

**Name of Property Owner****Street Name + Number****Erf Nr****Email****Phone****Purpose of Application**

Application for a rezoning of a portion of the property from General Residential Zone 2 to Utility Zone to permit a Freestanding Base Telecommunication Station. [The mast was illegally erected]

**Background**

This mast was illegally erected during 2017 by the applicant or their contractor. No approval was granted! Further to this, the applicant or his contractor also did not apply for the necessary approval and wayleaves for the supply of fibre to the mast. This was also done illegally! Telkom was of the opinion that they are not subject to local legislation. They were often in the news regarding the erection of illegal masts. The City asked for a legal opinion which took about 2 years. The SCA outcome has been provided to the City on 25 September 2019. The recommendation from their legal advisor based on the above was that they could proceed with NBR enforcement. Instruction in this regard was issued to the building inspectorate to action this matter.

**Comment**

We as residents don't know what the outcome of the "enforcement" was and now 1.5 years later, some received this application to condone an illegal action! Only 15 adjacent properties were notified of this application but many more properties and residents are affected by this application! See further comment per section.

**Section D:**

Policy and Legislation

**D.1. City of Cape Town Policy: (Tick all the blocks if you agree)**

5.01. No evidence is provided that the TMI is placed in the best possible location.

5.03. "The lamppost option focuses on reducing the visual impact rather than co-location". This is contradictory to the previous point that states "it is the best possible" location.

5.04. It might be called a "Lamppost Mast" but it does not nearly look like a lamppost!

5.05. It is wrong to accept that the lamppost mast "will" be visually acceptable for the users of Leetchfield Crescent. In fact, it is also visible to residents in other streets.

5.06. The comment that reads "The subject FSBTS will be erected ....." is incorrect. It is already erected, illegally!

5.09. The policy requires that TMI, where possible, be placed on other structures such as light posts, road signs etc. This point is not addressed!

5.10. To say that there is "no evidence that cellular masts have negative health effects on people" is not to say that there are not negative effects. Section E.2.4. also says "there are no conclusive studies" and "scientific research that may reveal such a link is ongoing." So by the time that they do find evidence it will be too late because thousands of people are subjected to the current "no evidence"!

## **D.2. Spatial Planning and Land Use Management Act, 2013 (Tick all the blocks if you agree)**

7a. The "aim to provide excellent communication to the inhabitants of the area" does not address the Spatial Justice.

7b. It is mentioned that "the possibility of co-location will limit the amount of base stations." Item 5.03. above stated that "Co-location will not be needed in the future for other operators." The reason why the current mast at the Friend of God Church is not used as a co-location is also not addressed in this application.

7c. The Spatial Efficiency is not addressed, explained and proved

## **D.3. Other Policies and Legislation (Tick all the blocks if you agree)**

Although we understand the City's IDP, we don't think that everything that is used as motivation is applicable to this area. Vredeloof is an established mainly residential area with fibre available at each and every house / property. The preferred fibre supplier supplied the School with an adequate internet connection. Also just as a side note, Telkom were not able to provide the community with a quotation when we investigated the fibre option.

## **Section E:**

Motivation

### **E.2.1. Need and Desirability (see our numbers in brackets)**

(1) "This application is motivated by several customer complaints (from residents, businesses and commuters) received by Telkom Mobile in and around the area of Vredeloof." No proof of number of "complaints" is provided and we are of the opinion that most households have Wi-Fi at home which reduces the demand for yet another mast!

(2) The statement "Telkom Mobile identified several positions in the area that need to be equipped with base stations" again is contradictory to item 5.03. above.

(3) We cannot see how Figure 5 illustrates the current coverage in the Neighbourhood!

(4) The applicant keep on referring to "local businesses" while this is a predominant residential area!

(5) Another contradictory statement: "The FSBTS will be erected (it is already erected - illegally) at a cost of approximately R1.5 mil. These high costs are a very good reason to rather co-locate on existing freestanding base stations OR to settle for a rooftop base station in lieu of building a new freestanding base station."

### **E.2.2. Site selection methodology (Tick all the blocks if you agree)**

There is no proof of the demand and we are still of the opinion that most households has fibre with Wi-Fi at home.

#### **E.2.2.1. Choice of site (Tick all the blocks if you agree)**

There is no proof of the need. We can do a survey in the area to establish the real need.

### **E.2.3. Site characteristics (Tick all the blocks if you agree)**

(1) No proof of existing and planned sites was provided to proof the optimal placement.

(2) No plan / map of all surrounding base stations were provided with proof of the "huge demand" as mentioned.

(3) To which contractors is the applicant referring here?

(4) The "proposal and location" is not proofed as "the best solution".

(5) The "lowest levels of cellular reception and high volumes of users" has not been proofed.

(6) "Willing landlord". How many landlords were targeted and who were they?

(7) What is the remuneration that the landlord is receiving? What about remuneration to the community?

#### **E.2.4. Health concerns (Tick all the blocks if you agree)**

I agree with the statement: "There has been increasing public concern about health risks associated with cellular communication." To say "there is no conclusive evidence" is not good enough. There is also no conclusive evidence that Ivermectin is a treatment against COVID-19 or that it is not.

#### **E.3. Summary (Tick all the blocks if you agree)**

7.a. "The subject mast will attract more businesses and tourists to the area". This is a RESIDENTIAL AREA! The applicant again refers to "once the mast is erected" - IT IS ALREADY RECTED - ILLEGALLY!  
7.b. The statement/motivation does not make any sense and or one cannot see the relevancy!

#### **Section E:**

Motivation

#### **(Tick all the blocks if you agree)**

- (1) Again, the statement "The proposal also allows for all other service providers to share this (illegal) installation and refrain from constructing another base station in this area" is contradictory to previous statements and no mention was made of existing masts in the area and why another mast is necessary!
- (2) We also need to know how many of the registered letters were collected from the Post Office?
- (3) We also need to know how many of the people who were notified about the application, did object?

#### **Objection**

(Tick all the blocks if you agree)

#### **You can add additional Comments / Objections below**

1. I then hereby formally object to the rezoning for the erection of a Freestanding Telecommunication Mast as per the comments and for all the reasons mentioned above.
2. I also object to the fact that this mast was illegally erected and want to know what are the consequences?
3. I also object because no survey was done to establish the need for another mast and there was no process to find the most suitable property and a willing landlord!

#### **Additional Comments / Objections**