger areas as defined in Activity 3, Listing Notice 3 (GNR 546, 18 June 2010)