

### **DEVELOPMENT MANAGEMENT**

MARK COLLISON
Principal Professional Officer

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BLUM010

3 July 2017

Dear Sir / Madam

# PROPOSED REZONING: PORTION OF REMAINDER ERF 86 ZEEKOEVLEI AT 1 GOVERNORS WALK, ZEEKOEVLEI

The City of Cape Town has received the following planning application for consideration:

**Case ID** 70325875

### Applicant / Owner's details

Warren Petterson Planning (on behalf of MTN & Zeekoevlei Yacht Club)

### Erf number

Remainder Erf 86 Zeekoevlei

### Description and physical address

1 Governors Walk (as shown on the attached locality plan)

### Purpose of the application

 Rezoning of a portion of the property from Single Residential 1 Use Zone to Utilities Use Zone to permit a proposed Freestanding Cellular Communications Base Station.

Attached please find a notice that will appear in the local press (Cape Argus and Die Burger) on 7 July 2017

### **Enquiries**

The application may be inspected at the office of the District Manager at Ledger House, corner of Aden Avenue and Georges Street, Athlone, District secretary telephone number 021-684 4369 during office hours.

### Objections, comments or representations

Any objection, comment or representation on the proposal, with reasons therefor, may be lodged at the following e-mail address: comments\_objections.capeflats@capetown.gov.za (or submitted in writing to the office of the abovementioned District Manager) to be received before or on the closing date mentioned below.

# Further details to accompany any objection, comment or representation

- 1) The application number and the following details of the person who is submitting the objection, comment or representation:
  - full name;
  - address, contact details and the method by which they may be notified;
  - their interest in the application.
- 2) The reason for the objection, comment or representation, including at least
  - the effect that the application will have on a person or the area;
  - any aspect of the application that is considered to be inconsistent with policy, and how.

## Closing date for objections, comments or representations

7 August 2017

No late comment or objection will be considered unless the City Manager has agreed thereto in writing.

### Relevant legislation

This notice is given in terms of sections 82 and 83 of the City of Cape Town Municipal Planning By-Law, 2015.

### General

An objection, comment or representation which does not meet the requirements in this notice may be disregarded.

Objections, comments or representations form part of public documents and are forwarded to the applicant for response.

Any person who cannot write may come to the district office mentioned above during office hours where he or she will be assisted with transcribing any comment or objection and the reasons therefor.

### Request for oral submission

Section 120(11) of the MPBL provides that a person may request the Municipal Planning Tribunal (MPT) to make an oral submission. For such request to be considered it must comply with the following requirements:

- 1. Must be a written request emailed to the following address MPT.oralhearings@capetown.gov.za
- 2. Adequate reasons must be given for such request.
- 3. The request must be received at the above mentioned address at least 5 days before the MPT meeting that the application(s) will be considered, or closer to the meeting if good cause is shown.

To determine if you would like to make such request, you are directed to the following web link whereby the scheduled MPT meeting dates and the agendas are published: <a href="http://www.capetown.gov.za/Family%20and%20home/meet-the-city/city-council/Meeting-calendar.">http://www.capetown.gov.za/Family%20and%20home/meet-the-city/city-council/Meeting-calendar.</a>

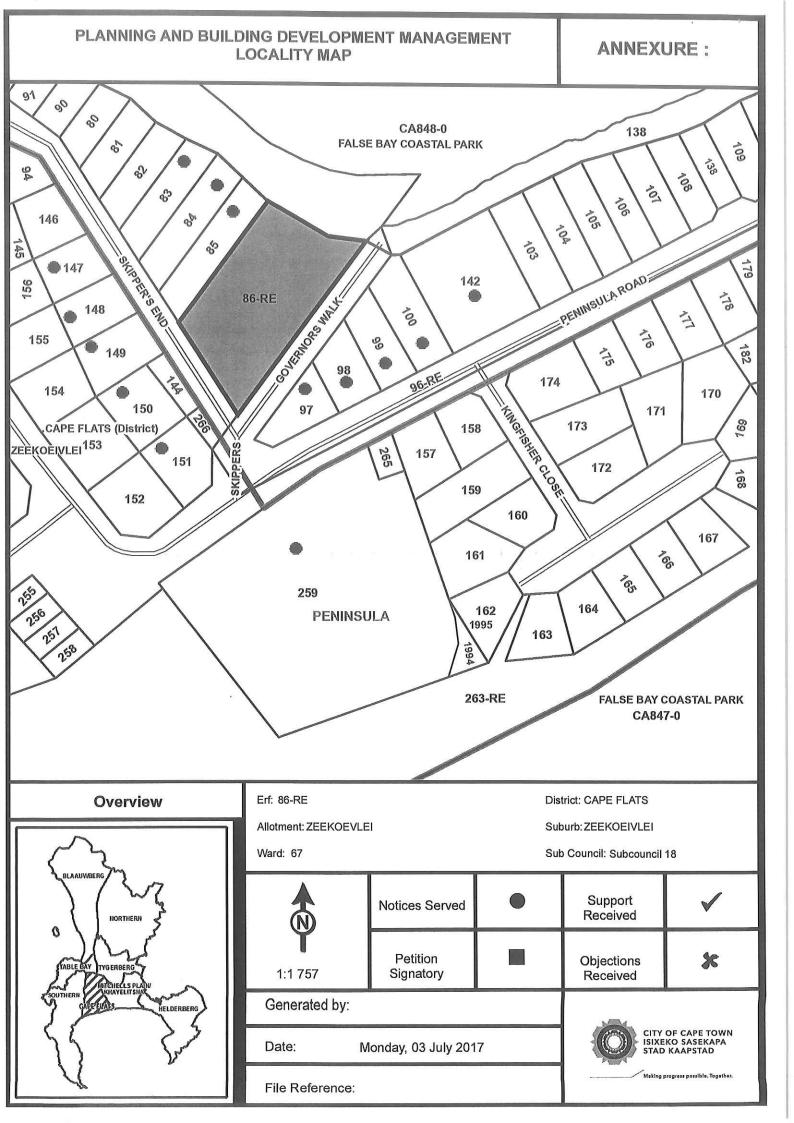
Neem asseblief kennis dat ingevolge artikel 82(4) van die Stad Kaapstad se Verordening op Munisipale Beplanning, 2015, hierdie kennisgewing ook in Afrikaans of Xhosa beskikbaar is met 'n skriftelike versoek. Stuur die versoek na comments\_objections.capeflats@capetown.gov.za binne sewe dae van die datum van hierdie kennisgewing.

Nceda uqaphele ukuba ngokungqinelana necandelo 82(4) loMthetho kaMasipala ongoCwangciso waseKapa, 2015, esi saziso siyafumaneka ngesiXhosa nangesiBhulu ngesicelo esibhalwe phantsi. Eso sicelo masingeniswe comments\_objections.capeflats@capetown.gov.za kwiintsuku ezisixhenxe ukusuka kumhla wokukhutshwa kwesi saziso.

Yours faithfully

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for DIRECTOR: DEVELOPMENT MANAGEMENT



### CITY OF CAPE TOWN

PROPOSED REZONING: PORTION OF REMAINDER ERF 86 ZEEKOEVLEI, 1 GOVERNORS WALK, ZEEKOEVLEI

Notice is hereby given in terms of section 81 of the City of Cape Town Municipal Planning By-Law, 2015 that the application below has been received and is open to inspection at the office of the District manager at Ledger House, Cnr Aden Avenue and George Street, Athlone, 7764

Application number: 70325875

Applicant / Owner's details: Warren Petterson Planning (on behalf of MTN & Zeekoevlei Yacht Club)

Erf number: Remainder ERF 86

Description and physical address: 1 Governors Walk, Zeekoevlei

Purpose of the application:

• Rezoning of a portion of the property from Single Residential 1 Use Zone to Utilities Use Zone to permit a proposed Freestanding Cellular Communications Base Station.

**Enquiries:** Enquiries may be directed to M Collison, Ledger House, Cnr Aden Avenue and George Street, Athlone, 7764, email: mark.collison@capetown.gov.za, tel: 021 684 4343 and fax 021 684 4410 on weekdays from 08:00 to 13:30.

Closing date for an objection, comment or representation: Any objection, comment or representation, with reasons therefore, may be lodged in writing at the office of the abovementioned District Manager (or by using the following e-mail address: comments\_objections.capeflats@capetown.gov.za to be received before or on 07 August 2017.

Further details to accompany any objection, comment or representation: 1) The application number and the following details of the person who is submitting the objection, comment or representation: full name, interest in the application, address, contact details and the method by which they may be notified. 2) The reason for the objection, comment or representation, including at least - a) the effect that the application will have on a person or the area; b) any aspect of the application that is considered to be inconsistent with policy, and how.

**General:** No late comment or objection will be considered unless the City Manager has agreed in writing. An objection, comment or representation which does not meet the requirements above may be disregarded. Any person who cannot write may come to the district office mentioned above during office hours where he or she will be assisted with transcribing any comment or objection and the reasons therefore.

## Request for oral submission

Tribunal (MPT) to make an oral submission. For such request to be considered it must comply with the following requirements:

- 1. Must be a written request emailed to the following address <a href="mailto:MPT.oralhearings@capetown.gov.za">MPT.oralhearings@capetown.gov.za</a>
- 2. Adequate reasons must be given for such request.
- 3. The request must be received at the above mentioned address at least 5 days before the MPT meeting that the application(s) will be considered, or closer to the meeting if good cause is shown.

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### 5. MOTIVATION

### 5.1 Historical 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 cellular networks are 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 demand which leads to a congested network with connection problems and dropped calls on the voice network and limited or unstable internet connections on the data network.

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

Newer technology like LTE provide faster internet to more users which alleviate the pressure on the base station, but its range is very limited. A single old generation GSM voice based base stations could cover dozens of kilometres. The new LTE base stations have a maximum coverage range of 500m depending on the amount of users.

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

It is calculated that cellular network operators in South Africa will build 2800 new base stations over the next 5 years.

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

### 5.2 Planning Motivation

This rezoning application should be supported on the following grounds:

### 5.2.1 Need and Desirability

The need for this application arouse due to several customer complaints about cellular network constraints and poor coverage in the area from residents, businesses and commuters. There is currently no existing base stations in the vicinity of the application site and new high density residential developments in Zeekoevlei increasing the burden on the cellular network.

MTN identified several positions in the area that need to be equipped with base stations to alleviate the pressure and to cater for the ever increasing demand.

Please refer to Annexure H proximity plan indicating all the existing cellular base stations in a 1km radius and the coverage plots that show the current and planned network strength.

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

The base station will be erected to a cost of approximately 1.5 million rand. These costs by itself is motivation to rather co-locate on existing freestanding base stations or to rather install the equipment on a rooftop in lieu of building a new freestanding base station. Unfortunately MTN have exhausted all available colocation options in the area and there is no building high enough to accommodate a rooftop base station

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

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

We are of the opinion that the proposed use will have no detrimental impact on the surrounding properties and will provide an essential service to the surrounding community.

## 5.2.2 Health Issues

There has been increasing public concern about health risks associated with cellular communication. Current scientific research is yet to produce conclusive evidence suggesting adverse health effects associated with, working with or living close to cellular technology. Although antennae and base stations emit radio waves, their frequency is not considered high enough to pose a health risk. Antennae mounted on towers, masts or any other structures are usually substantially elevated above ground level, and as radio waves

are emitted at this level thereby further reducing the amount of radiation at ground level. Furthermore, regular tests regarding the compliance to safety regulations add to reducing the health risk factor.

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

A recent statement by the Department of Health dated 14 October 2011 on the Health Effects of base stations states the following (see attached Annexure F):

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

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

### 5.2.3 The Site

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

The site was selected for a number of reasons, namely:

- It is situated optimally between planned and existing sites,
- There is an increased demand by MTN users in this area and the surrounding base stations are unable to provide an acceptable level of coverage to the area,
- It is accessible to contractors during maintenance,
- The proposal and location of the base station is the best solution to the coverage problem of the area with the least negative impacts,
- The proposal is secure due to its locality, and

Most importantly it will serve the complaint area (the area with the lowest levels
of cellular reception due to locality and high volumes of users) optimally.

### 5.2.4 Visual Impact

The visual impact of the proposed base station is argued to be acceptable and every possible measure has been implemented to mitigate the visual impact of the proposed base station. The height of the masts are kept to the minimum height of 11 meters, the lowest possible height that the antennae can still provide sufficient coverage to the compliant area.

The proposed masts will be positioned next to an existing building and the equipment cabinets will be placed inside the building. A flagpole type mast design was chosen as it is deemed a more acceptable within the surrounding urban environment.

The complaint area is characterized by low rising buildings and open spaces. There are no tall structures that would serve the complaint area effectively. We are of the opinion that erecting the proposed disguised masts at the proposed location is the most desirable option. Placing the masts in any other location would mean that more masts would be required to cover the complaint area.

### 5.2.5 Alternative Sites

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

Alternative sites considered:



Option 1: Churches – There are no churches in the area.

Option 2: Community facilities- there are two options A and B. A has more hidden opportunities than B. B's owner not interested.

Option 3: Public Open Space- This is a risky option for a council lease and environmental impacts like flood lines.

# 5.2.6 Telecommunication Mast infrastructure Policy

The proposed base station is in line with the objectives, recommendations, and guidelines of the Telecommunication Mast Infrastructure Policy, 2015.

As motivated earlier, the proposed base station will improve and maintain communication in the area of the subject property. Even though co-location is the solution of choice for MTN, it is unfortunately not possible in this case. The guidelines of the TMIP was followed to obtain the optimal position of the proposed infrastructure which will retain the visual integrity, character and amenity of the neighborhood. This proposed Telecommunication Mast meet the following needs of the Policy:

- Economic considerations;
- o Site selection;
- Visual impact;
- Environmental impact;
- Impact on existing services and
- o Public health and safety.

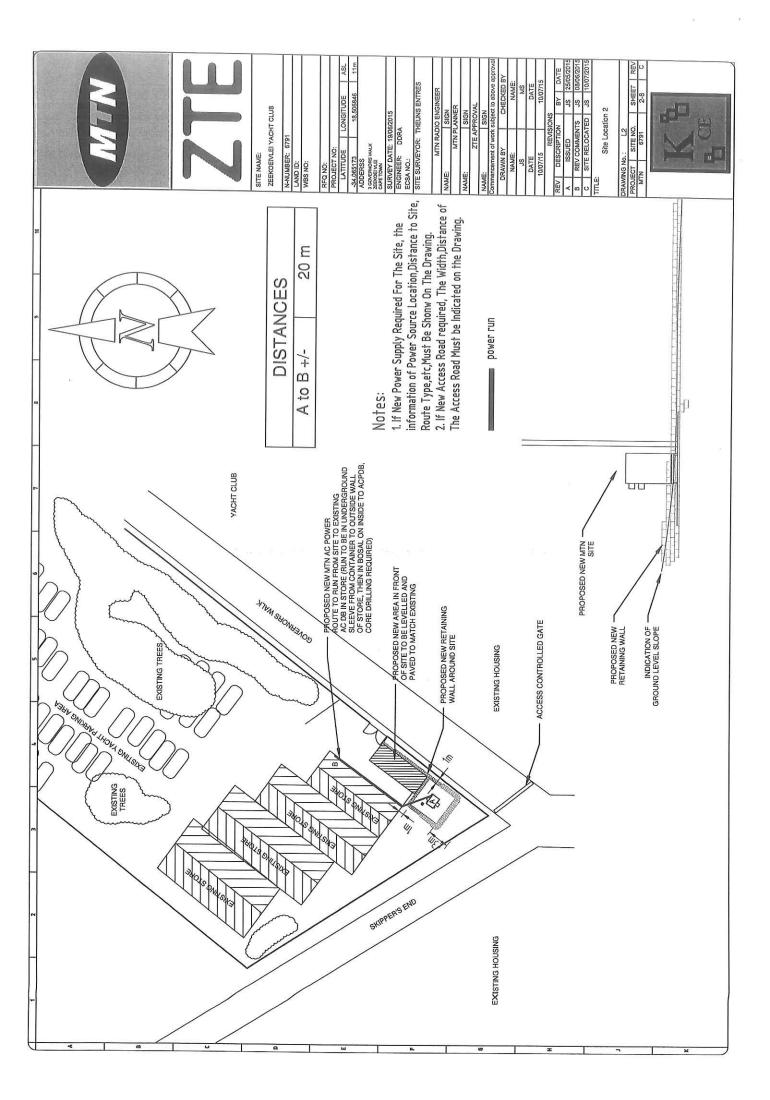
All the structures in the area is single or double story buildings. This confirms that no building can be situated within the public safety zone of 50m directly in front of the

antennas as prescribed in objective 10.3 of the TMIP, 2015 as the antennae height will be at 11 meters. This is higher than a two story building by at least 5 meters.

### 6 CONCLUSION

This application is for the rezoning of a portion (36m²) of Erf 86 Zeekoevlei from Single Residential Zone 1 to Utility Zone to permit a proposed freestanding cellular communications base station is in no way intrusive and poses no negative implications on the surrounding community and environment. It does however provide an essential and sort after service to the surrounding community, businesses and commuters in the area.

We trust that this application will meet your requirements and will receive your positive consideration.



Site ID:6791

Site Name:Zeekoeivlei Yacht Club Tower Type:12m Flagpole

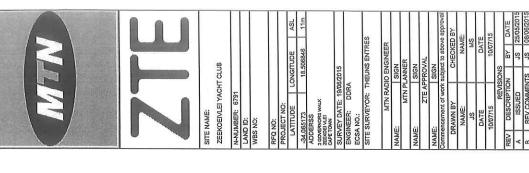
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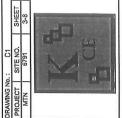
GOOGLE EARTH PHOTO

ADDRESS DELAILS	
SUILDING NAME	Zeekoeivlei Yacht Club
STREET	Governors Walk
SITE TYPE	Greenfield Site
CITY	Cape Town
DISTRICT	Zeekoei Vlei
REGION	Western Cape

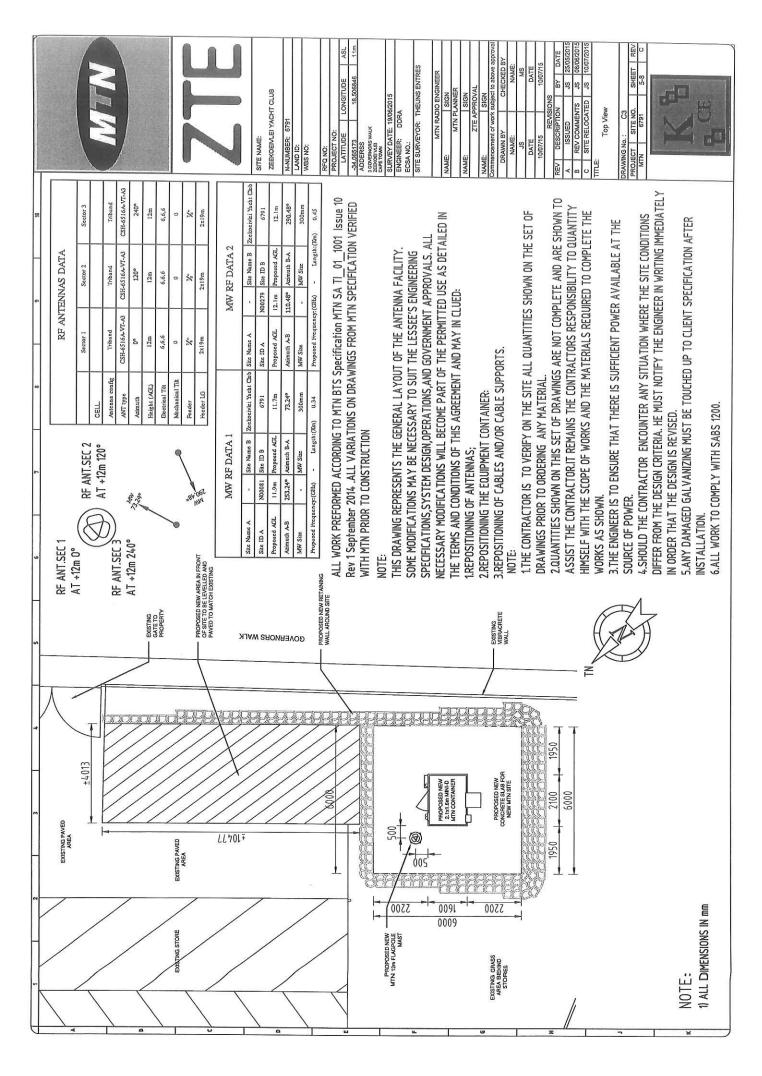
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PROPERTY TYPE	Greenfield Site
INSTALLATION TYPE	Greenfield Site

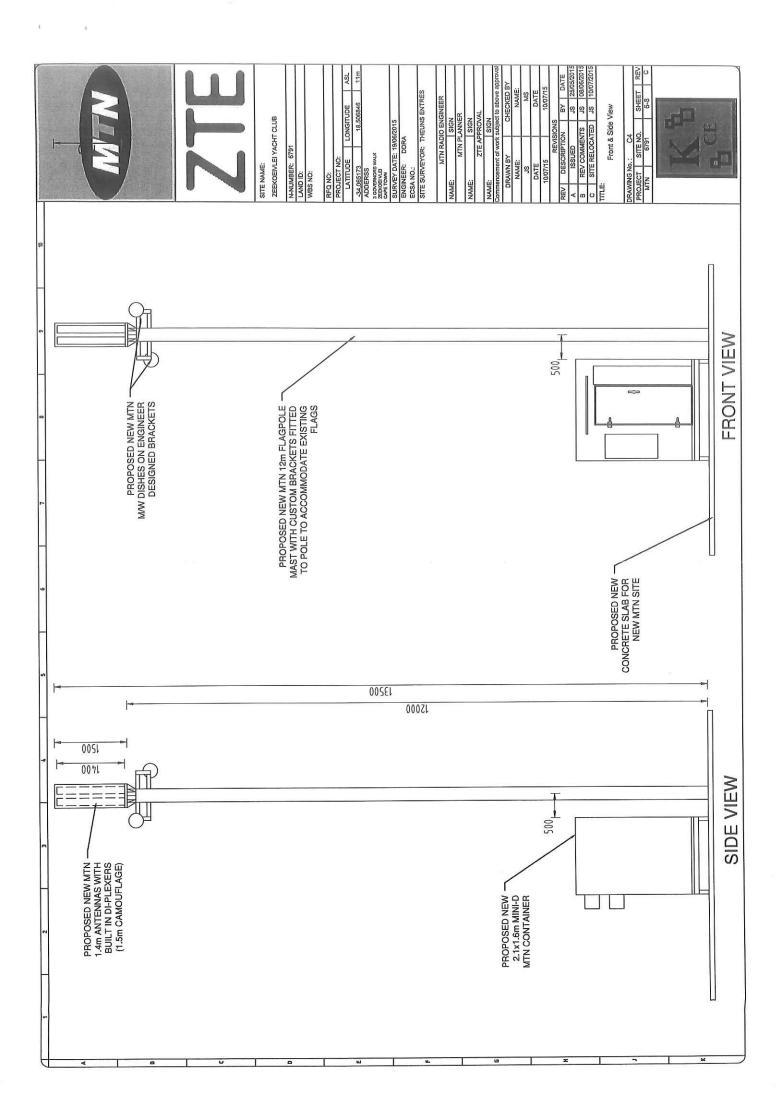


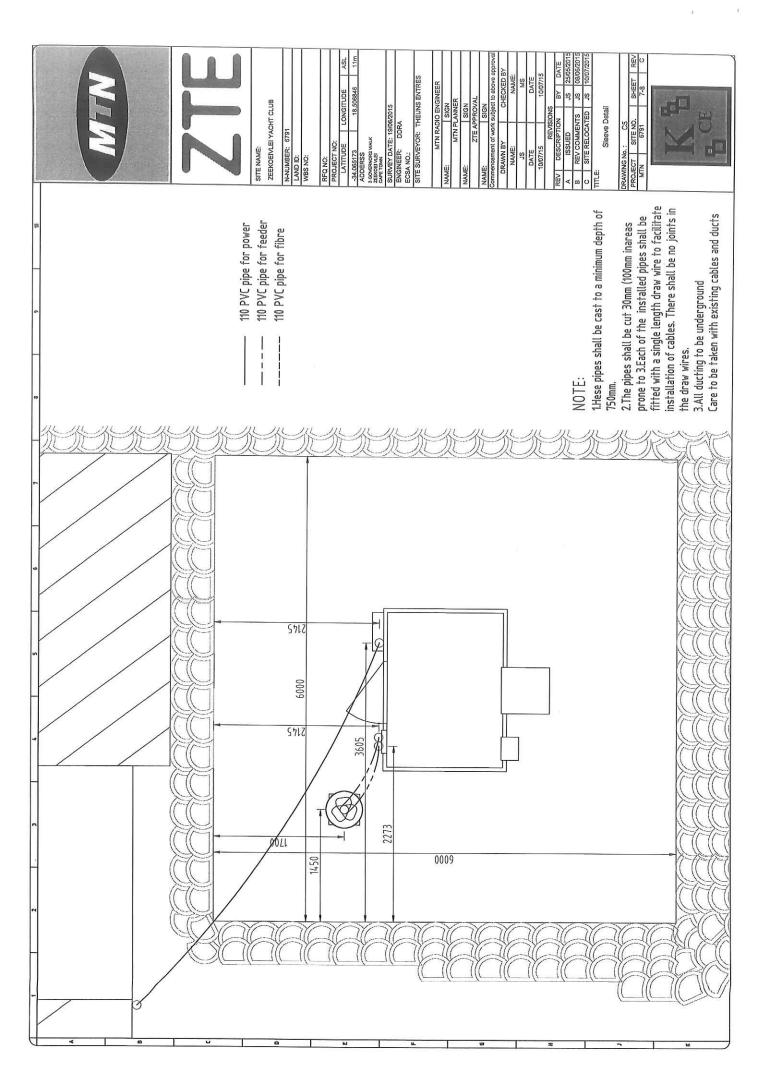


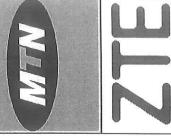


Site Information









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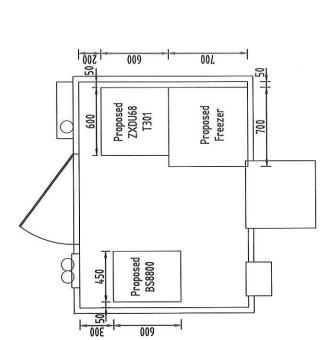
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3 GOVERNORS WALK ZEEKOEI VLEI CAPE TOWN		
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Ŏ.	Item	Dimention (W*D*17)	Quantity	Romark
	BSB800(Main)	600*450*950mm	1	
	BS8800(Sub)	600*450*700mm	1	
	ZXDU68 T301	600*600*1850mm	-	
	Freezer	700*710*2000mm	-	



NOTE: 1) ALL DIMENSIONS IN mm