34. **BASE TELECOMMUNICATIONS TRANSCEIVER STATIONS (CELLULAR MASTS).**

1. **STATEMENTS OF INTENT.**

1.1 The Council, in considering proposals for the location of Base Telecommunications Transceiver Stations, shall be mindful of the need for the development of an effective and efficient communications system within the eThekwini Municipal area. In this regard, the Council shall give fair consideration to the requirements of the Service Providers to develop an effective and efficient communications system, and to the protection of the community in which such installations are to occur.

1.2 The installation of a Base Telecommunications Transceiver Stations shall be undertaken in such a manner that their impact upon the environment is minimised. The Base Telecommunications Transceiver Station shall be as unobtrusive as possible through the choice of materials, colour, depth of silhouette, height, and design which shall complement the aesthetics of the surrounding built and natural environment thereby minimising the impact upon the environment.

1.3 In considering the appropriate location of a Base Telecommunications Transceiver Station, the applicant should be conscious of sites of historic, cultural and architectural importance. Cognisance must also be taken of the impacts installations may have upon open spaces, coastal regions and prominent ridges.

2. **LOCATIONAL PROVISIONS.**

2.1 Due consideration must be given to the impact of the Base Telecommunications Transceiver Station on other developments and natural features, whether existing or contemplated by the Scheme, and their location in relation to view corridors.

2.2 In the selection of a site for Base Telecommunications Transceiver Station, consideration shall be given to the locational context of the proposed installation in respect of aesthetic suitability and environmental intrusion.

2.3 Antennae shall be installed on existing structures or existing masts.
2.4 The principle of multiple use of telecommunications masts by cellular network providers, shall be applied provided that a motivation for exemption from sharing may only be considered on the following basis:

2.4.1 that no existing Base Telecommunications Transceiver Station or suitable alternative structures are located within the geographic antenna placement area required to meet the applicant's engineering requirements;

2.4.2 that the existing Base Telecommunications Transceiver Station is not of sufficient height or structural strength to meet the applicant's engineering requirements;

2.4.3 that consideration shall be given to alternative sites where the cumulative RF emissions would exceed the maximum levels permitted should additional transceivers be attached to a mast, or where the RF exclusion zone cannot be achieved;

2.4.4 that there will be electromagnetic interference resulting from more than one antenna positioned on a single telecommunications mast.

2.5 Permission to share an existing Base Telecommunications Transceiver Station shall not be unreasonably withheld by the owner of that Base Telecommunications Transceiver Station.

2.6 Every applicant seeking to locate a new Base Telecommunications Transceiver Station, or modify such Base Telecommunications Transceiver Station, shall provide the Head: Development Planning and Management with an inventory of existing Base Telecommunications Transceiver Station inclusive of the sites for which authority is being sought, within a 1000 metre radius of the site on which it is intended to erect a Base Telecommunications Transceiver Station.

2.7 When a cellular mast requires replacement, it shall be replaced with a mast designed to accommodate multiple carriers;

2.8 No Base Telecommunications Transceiver Station shall be erected on a site, which in the opinion of the Head: Development Planning and Management, has been identified as containing a building or structure of architectural, cultural, historic, or artistic importance, nor in an area set aside for conservation purposes whether natural, physical or social, provided that the Council may, by special consent, relax this provision if it can be shown that the erection of the Base
Telecommunications Transceiver Station, shall not detract from the architectural, cultural, historic, artistic, natural, physical or social value of the site.

2.9 Wherever possible, the equipment room forming part of the Base Telecommunications Transceiver Station, shall be sited to the rear of the site.

3. VISUAL ATTRIBUTES.

3.1 Visual amenity and visual aspects relating to the Base Telecommunications Transceiver Station shall be at the discretion of the Head: Development Planning and Management.

3.2 Consideration shall be given to the context of the site in relation to its surrounding environment when determining the height of the mast and selecting the type of camouflage appropriate to the area.

3.3 A rooftop antenna shall not protrude more than 6.00 metres above the highest point of the building or structure onto which it is erected, provided that the Head: Development Planning and Management may, by special consent, relax this requirement. For the purposes of this sub-clause, lift motor rooms, airconditioning plant, and equipment rooms above the uppermost slab or roof of the building, shall be regarded as being above the highest point of the building.

3.4 All forms of visible lighting on telecommunications masts shall be reduced to the minimum requirements for security as laid down by the South African Civil Aviation Authority, with due regard for adjacent land uses.

3.5 No advertising shall be permitted on telecommunication masts, provided that where an antenna is to be installed on existing or proposed advertising structures, such advertising shall be to the satisfaction of the Head: Development Planning and Management;

3.6 Advertising on equipment rooms shall be to the satisfaction of the Head: Development Planning and Management and in this regard, fair consideration shall be given to the use of the service provider’s logo being displayed.

3.7 The equipment room shall be screened in such a manner that it shall be inconspicuous from public view by using landscaping or materials and colours consistent with the surrounding environment. All screening shall in any event be to the satisfaction of the Head: Development Planning and Management.
4. **SAFETY.**

4.1 The cellular network provider shall at all times comply with the requirements of the Department of National Health and the International Commission on Non-Ionising Radiation Protection with respect to safety standards.

4.2 The application for the installation of a Base Telecommunications Transceiver Station, shall be accompanied by a notice of appointment of a certified engineer approved by the City Council.

4.3 Reasonable measures shall be taken to restrict access to rooftop installations, other than for maintenance purposes.

4.4 Every cellular network provider shall, on an annual basis, submit a report in which the applicant demonstrates that, where authority has been granted by the Council, there is full compliance with the standards as determined by the International Commission on Non-Ionizing Radiation Protection.

4.5 All telecommunication masts shall comply with the standards as laid down by the South African Civil Aviation Authority.

4.6 Access to the Base Telecommunications Transceiver Station installation shall be controlled to the satisfaction of the Head: Development Planning and Management.

5. **ENVIRONMENTAL ISSUES.**

5.1 Applications for Base Telecommunications Transceiver Station within sensitive areas, as determined by the National Environmental Management Act No. 107 of 1998 and the Environment Conservation Act No. 73 of 1989, as amended from time to time, are required to follow the procedure as laid down in the Environmental Impact Assessment Regulations.

5.2 Where necessary, an Environmental Management Plan providing guidelines relative to site preparation, the construction phase and maintenance of the Base Telecommunications Transceiver Station, inclusive of mitigating impacts on all facets of the environment, including the biophysical and social environment shall be submit as part of the application to erect a Base Telecommunications Transceiver Station.

5.3 The applicant shall ensure that the site and areas around the site disturbed by construction are rehabilitated appropriately and to the satisfaction of the Head: Development Planning and Management.
5.4 The cellular network provider shall decommission and remove a Base Telecommunications Transceiver Station, should:

5.4.1 the Base Telecommunications Transceiver Station constitute a danger to persons or property as determined by the Head: Development Planning and Management;

5.4.2 the Base Telecommunications Transceiver Station become redundant in the event of changing technology;

5.4.3 the Base Telecommunications Transceiver Station is not operated for a period exceeding 18 months; and

5.4.4 any other similar circumstances rendering the Base Telecommunications Transceiver Station redundant.

5.5 The site shall be restored to its original condition and to the satisfaction of the Head: Development Planning and Management.

5.6 Where there are two or more cellular network providers using a single mast, this provision shall not become effective until all cellular network providers cease using the mast.

5.7 The site and Base Telecommunications Transceiver Station shall be maintained to the satisfaction of the Head: Development Planning and Management.

6. PLANNING APPROVAL PROCEDURE.

6.1 An application for the erection of and use of land for a Base Telecommunications Transceiver Station shall be made in accordance with the requirements of the National Building Regulations and Standards Act No. 103 of 1977 and the provisions of this Scheme as amended from time to time. The submission of an application shall be preceded by consultation between the applicant or its agent and the Head: Development Planning and Management in order to facilitate the processing of the application in an efficient and effective manner.

6.2 An application for the erection of a telecommunications mast and associated equipment and antennae shall be accompanied by the following documents:

6.2.1 An application form and the prescribed fee;

6.2.2 The prescribed number of copies of a plan, of which two are in colour, indicating the location of the structure within the site, existing structures on the site, adjoining properties and
their associated structures, the elevation of the proposed structure, any services present, proposed security measures for controlling access to the applicant site (particularly the fencing of the base station), and landscaping.:

6.2.3 A locality plan drawn to an appropriate and legible scale indicating the location of existing and proposed telecommunications masts within a radius of 1000 metres from the position of the proposed mast.

6.2.4 A radio plan indicating the coverage achieved of all of the applicant's existing Base Telecommunications Transceiver Stations within a 1000 metre radius of the proposed site;

6.2.5 A copy of the Record of Decision relating to the application site from the Department of Agriculture and Environmental Affairs, failing which an environmental scoping report, or a letter of exemption from the Department of Agriculture and Environmental Affairs.

6.2.6 A certificate of approval from the South African Civil Aviation Authority.

6.2.7 In the case where multiple use cannot be achieved, a letter of motivation giving reasons for the inability to co-locate.

6.2.8 A letter of consent from the registered owner of the property granting consent for the application to be submitted to the Council.

6.2.9 In the case of land to be leased from the Council, a copy of a letter of consent from the relevant Department.

6.2.10 Title Deeds where legislation requires their submission.

6.2.11 Photographs which present an indication of the impact of the proposed structure as viewed from key points around the site.

An application in terms of sub-clause 6.2 is deemed to be an application submitted in terms of Section 67bis of Ordinance No. 27 of 1949 (Natal), which requires the special consent of the Council.

6.3 An application for the installation of telecommunication equipment and antennae on an approved building or structure shall be accompanied by the following documents:

6.3.1 An application form and the prescribed fee;
6.3.2 The prescribed number of copies of a plan, of which two are
in colour, indicating the location of the equipment and
antennae within the site, existing structure on the site,
adjacent properties and their associated structures, the
elevation of the structure to the satisfaction of the Head:
Development Planning and Management, any services
present, proposed security measures for controlling access to
the equipment and antennae, and landscaping.

6.3.3 A copy of the Record of Decision relating to the application
site from the Department of Agriculture and Environmental
Affairs, failing which an environmental scoping report, or a
letter of exemption from the Department of Agriculture and
Environmental Affairs.

6.3.4 A letter of consent from the registered owner of the property
granting consent for the application to be submitted to the
Council.

6.3.5 In the case of land to be leased from the Council, a copy of a
letter of consent from the relevant Department.

6.3.6 Photographs which present an indication of the impact of the
proposed structure as viewed from key points around the site.

6.3.7 Title Deeds where legislation requires their submission.

An application in terms of sub-clause 6.3 is deemed to be an application
submitted in terms of Section 67(1) of Ordinance No. 27 of 1949 (Natal).

6.4 An application for the increase in height of an approved
telecommunication mast or for antennae erected at a greater height
than the height that has been approved, or for an increase in the
footprint of the Base Telecommunications Transceiver Station, shall
require:-

6.4.1 in the case of a mast, a special consent application as set out
in paragraph 6.2 hereof; and

6.4.2 in the case of an antennae, the submission of a Building Plan
application as set out in paragraph 6.3 hereof.

6.5 The replacement of telecommunication masts, equipment and
antennae on approved structures, shall be deemed to be regarded as
maintenance and provided that there is no material change to the
telecommunication mast, equipment and antennae on approved
structures, no application shall be required in terms of Section 67(1)
of the Town Planning Ordinance No. 27 of 1949 (Natal), as amended.
GENERAL REQUIREMENTS FOR THE SCOPING REPORT TO BE SUBMITTED TO THE LOCAL AUTHORITY TO ERECT CELLULAR MASTS AND BASE STATIONS

1. **APPLICANTS DETAILS**
   1.1 Name;
   1.2 Postal Address;
   1.3 Physical Address;
   1.4 Consultants Name;
   1.5 Consultants Postal Details.

2. **PROJECT DESCRIPTION**
   2.1 Details of the proposed structure, including ancillary uses;
   2.2 Physical address of the property;
   2.3 Property description;
   2.4 Site “code name”.

3. **SITE DESCRIPTION**
   3.1 General description of biophysical environment (land form, flora and fauna) on site and surroundings (including the location of Red Data Species, and the percentage and description of indigenous vegetation on the site);
   3.2 Description of specific environment elements that will be affected by the activity and description of these impacts;
   3.3 Description of mitigating measures to be implemented;
   3.4 Description of alternatives where these were considered and motivation for the preferred option.

4. **PUBLIC CONSULTATION**
   4.1 Indicate how the proposal was advertised (include copy of advertisement);
   4.2 Record any other public scoping undertaken (notification to adjacent land owners, public meetings, etc);
   4.3 Record any comments received from interested and affected parties.

5. **COMPLIANCE WITH GENERAL EXEMPTION**
   5.1 State whether the site affects or may affect any sensitive area as described in the General Exemption letter received from the Department of Agriculture and Environmental Affairs;
   5.2 State whether the structure is to be constructed in terms of the General Exemption or, if application in terms of the Regulation is required.
6. **MAPPING**

6.1 Site layout plan indicating the location of the proposed infrastructure in relation to all existing infrastructure and large trees;
6.2 Site location plan indicating the surrounding land uses.

**NOTE:**

1. In addition to the above, the standard Environmental Management Plan (EMP) for construction and operation of the site, as described in the Letter of Exemption, must be submitted for approval. This should include compliance with Health, Aviation, and other requirements.

2. The abovementioned documents must be submitted to the Local Authority as part of the Town Planning application.