



MINUTES OF MEETING

EIA FOR MTN CELL PHONE MAST YOUNG ROAD, MILL PARK/LINKSIDE

28 AUGUST 2006

PRESENT: See attached attendance register (**Annexure 9**)

FACILITATOR: Elaine Holtzhausen (Lokisa)

MINUTES TAKEN BY: Sasha Slogrove (Lokisa)

1. **Welcome and Introduction** Elaine Holtzhausen (EH)
 - 1.1 EH welcomed the attendees on behalf of MTN and Lokisa Environmental Consulting (Pty) Ltd (LEC) and thanked them for taking the time to attend the meeting in order to discuss the Environmental Impact Assessment (EIA) for the proposed development.
 - 1.2 EH stated that she was from LEC, an independent consulting firm, appointed to conduct the EIA and to obtain authorisation from the Eastern Cape Department of Economic Affairs, Environment and Tourism (DEAET).
 - 1.3 She explained that the meeting was being held to discuss the proposed 21m cell phone mast disguised as a tree and an accompanying underground base station.
 - 1.4 She said that the proceedings were being recorded for purposes of the minutes, and for this purpose she requested that all questions be held until MTN and LEC had finished with their presentations.
 - 1.5 EH explained that Sasha Slogrove (SS) of LEC would be discussing the purpose of the meeting and the EIA process. Andrew Portokallis (AP) of MTN would be discussing the health aspects as well as why the site was chosen. EH stated that one amendment on the agenda was that the visual impact would be discussed by LEC and not MTN as stated.
 - 1.6 She asked the attendees to sign the attendance register and to make sure that their name and contact details are correct in order to receive a copy of the minutes of the meeting for comment.
2. **Purpose of the Meeting** Sasha Slogrove (SS)
 - 2.1 SS said that LEC were in the Public Participation phase whereby LEC consults with the public/community.
 - 2.2 She explained that comments, objections and concerns were received and that the purpose of this meeting was to hear what the I&AP's had to say regarding the development.
 - 2.3 The issues are then to be addressed and mitigated in the Scoping report.
 - 2.4 Sasha Slogrove (SS) then explained the procedure followed thus far in terms of the EIA process.
3. **Objections/concerns received** Andrew Portokallis (AP)
 - 3.1 AP explained that he was going to talk about the need for the site in that area (Young Road, Mill Park/Linkside). He said that the need was identified approximately 5 or 6 years ago and that MTN had proposed several alternatives, and Young Road, Mill Park was the third alternative.

- 3.2 He added that anyone could have a look at the coverage maps. The first map showed the present coverage and the second map showed the prediction of the present site. The site covers most of the area's that don't currently have services. (See **Annexure 1** – Map 1: Present coverage, Map 2: Prediction coverage).
- 3.3 AP then said that he would be talking about electro magnetic fields (EMF) next and that he had been involved in this field for the last 10 years. AP explained that he was presently an independent consultant consulting in the industry and to MTN.
- 3.4 AP explained that MTN's objective was to provide services to all regions. He said that MTN has approximately 5000 towers. The government white paper on telecommunications requires that services be provided to all areas. The government comes to MTN and asks them to provide services to underdeveloped areas where there is a huge need for telecommunications.
- 3.5 He said that there is not enough traffic to cover the costs of approximately 1/3 of the towers. However, MTN has a responsibility to provide those services/coverage. He explained that MTN has learnt not to make the same mistakes anymore and they are no longer putting up 2 masts next to each other and no longer using big tree masts of over 26m. Instead, he explained, MTN was now sharing masts between at least three service providers and the new masts are being made to blend into the environment.
- 3.6 AP said that MTN does get a lot of complaints but they try to address each and every one of the complaints and they try to have public participation meetings like this.
- 3.7 AP then explained that electromagnetic fields (EMF) complied with all legislation. MTN has been working with the CSIR to understand the effects; they have attended international workshops and conferences. AP stated that all processes and procedures of MTN are according to international standards and that they comply with legislation.
- 3.8 He presented the EMF formula and explained that the formula used (EMF golden rule) is: $P=W/4\pi r^2$, a formula frequency independent. Where the power at any point is equal to the power transmitted by the antennae divided by 4 pie r squared. AP explained that this formula shows that the further away you are from the antennae; the effect of the EMF gets reduced drastically. There was a dispute as to whether or not it was r squared (r^2) or r cubed (r^3).
- 3.9 AP also explained that according to international standards we are allowed EMF levels at various frequencies. For example, a frequency of 900 MHZ (mega hertz) a level of 41 V/m (volts per meter) is allowed; at frequency of 1800MHZ 82 V/m is allowed and 3G technologies at a frequency of 2100MHZ 82 V/m is allowed. This has been adopted by the industry including construction companies using "walkie talkies", police systems, wi – fi (wireless internet) etc. (See **Annexure 2**)
- 3.10 AP said that according to the graph (See **Annexure 3**) at frequencies between 30 – 300 MHZ the body is more responsive to EMF.
- 3.11 AP then explained the electromagnetic spectrum (See **Annexure 4**). He explained that the AM radio, FM radio, TV, satellite, 2G & 3G are all non – ionising radiation because they can not penetrate the body and break cells. Ionising radiation are X-Rays and Gamma Rays that can penetrate the body.
- 3.12 AP then went on to state that MTN has done a lot of work on EMF and has documents that he can make available to anyone who is interested. MTN has not allowed more than 10V/m where there are people in the area.
- 3.13 He then spoke about emissions from microwaves, TV's, cell phones and a typical tower (24m). (See **Annexure 5** for graphs on various emissions).
- 3.14 AP explained that when you make a call, a cell phone does not know how far away it is from a tower, so the cell phone transmits maximum power at about 5 V/m. It is better to make a call with the cell phone not directly against your head (just a little distance from it). Once the transmission reaches the tower, the cell phone then only transmits enough energy to reach the tower.

Approximately 2V/m is transmitted when you start talking. If you have a cell phone then that is the level that you are exposed to. If you are very close to the tower then your exposure can come down to 0,5V/m. AP then went on to explain televisions and that a TV transmits approximately 20V/m (if your TV is against your head). If you are about 3m away from your TV then you are exposed to about 5v/m and 5m away you are exposed to 1-2v/m.

- 3.15 He also explained that microwaves can transmit up to 35V/m and a typical mast of 24m emits (at ground level) approximately 1v/m at 5pm (average traffic). A tower's peak hours are at 3pm and 8pm. AP explained that the levels on the ground are so low as the antennae transmits 65 degrees wide and 6.5 degrees horizontally like a torch. If you are underneath the mast then you are not exposed to energy. The signals are small at the bottom of the mast as the antennae point away from the mast. Some of antennae's may have a tilt to avoid interference from other frequencies as the operations only have 65 frequencies each. The tilts can be maximum 8 degrees.
- 3.16 AP went on to say that they have the necessary expensive tools and equipment to take readings. When MTN has a proposed site then they interface with the public and the people in the area. All MTN's towers are certified with both the local authorities and the Department of Environment.
- 3.17 AP showed the attendee's a 26m tree mast that MTN no longer uses as it is too unsightly. He also showed them a certificate - Declaration of BTS site conformity, which AP then offered to make available to anyone interested. It states which standards it is based on and also talks about the levels expected above the ground. The worst case scenario in this case, according to predictions, at maximum traffic would be 2.1 V/m. This is 19,5 times lower the level specified by the Department of Health which is 41 V/m. This is well below the microwave, computer screen, TV, cell phone and all the other levels created by other appliances around us.

4. Discussion

All

- 4.1 Ian Clark (IC) enquired about the frequencies. He said that only different volts were shown and not different frequencies. He asked about frequency resonance and things like that. He also said that the table showed voltage levels that are not frequency related.
- 4.2 AP explained that the table he showed us (See **Annexure 2**) has not got a frequency component. It is independent of frequency. AP stated that the universal law of transmissions is independent of frequency. Different frequencies are more penetrating than others. He spoke about TV signal and microwave being more penetrating.
- 4.3 IC enquired if frequencies can destroy cells.
- 4.4 AP answered that as the frequency goes higher towards X-Rays, it penetrates the cells a lot easier. AP explained that cell phones have a frequency of 900MHZ, 1800MHZ and 2100 MHZ.
- 4.5 Ken Mackenzie said that it is about perceptions. You can put labels on a cigarette packet – smoking kills, and millions of people smoke. Towers do not look good, and he does not want one in his suburb. When someone comes to buy his house then he won't be able to sell it. He said that the tower will devalue his house.
- 4.6 EH said that basically Ken Mackenzie was worried about property values. EH suggested an independent evaluator to give us an opinion.
- 4.7 There was uproar from the residents.
- 4.8 EH asked what the residents would then like to do.
- 4.9 Lorinda came forward and told everyone that she is an architect in the area. She said that the visual impact of the tower had not yet been addressed. She said that they had actually done a bit of drafting in the office and come up with a solution to a problem, showing the public exactly what its going to look like in terms of a visual impact of such a tower in proposed position. Lorinda said that the big tree mast will break the horizon. She showed the super imposed tower at the proposed site to the people present at the meeting. The mast was clearly visible, even as a tree.
- 4.10 There was uproar from the residents.

- 4.11 Lorinda said that this is a pristine and beautiful site. She then showed the public a super imposed tower on a photo at another position in the middle of the trees at the club grounds. The photo she then showed made it difficult to see the mast as it was surrounded by other trees of similar height.
- 4.12 AP asked how high the mast was.
- 4.13 Lorinda said that it was 21m high with a 2m high berm. She commented that what she hasn't shown, but is sure that they would be putting up, was a palisade fencing.
- 4.14 AP said that the containers are underground and that there would be no palisade fencing.
- 4.15 Lorinda enquired about the access road.
- 4.16 AP said that it does not have to have an access road, as MTN can park well ahead of the tower and walk to it.
- 4.17 Lorinda said that she thinks that the picture will tell the story.
- 4.18 There was uproar from the residents.
- 4.19 A gentleman (G) from the audience enquired as to why the structure is required, he asked who had no reception in this area and what other non-mast alternatives have been investigated and why can't they be used.
- 4.20 AP answered that the prediction tool that they use tells MTN the coverage anywhere in South Africa. In this case there are huge coverage gaps at the roads, residents places and new services, especially internet services etc and residents would not have services there. AP stated that MTN would not spend any unnecessary money unless it was absolutely necessary.
- 4.21 Another gentleman from the audience stated that it his constitutional right not to have a cell phone mast in his area. He spoke about the petition that everyone had signed and that they were residents in the immediate area against this.
- 4.22 AP answered that it is also MTN's constitutional right to provide services to the country and the other people that do not have services also have a constitutional right. AP explained that they had to provide services to all the residents.
- 4.23 G said that he wanted to know where are the people who will get a better reception if you put that mast where MTN want to.
- 4.24 There was uproar from crowd.
- 4.25 AP said that they looked at three different places/sites. He said that some people had come to him before the meeting and suggested some other areas to put up a mast. AP said that MTN was prepared to listen to the community. MTN is willing to put the mast wherever the community thinks is best. He said that MTN also has to assist the people that do not have services.
- 4.26 G asked whether they had non-mast technologies.
- 4.27 AP said that do not have non-mast technologies. They do not exist.
- 4.28 EH said that LEC had a list of the areas that do not have reception/services. She said that LEC will attach it to the minutes. (See **Annexure 6**).
- 4.29 G then asked about alternative sites. He asked where the other two sites are that were proposed.
- 4.30 AP said that they started 5 years ago at looking for a site. Young Road was the site that the local authorities pointed out to MTN.
- 4.31 Rob Emmers (RE) pointed out that the other sites were the Crusaders/Pirates Hockey Club, the golf club and Grey High School. They were turned down at the time by the relevant person who was dealing with the application. He stated that he is not too concerned about the health issue, but feels that the property value is a big issue. RE suggested the golf course that has enough land and that the golf course has crop of trees where a mast would be suited better. It is probably less than 100m away. The mast would not been seen here. RE said that a radio (repeater technology) can be used instead of a mast, but you would need a lot of them and they are very expensive. RE stated that there are other alternatives such as electrical sub stations, other

municipal sites close at hand. He also said that he knows that there might be some people in the valley that do not have coverage, and he suggested that seeing as LEC and MTN had the names of the objectors they give the attendees the individual names of the people that do not have reception.

- 4.32 There was uproar from the residents.
- 4.33 EH said that Lorinda had offered to do the visual impact assessment on the golf course and the Young Road site.
- 4.34 Lorinda said that the site is very beautiful and that they had no physical connection to the site other than that there is a beautiful view, like a stage to a theatre. Her proposal to AP from MTN was to hide the mast amongst the trees at the golf course.
- 4.35 A resident enquired about the ownership of the land. MTN have to lease the land. She said that someone was getting paid to have the tower on their land.
- 4.36 RE answered that the site was still currently owned by council.
- 4.37 Lorinda stated that the golf club was owned by council.
- 4.38 A resident said that there were negotiations to buy the land and the golf club members are totally against it. There was a general meeting at the golf club even before there were negotiations for the golf club to buy the land from council and at that meeting the mast was turned down.
- 4.39 EH said that then that alternative was not viable.
- 4.40 There was uproar from the residents.
- 4.41 Gary Schrodsbury stated that he owned two properties. One on either side of the golf course. He said that if the golf course voted against the mast, then he can't see how anyone can say then that the golf course is not an option. Yes, the golf course is negotiating with the municipality to buy the course and to build 200 – 300 houses on the course. He said that as the architect has pointed out the mast can be disguised in the trees on the golf course. And that as owners of land in the area the residents should have more of a say than the golf course members who are currently negotiating to buy the land from the municipality.
- 4.42 EH suggested then that MTN should reassess that alternative.
- 4.43 A resident said that he is an immediate neighbour to the site and he said that he did not receive any notice. He heard from Peter about the meeting. He referred to the coverage maps and said that he had 100% reception. He also said that he does know who Lokisa is and that there were no contact details. He then said that LEC were referring to transparency and being independent but then why were they using "we" or "our" the whole time.
- 4.44 There was uproar from the residents.
- 4.45 EH asked the resident to come forward after the meeting in order to show him which sites were notified.
- 4.46 The residents said that they also wanted to know.
- 4.47 EH said that in terms of the area with no reception, MTN Port Elizabeth (PE) said that granted that a lot of people living in the street said that there was sufficient signal to make a voice call, but due to the topography and canopy of trees of these suburbs there is a not a very good indoor signal and for high speed data services. MTN requires a much better and stronger signal than what is currently the case. EH started mentioning the list of streets that needed better reception that was provided by the radio planners of MTN.
- 4.48 There was uproar from the residents.
- 4.49 A resident said that he wants to know what EH's statement is or what her position is in the situation. He said that he gets the impression that EH is an extremely supercilious individual. He said that he would like to know if EH is speaking as an independent person for MTN or independently on this legalisation.
- 4.50 EH explained that she was about to answer that question as that was what the previous gentleman also asked her. She said that LEC is an independent firm and has no links with MTN.

AP was previously working for MTN and that is why his “we” sounds like MTN, because that is where he was from.

- 4.51 A resident said that if LEC does not say what MTN wants you to say then MTN won't use LEC again.
- 4.52 EH retorted by stating how independency works is that when LEC submits an application, they also have to submit a notice of LEC's independence. Independence is deemed that if more than 50% of your work comes from one source you are no longer deemed independent. And you can no longer submit applications for that applicant. EH said that LEC can safely say that MTN is not 50% of LEC's turnover.
- 4.53 IC said that on the LEC website that LEC is responsible for 1500 towers whether it says Cell C, MTN or Vodacom. He said that he can't see EH or LEC saying no to a tower as that is LEC's whole industry, your whole being.
- 4.54 EH explained that the purpose of the whole procedure is not for LEC to make the decision. LEC do not make the decision on behalf of MTN or the residents. LEC are going to write up a scoping report that addresses and says specifically what all the concerns were, which MTN has to address. MTN have to address and mitigate all your concerns and if they are not sufficiently mitigated, then Environmental Affairs is going to say no. LEC do not make that decision. EH explained that LEC will do a visual impact as this was a concern raised during public participation by the I & AP's. EH said that LEC would use Lorinda's (the architect) visual impact assessment and MTN would also conduct a visual impact assessment. Both of these would be submitted to Environmental Affairs. In terms of valuation of properties, EH explained that the I & AP's stated that the properties are devaluating and now MTN would have to come back and give LEC and the I & AP's their report and their specialist opinion.
- 4.55 Barry Strydom said that they are already disputing MTN's names of streets which EH said do not get coverage. He explained that the I & AP's are already disputing that. Now EH is going to go back to MTN and they are just going to argue against the I & AP's who are saying that they don't like what the mast is doing to their property market. MTN is going to say that they had independent people come in and that there is no problem. Barry Strydom said that this is going to be a very expensive court case.
- 4.56 EH explained that she understands that it may difficult to understand, but LEC is sitting on the fence. There are two parties involved, one being MTN and the other being yourselves – the residents. LEC just puts the facts together of what you the residents said and what MTN said. Environmental Affairs makes the final decision. The only recommendations LEC do make is how to mitigate the concerns. LEC knows this Environmental Authority and they will not look at giving authorization if the concerns have not been mitigated according to them.
- 4.57 Claude Hardman asked about a technical point in terms of the tower and the direction its pointing, because AP did not mention it. He wanted to know where the 65 degrees are aiming at. Is it down across to Walmer.
- 4.58 AP answered that there are three sectors. Sector A looks towards north 0 degrees and the main beam is 65 degrees wide. The second sector is 120 degrees and the third sector is 270 degrees, and in this way MTN covers all three directions.
- 4.59 Richard Haines said that the EIA process does not work well as it doesn't show debate. He said that if you looked at the history of the tobacco industry where they had a spokesperson say that it is alright for your health. He said that there is significant scholarly reports/evidence questioning the relevant safety of cell phones. LEC should show the two sides, but they are coming across as donor/client driven.
- 4.60 EH asked if there was anyway around this. EH asked whether the I & AP's can suggest any other EIA firms who can take over or to start the process again. She said that she understands that her independence is a difficult concept to grasp and she explained that she can see how it

looks seeing as MTN pays LEC a fee for the EIA. EH asked whether or not the proof of the pudding would be in the scoping report, once the I & AP's had reviewed it then maybe they can assess LEC's independence then.

- 4.61 Noelene Jorgesnsen (NJ) said that she has lived at Heythorp drive for 14 years and she has no problems with reception. She spoke about the letter (See **Annexure 7**) attached to the agenda (See **Annexure 8**) and what the deputy director of radiation control said about nobody checking the levels. There are about 3 people with 20 000 base stations. She commented that the department is inadequately staffed and therefore it is not possible for them to provide the Department of Environmental Affairs with expert information. Non thermal effects were discussed, like head aches, nausea, etc. NJ explained that some studies had been done on this and there isn't any evidence to suggest that it is safe. According to the ICNRP recommends 4,5 V/m² in Salzburg, Italy and Paris it has been reduced as they believe it does have effects on your health. She said that she wants more evidence and that she is not happy to be a lab rat for any cell phone company.
- 4.62 AP talked about hypersensitivity. No results or no comments were available on the effect on 20 000 people investigated by Professor Elaine of Cambridge University. AP suggested that anyone can go onto the Cambridge University site and look up hypersensitivity, and he said that presently there is no evidence of hypersensitivity existing in the form that people are trying to present it. He suggested that they use one common unit. He said that to show good will to the people around the towers MTN dropped the levels further by 4 times to 10 V/m. With this tower the level will not exceed approximately 1,2 V/m even at peak traffic times according to his predictions. AP said that he was willing to come round and do extensive testing once the tower was switched on.
- 4.63 Residents said that it was too late then.
- 4.64 AP continued by stating that if the level does exceed the limit, then MTN still has ability to change the antenna tilt if necessary. MTN will change the tilt by 1 or 2 degrees to meet the international levels.
- 4.65 Sharon Wade said that she had two properties in Mill Park. She said that exposure levels were not really a health concern for her. But she wanted to know if you are exposed to these levels for 24 hours every day is there a cumulative effect.
- 4.66 AP said no, there is no conclusive repeatable results to this effect especially in situations that EMF is so low.
- 4.67 A resident asked who the EIA study is given to in the Eastern Cape and how many have been turned down and for what reasons. He asked if the I & AP's see LEC's presentation before it is given to the Eastern Cape. He also wanted to know if Vodacom and Cell C were also clients of LEC.
- 4.68 EH explained that the scoping report goes to Andries Struwig and Leon Els in Port Elizabeth. She said that some had been turned down, or actually that they have been sitting on the authorisation. No decision has been made on the applications where there have been objections that have not been mitigated. She explained the I & AP's will see a copy of the scoping report and that they have 30 days to comment on the report. EH said that Cell C and Vodacom are clients of LEC, and so are a lot of other developers who are not cell phone companies.
- 4.69 Gavin Bradshaw is a resident who lives 4 houses away from the site. He said that the service from MTN is excellent. He is particularly interested in the names of the streets where MTN says there is no service or weak service.
- 4.70 Lynn Webb asked whether MTN as a service provider could ask the people individually if they want the service. Because if they do not want this service then why is it being given to them.
- 4.71 EH explained that MTN has a mandate and that in terms of their licence agreement they have to provide a service. She said that she will ask MTN to motivate this in the scoping report.

- 4.72 Charles Wait said that the mast will be for two service providers. He said that he believes that the other one is Vodacom. The presentation was by MTN, how do they know that they can trust Vodacom. The evidence was given to the I & AP's by MTN, but what is the evidence from Vodacom as far as safety standards are concerned.
- 4.73 AP answered that Vodacom uses the same technology. He will ask them for their configuration when he does more predictions.
- 4.74 A resident stated that surely AP should have known that Vodacom was going to share the mast.
- 4.75 EH explained that AP wouldn't have known this as he was asked by MTN to come and speak about health issues as that is his expertise, but LEC did know about Vodacom. EH said that for example if Cell C wanted to put up another mast then they must do another EIA. She also stated that as the I & AP's were at the meeting and notices were sent out, a petition was signed and so many objections were received, she assumed that everybody at the meeting had the basic information. She apologised if that was not the case. LEC assumed that everybody knew as the I & AP's had sent in objections or signed the petition.
- 4.76 Robert Smythendale (RS) said that he is a specialist in constitutional law and deals with environmental statuettes quite often. The voice of the people must be heard. The residents can make submissions to LEC and/or directly to the Department of Environmental Affairs. He explained that before the Department grants authorisation it has to consider the residents submissions independently as well as the report prepared by LEC. He said that the residents would be given an opportunity to comment on LEC's report and tonight's meeting isn't the end of the road. It is very important then that the residents put down and address all their concerns so that they can make these submissions. He said that there is a lot of controversy about the independence of the consultant. He said that one of the trends is that EIA consultants annex the comments as an annexure to their report and do not extract the essence or address it. Try and make your submissions part of the body of the report. He questioned how prepared LEC and MTN were to answer questions.
- 4.77 RS said that the mere fact that there are two bodies of research (that there are health impacts and that there are not health impacts) raised the issue of "the precautionary rule" that should be voluntarily applied.
- 4.78 RS said that section 24 of the constitution says that everyone has the right to an environment that is not harmful to their health and well being. The court will go to the utmost lengths to protect this right.
- 4.79 RS said that after the public voice against this he would like to see MTN withdraw this proposal entirely. He suggested that if MTN do not withdraw the application then the I & AP's should get as much information as possible from MTN particularly about the specifics of this mast. The other aspect is the municipal land. The municipality had received an application from MTN to lease the land. He said that he is inclined to say that MTN should consider appointing another EIA group/agent to look at this again. He said that the feeling he gets is that the I & AP's have lost confidence in LEC.
- 4.80 AP said that on 20 September 2005 MTN applied to the local municipality for the right to lease the land. He said that he has the coverage information with all the predictions here. If there is anyone who can understand the technical aspects, then the document is available to all. MTN only employs people as consultants that have been certified by the Department of Environment as independent consultants according to legislation and principles stipulated by the Department of Environment.
- 4.81 RS said that there is a query as to the reliability of the maps, as people have said that they have reception.

- 4.82 AP said it depends how you define reception. He says that he is not saying that there is no reception, there is reception but with problems. That is what MTN is trying to address in all the streets mentioned.
- 4.83 RS said the information he is talking about the leaning direction, strength of the emissions....
- 4.84 AP said that this is part of the certification which would be included in the scoping report that the I & AP's will view.
- 4.85 NJ said that AP didn't even know that Vodacom was going to hitch onto the mast.
- 4.86 AP said that at the present he does not know when Vodacom will come on to the mast. He can not make a comment on something that he does not have full information on and he does not know how far the negotiations with Vodacom are. He came to assist on the health issues, the issues of coverage and the issues not handled through the EIA process.
- 4.87 RS said that he is not saying that MTN does not appoint qualified consultants, but rather that the people have lost confidence in Lokisa.
- 4.88 EH said that she will present this to MTN, and that this is the view point of the people of the area and that they must decide if they want to continue the process with LEC or if MTN want to appoint someone else.
- 4.89 Peter Thorpe (PT) handed over a signed submission with 2 addendums which basically sums up what RS said.
- 4.90 Chris Jones asked about the attendance register, he thinks that the names of the people attending should have been recorded as the people came in. He said that he thinks that the meeting was a bit chaotic and should have been more organized.
- 4.91 EH said that this was being minuted and in the future the meetings would be more organised.
- 4.92 IC asked about MTN saying that the government approval that they can provide service for was originally voice and not data. He said that they can currently get voice service.
- 4.93 AP said that they have a licence.
- 4.94 IC replied but not a mandate.
- 4.95 AP said a mandate also.
- 4.96 IC asked what about Vodacom, as they were not present at the meeting and therefore LEC and MTN were wasting everyone's time.
- 4.97 EH said that this will be minuted. She said that she will take this to MTN and find out if they still want Vodacom on the site.
- 4.98 AP said that the 21m tree masts cannot accommodate more than 1 network provider.
- 4.99 Alan Cunningham said that on the technical side, can MTN email Mr. Thorpe a diagram of this area showing where the towers are that are currently working providing the service that they want. So that they can make a decision to say that they are happy with that. He asked if all the comments and issues will be distributed to everybody.
- 4.100 EH said that this was part of the way forward.

5. Way forward

Elaine Holtzhausen

- 5.1 EH said that the minutes would be distributed to everyone for amendments and that they have 30 days to comment on the minutes.
- 5.2 EH explained that in the mean time LEC will be compiling the information that the I & AP's have requested.
- 5.3 She said that she will have to go back to MTN and tell them that LEC has never had the I & AP's trust and that it will be a rocky road in future if MTN continue with LEC as consultants on this site.
- 5.4 She said that the scoping report is to be submitted to the I&AP's for comment.

- 5.5 EH said that once we have received the comments the amended report is submitted to Environmental Affairs, who has to make a final decision. Once the final decision has been made then there is a 30 day appeal period for both sides – MTN and all the I & AP's.
- 5.6 PT said that if MTN do continue with LEC then there will be a rocky road ahead for MTN. He asked whether he can send an electronic format of the objections.
- 5.7 EH replied please send it to LEC electronically.
- 5.8 A resident asked where civil litigation comes in.
- 5.9 EH said that she is not a lawyer, but once the decision has been made by the Eastern Cape DEAET, that is when you go to court.
- 5.10 RS said that there are a number of opportunities - preliminary report can apply for judicial review, I & AP's can appeal against the decision. The important thing was to appeal in terms of legislation and review to court. He explained that MTN has a mandate to provide services but they still have to comply with laws.
- 5.11 PT stated that RS had been engaged to help the community
- 5.12 EH thanked everyone for being present and closed the meeting at 8:30pm.

6. Abbreviations

AP	Andrew Portokallis (MTN)
DEAET	Department of Economic Affairs, Environment and Tourism
EH	Elaine Holtzhausen (Lokisa Environmental Consulting)
EIA	Environmental Impact Assessment
EMF	Effective magnetic field(s)
G	Gentleman
I & AP's	Interested and affected parties
IC	Ian Clark
LEC	Lokisa Environmental Consulting (Pty) Ltd
MTN	Mobile Technologies Network
NJ	Noelene Jorgensen
PT	Peter Thorpe
RE	Rob Emmers
RS	Rob Smythendale
SS	Sasha Slogrove (Lokisa Environmental Consulting)