



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14822 (TP174/2022)

Our File Reference Number: Erf 4028, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir

APPLICATION FOR CONSENT USE AND DEPARTURE ON ERF 4028, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the application in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a Consent Use to allow for a 21m high freestanding base telecommunication station with associated equipment on Erf 4028, Stellenbosch.
 - 2.2 The application in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a departure to relax the street building line from 5m to 0m in order to accommodate the proposed 21m high freestanding base telecommunication station with associated equipment on Erf 4028, Stellenbosch.

BE APPROVED in terms of Section 60 of the said Bylaw:

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
 - 3.1 The approval applies only to a Consent Use and Departure in question as indicated on drawing no. CRDS2883 Rev01 sheet 1-5, dated 07 November 2022 and drawn by CR Design studio (See **Annexure C**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

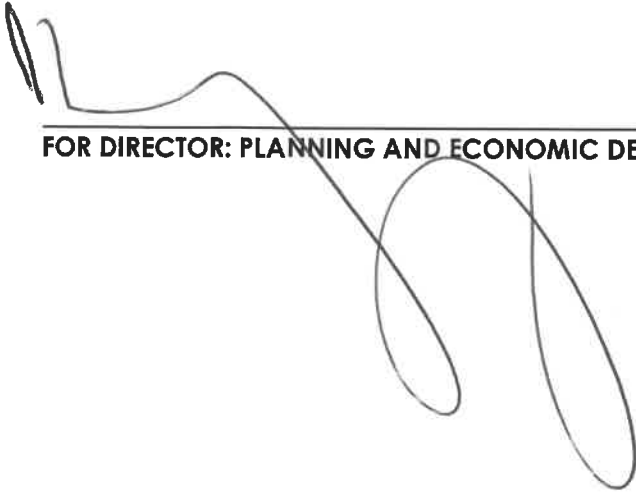
- 3.2 Access to the telecommunication infrastructure and associated equipment be strictly controlled at all times by means of a fence or wall with a locked door or gate to the satisfaction of the municipality
 - 3.3 Adequate warning signs in the three official languages must be displayed on the access door or gate, defining it as a no-go zone.
 - 3.4 The land owner / operator shall grant the Municipality access at all reasonable times to the installation, for the purpose of monitoring inspection and compliance certification.
 - 3.5 Building plan must be generally in accordance with the drawing no. CRDS2883 Rev01 sheet 1-5, dated 07 November 2022 and drawn by CR Design studio and attached as **Annexure C**.
 - 3.6 The consent use / departure be restricted to the fenced compound of the equipment room as depicted on the approved site development plan CRDS2883 Rev01 sheet 1-5, dated 07 November 2022 and drawn by CR Design studio.
 - 3.7 The equipment container or any boundary enclosure shall not be utilised for outdoor advertising purposes.
 - 3.8 The applicant / operator is responsible for ongoing maintenance of the entire installation as well as all costs with respect to such maintenance or future decommissioning of the telecommunication infrastructure.
 - 3.9 If the site is decommissioned the applicant / operator to remove all site infrastructure and the site to be rehabilitated to its former state or to a condition that is in line with the land use and character of the area at the time of decommissioning to the satisfaction of the Municipality.
 - 3.10 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the activity.
 - 3.11 The development shall be implemented substantially in accordance with the Site Development Plan CRDS2883 Rev01 sheet 1-5, dated 07 November 2022 and drawn by CR Design studio and attached as **Annexure C**.
4. The reasons for the above decision are as follows:
 - 4.1 The proposed use is in line with the objectives of the Stellenbosch Municipality Telecommunication mast policy;

- 4.2 The proposed freestanding base telecommunication station will increase the effectiveness and efficiency of the network in the area.
- 4.3 Existing established trees on the property will mitigate visual appearance of the mast on the property.
5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.
6. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:
- a. The personal particulars of the Appellant, including:
 - i. First names and surname
 - ii. ID number
 - iii. Company of Legal person's name (if applicable)
 - iv. Physical Address
 - v. Contact details, including a Cell number and E-Mail address
 - b. Reference to this correspondence and the relevant property details on which the appeal is submitted.
 - c. The grounds of the appeal which may include the following grounds:
 - i. that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
 - ii. grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
 - d. Whether the appeal is lodged against the whole decision or a part of the decision.
 - e. If the appeal is lodged against a part of the decision, a description of the part.
 - f. If the appeal is lodged against a condition of approval, a description of the condition.
 - g. The factual or legal findings that the appellant relies on.
 - h. The relief sought by the appellant.

- i. Any issue that the appellant wishes the Appeal Authority to consider in making its decision.
- j. That the appeal includes the following declaration by the Appellant:
 - i. The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
 - ii. That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.
7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za
8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The LU Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za
10. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

12. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

22/9/2023
DATE

COPIES TO:

[REDACTED]

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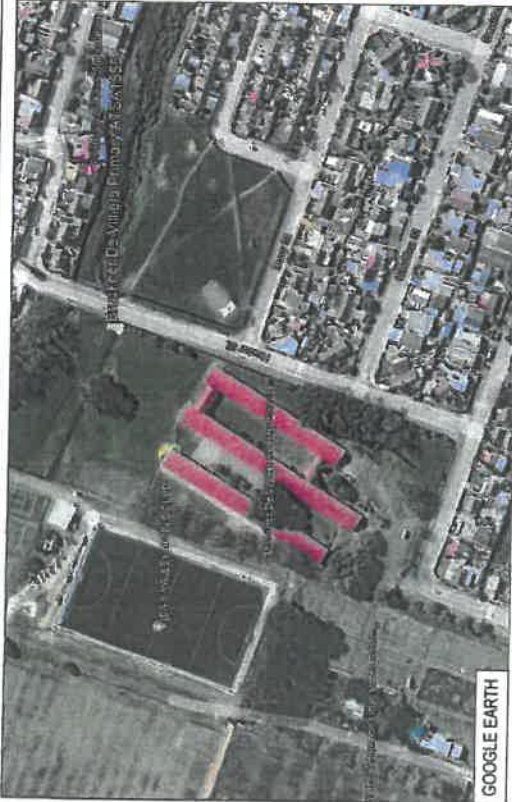
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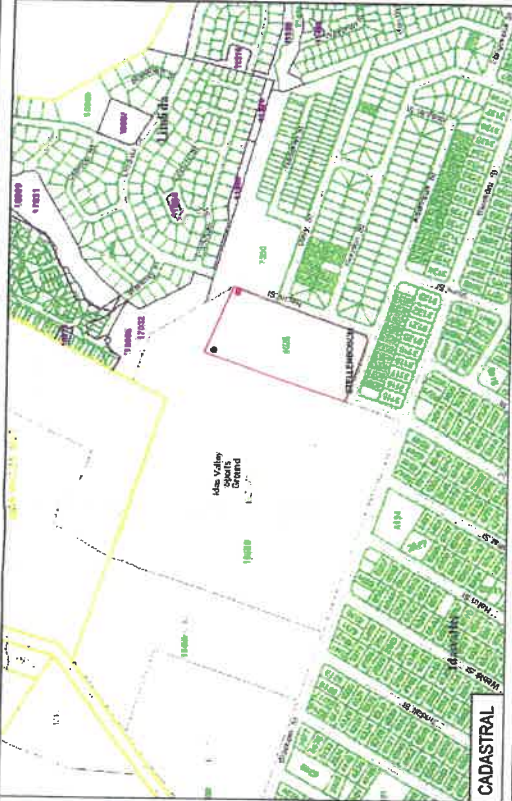
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Annexure C:
Building Plan



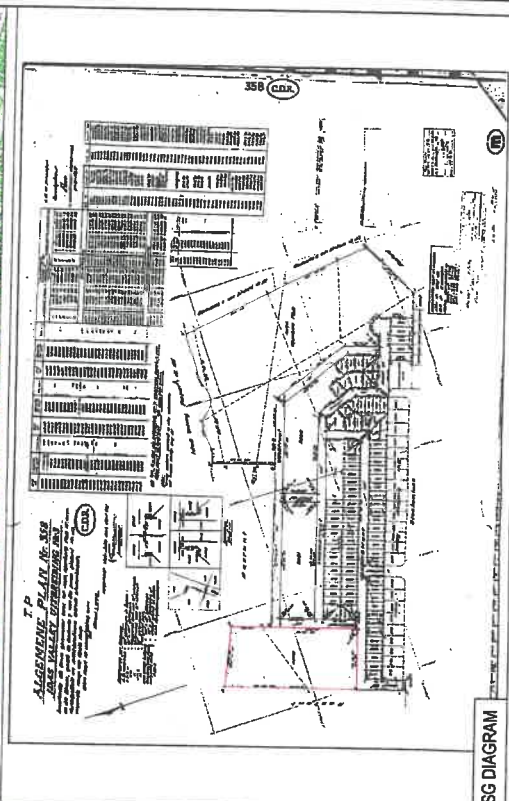
GOOGLE EARTH



CADASTRAL



AERIAL CADASTRAL
SITE LOCALITY
N.T.S.



SG DIAGRAM

Proposed 8m x 6m Base Telecommunications Transmission Station with 21m High Tree Mast
Bruckner De Villiers Primary ATSA1556

Project Description:
Site Name & Site ID:



Author:
CRD
 CAD Drawing Services

Property Particulars
Property Description: Erf 4028, Stellenbosch, Western Cape
Property Address: 2 Hector Street, (dassvallei, Stellenbosch, 7609
Site Co-ordinates: Lat: 33°59'38" S Long: 18°53'24.47" E 169m HAS.
 Do not scale. Drawings are in mm.

Owner Name: Provincial Government - Western Cape
SBA Rep:
Author Name: Charlotte Reinhardt
Date: 07 November 2022

Signatures		Drawing Ref.
Owner:		CRDS2883
SBA Rep:		Rev 01
		A3 Sheet:
		01 of 05

CR Design Studio (Pty) Ltd has prepared these CAD drawings based on information provided to CR Design Studio (Pty) Ltd by SBA. Townes South Africa (PTY) LTD and all CR and Structural steel designs are to be engineers design and detail. The engineer shall review these details prior to construction.

Notes:

Any unusual, unclear or incorrect construction methodology indicated on this drawing, must be brought to the attention of the principal agent, before commencing with any construction. This drawing must be read in conjunction with any other specification or consultant's drawings being referred to herein. Where local authority or government regulations require more stringent specification than shown herein, they are to be followed with prior consent of the owner.

Demolitions
Owner of the site shall not demolish any building on site prior to written permission from the local authority.

Site Operations & Excavations
Contractor is to check all dimensions and levels before commencing work and report any discrepancies to drawing service. Contractor is to confirm and ensure correctness of levels physically on site before commencing work.

Foundations
All foundations to engineers design and detail.

Fire Protection
to comply with SANS 10400-T: 2020 Regulation:

- 4.7 Fire stability of structural elements or components
- 4.8 Tenancy-separating elements
- 4.9 Partition walls and partitions
- 4.10 Protection of openings
- 4.28 Marking and signposting
- 4.32 Provision and maintenance of fire-fighting equipment, installations and fire protection systems
- 4.37 Portable fire extinguishers (CO₂ 4,5kg)

Area Schedule

Area of new development:	48 m ²
Site Area:	1,7131 ha

Project Description:

Proposed 8m x 6m Base Telecommunications Transmission Station with 21m High Tree Mast

Site Name & Site ID:

Bruckner De Villiers Primary ATSA1556

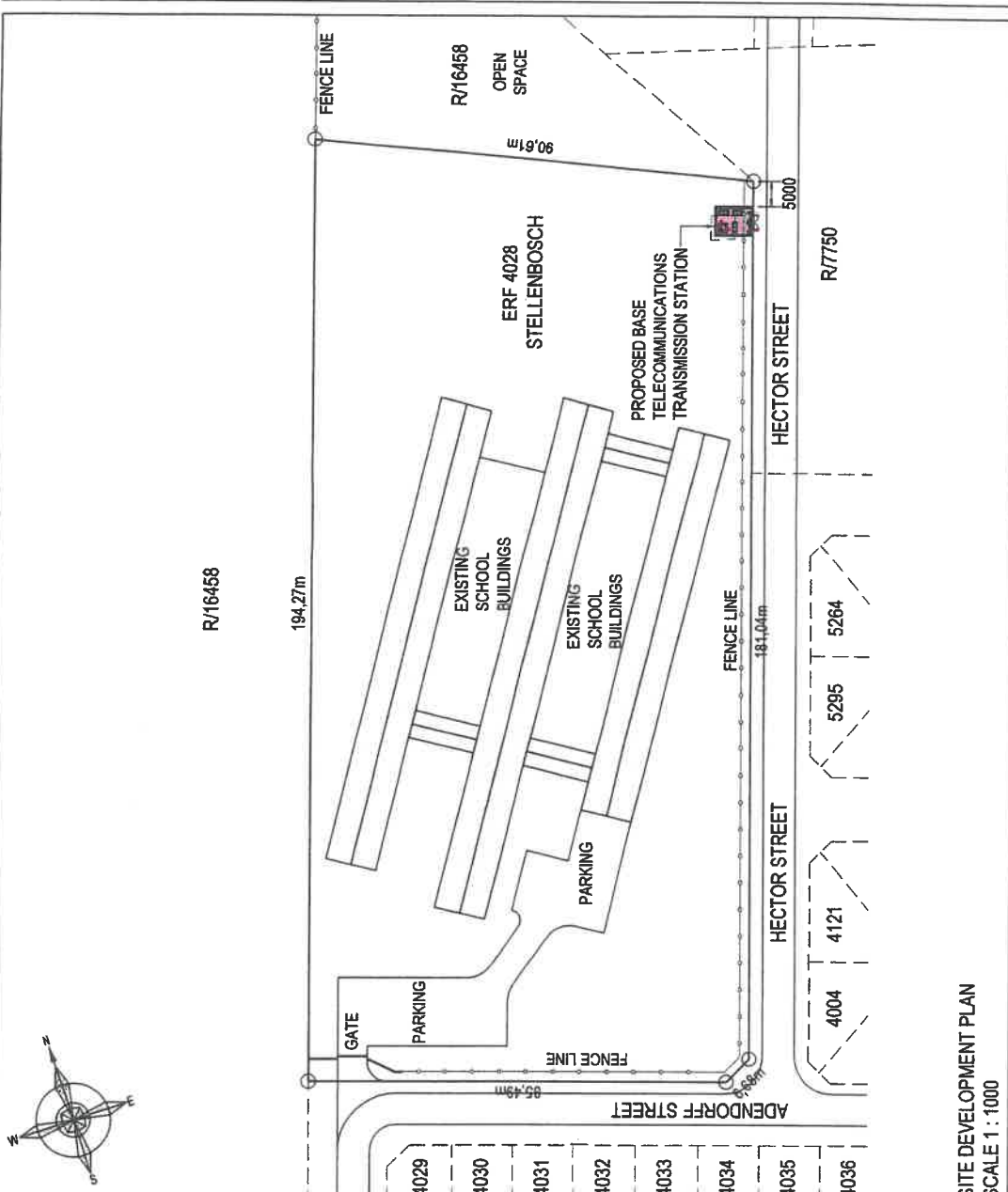
Client:



Author:



CR Design Studio (Pty) Ltd has prepared these CAD drawings based on information provided to CR Design Studio (Pty) Ltd. CR Design Studio (Pty) Ltd has not performed any engineering or design services for this project. The details provided herein are general recommendations from the building contractor and/or engineer contracted to SBA Towers South Africa (PTY) LTD and should not be used for construction. The engineer shall provide these details prior to construction.

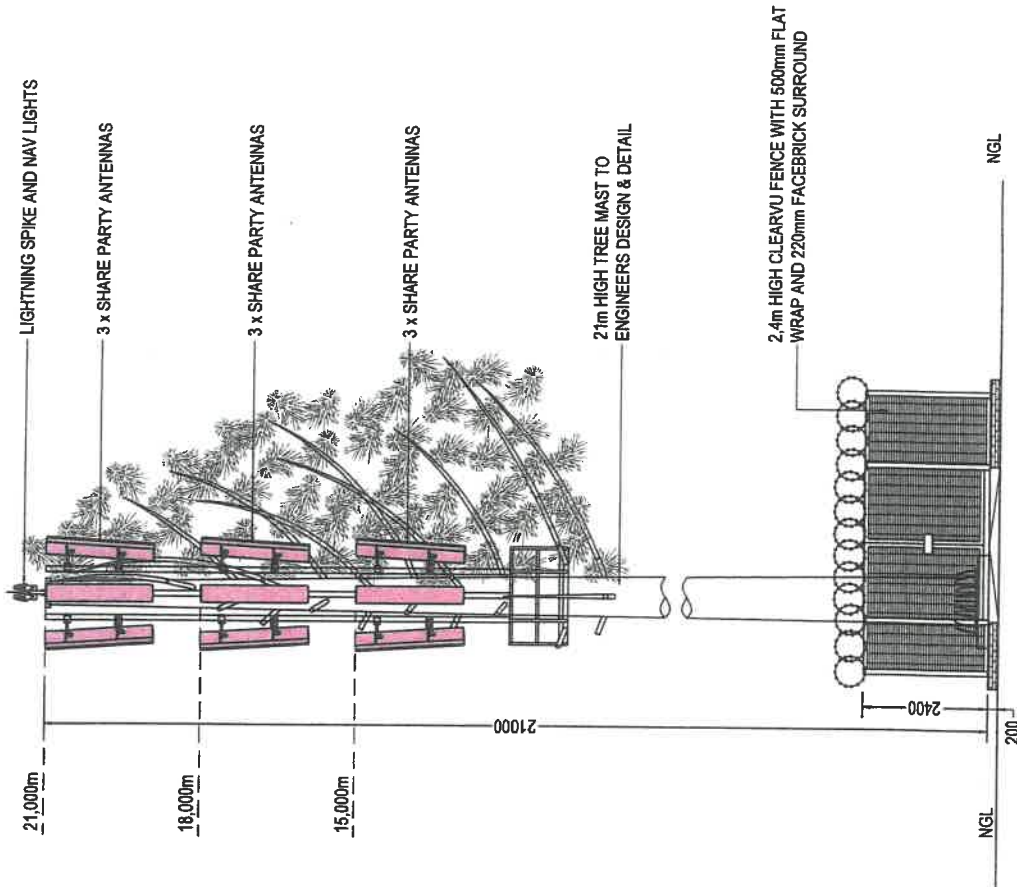


Property Particulars

Property Description:	Erf 4028, Stellenbosch, Western Cape	Owner Name:	Provincial Government - Western Cape
Property Address:	2 Hector Street, Idavallei, Stellenbosch, 7608	SBA Rep:	Charlotte Reinhardt
Site Co-ordinates:	Lat: 33°55'9.38"S Long: 18°53'24.47"E 168m HASL	Author Name:	07 November 2022
Do not scale. Drawings are in DTM.			

Signatures

Owner:		Drawing Ref:	CRDS2883
SBA Rep:		Rev 01	
		A3 Sheet:	02 of 05



SOUTH EAST ELEVATION
SCALE 1 : 100

Proposed 8m x 6m Base Telecommunications Transmission Station with 21m High Tree Mast
Bruckner De Villiers Primary ATSA1556

Client:



Author:



CAD Drawing Services

Property Particulars	
Property Description:	Erf 4028, Stellenbosch, Western Cape
Property Address:	2 Hector Street, Idesvallei, Stellenbosch, 7609
Site Co-ordinates:	Lat: 33°55'59.38"S Long: 18°55'24.47"E 1189m HASL
Do not scale. Drawings are in mm.	
Owner Name:	Provincial Government - Western Cape
SBA Rep:	
Author Name:	Charlotta Reinhardt
Date:	07 November 2022

Signatures		Drawing Ref.
Owner:		CRDS2883
SBA Rep:		Rev 01
		A3 Sheet:
		04 of 05

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