



**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14291

Our File Reference Number: Farm 712, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL** [REDACTED]

Sir / Madam

**APPLICATION FOR CONSENT USE ON FARM 712, STELLENBOSCH DIVISION**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw (2023) on Farm No. 712, Stellenbosch, namely:
  - 2.2 **Consent use** in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law (2015) for the construction of a freestanding telecommunication mast and base station.

**BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
  - 3.1 The approval only applies to the proposed consent use under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or bylaws or regulations that may be applicable.

- 3.2 Access to the telecommunication infrastructure and associated equipment be strictly controlled at all times by means of a fence with a locked gate to the satisfaction of the Municipality.
  - 3.3 No unauthorised person be able to come within 5m in front of the panel antennae.
  - 3.4 The consent use be restricted to the fenced compound of the 15m high mast and equipment room as depicted on the site plan, referenced Proposed 15m tree mast, Sheet 2.1 of 8, 3 of 8, and 4 of 8 dated 22/11/2022 and drawn by WPP Town and Regional Planning Consultants, attached as **APPENDIX B**.
  - 3.5 The mast, equipment rooms or any boundary enclosure is not utilized for outdoor advertising purposes.
  - 3.6 Adequate warning signs in the three official languages be displayed on the access door or gate, defining it as a no-go zone.
  - 3.7 The applicant/operator be 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.
  - 3.8 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.
  - 3.9 The landowner/operator grants the Municipality access at all reasonable times to the installation, for the purpose of monitoring inspection and compliance certification.
  - 3.10 The approval will lapse if not implemented within five years from the date of final notification of approval of the application.
  - 3.11 Building plans be submitted to this Municipality for consideration and approval for all new, extensions and alterations plans prior to construction commencing on site.
4. The reasons for the above decision are as follows:
- 4.1 The Freestanding Telecommunication Base Station (FSTBS) is needed to fill in the connectivity radius gap in the area to improve the signal for the benefit of the residential and business community.
  - 4.2 It is not envisaging that the health, safety and welfare of the community will be affected negatively by the proposed 15m high freestanding telecommunication mast.

4.3 The proposal complies with all relevant legislation and policies and no departmental objections was received.

5. Matters to be noted:

5.1 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

5.2 All electricity enquiries be directed to Eskom.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw 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.

7. 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:

a) First names and surname

b) ID number

c) Company of Legal person's name (if applicable)

d) Physical Address

e) Contact details, including a Cell number and E-Mail address

Reference to this correspondence and the relevant property details on which the appeal is submitted.

8. The grounds of the appeal which may include the following grounds:

a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)

b) 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.

c) Whether the appeal is lodged against the whole decision or a part of the decision.

8.1 If the appeal is lodged against a part of the decision, a description of the part.

7.2 If the appeal is lodged against a condition of approval, a description of the condition.

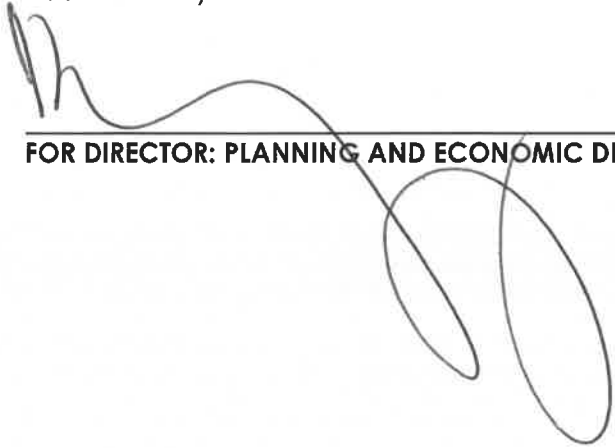
8.2 The factual or legal findings that the appellant relies on.

8.3 The relief sought by the appellant.

- 8.4 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.
- 8.5 That the appeal includes the following declaration by the Appellant:
- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
  - b) 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.
9. 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](mailto:landuse.appeals@stellenbosch.gov.za)
10. 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.
11. 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](mailto:landuse.appeals@stellenbosch.gov.za)
12. 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.
13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13. 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



A handwritten signature in black ink, consisting of a series of loops and curves, positioned above a horizontal line.

---

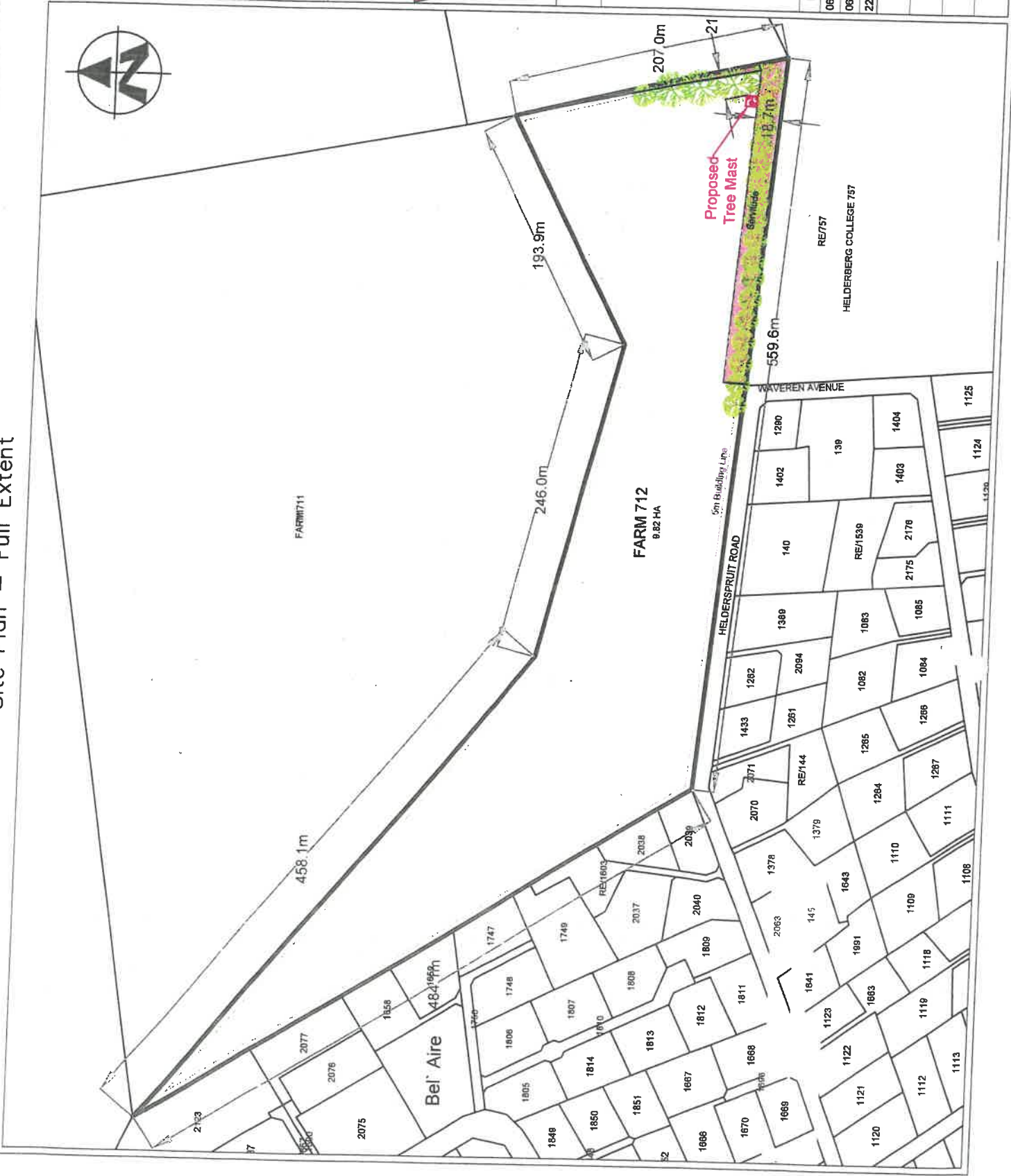
**FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT**

15/2/2024  
DATE

## **APPENDIX B**

### Site and building plans

# Site Plan - Full Extent



**TOWN AND REGIONAL PLANNING CONSULTANTS**  
**SITE ID:** BEL AIRE - FARM 712  
**SITE NAME:** BEL AIRE - FARM 712  
**PROPERTY DESCRIPTION:** REMAINDER OF FARM 712, STELLENBOSCH

**ADDRESS:** 33 HELDERSPRUIT ROAD, SOMERSET WEST / STELLENBOSCH

**CO-ORDINATES:** Lat: -34.046854 Long: 18.841458  
**ELEVATION:** 265m



**TOWN AND REGIONAL PLANNING CONSULTANTS**  
 Unit 11, 3rd Floor, North Building, Bidweg, Century City, Cape Town.  
 Tel: (021) 662 5265 Fax: 088 537 8187 P.O. Box 192, Century City, 7448

**PROJECT:** PROPOSED 15M TREE MAST

**NOTES:**  
 A) NEW 15M TREE MAST  
 B) CUSTOM BASE STATION  
 C) CLEAR/FENCE TO MATCH EXISTING FENCE  
 D) SITE TO BE CUT & FILL TO STREET LEVEL  
 E) POWER IS AVAILABLE ON SITE  
 F) SITE SIZE: APPROXIMATELY 6450M  
 G) BASE STATION: CHIP STONE SURFACE  
 H) ZONING: AGRICULTURAL AND RURAL ZONE (AR)  
 I) ACCESS TO BE GAINED THROUGH SOUTHERN BOUNDARY SERVITUDE

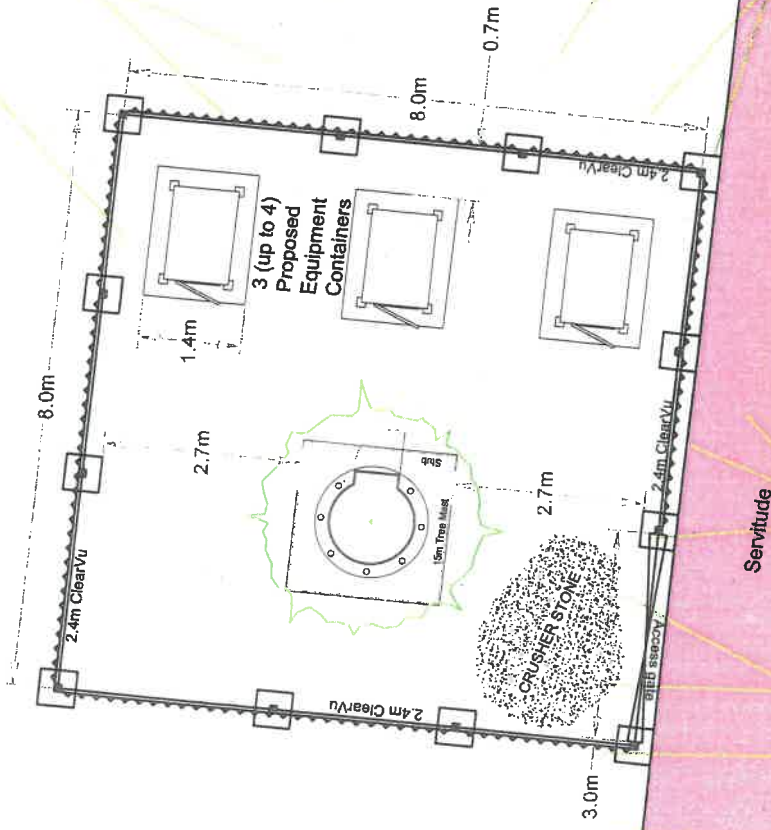
DATE	DESCRIPTION	REVISION
06/05/2022	1st Issue	0
06/07/2022	1st Issue	1
22/11/2022	1st Issue	2

**DRAWING NUMBER:** 2.1 OF 8  
**DRAWING TITLE:** SITE PLAN - FULL EXTENT  
**DRAWN:** S vd Merwe  
**SCALE:** 1:3800  
**DATE:** 22/11/2022  
**REVISION:** 2



Top View

FARM 712



**TOWN AND REGIONAL PLANNING CONSULTANTS**  
 SITE ID: BEL AIRE - FARM 712  
 SITE NAME: BEL AIRE - FARM 712  
 PROPERTY DESCRIPTION: REMAINDER OF FARM 712, STELLENBOSCH

**ADDRESS:**  
 33 HELDERSPRUIT ROAD,  
 SOMERSET WEST / STELLENBOSCH

**CO-ORDINATES:**  
 Lat: -34.046854  
 Long: 18.841458  
**ELEVATION:**  
 265m



**TOWN AND REGIONAL PLANNING CONSULTANTS**  
 Unit H, 3rd Floor  
 Main Building, Redgowan,  
 Century City, Cape Town,  
 7746  
 Tel: (021) 562 9295  
 Fax: 086 637 9187

**PROJECT:** PROPOSED 15M TREE MAST  
**NOTES:**  
 A) NEW 15M TREE MAST  
 B) CUSTOM BASE STATION  
 C) CLEARVU FENCE (TO MATCH EXISTING FENCE)  
 D) SITE TO BE CUT & FILL TO STREET LEVEL  
 E) POWER IS AVAILABLE ON SITE  
 F) SITE SIZE: APPROXIMATELY 6480M  
 G) BASE STATION: CHIP STONE SURFACE  
 H) ZONING: AGRICULTURAL AND RURAL ZONE (AR)  
 I) ACCESS TO BE GAINED THROUGH SOUTHERN BOUNDARY SERVITUDE

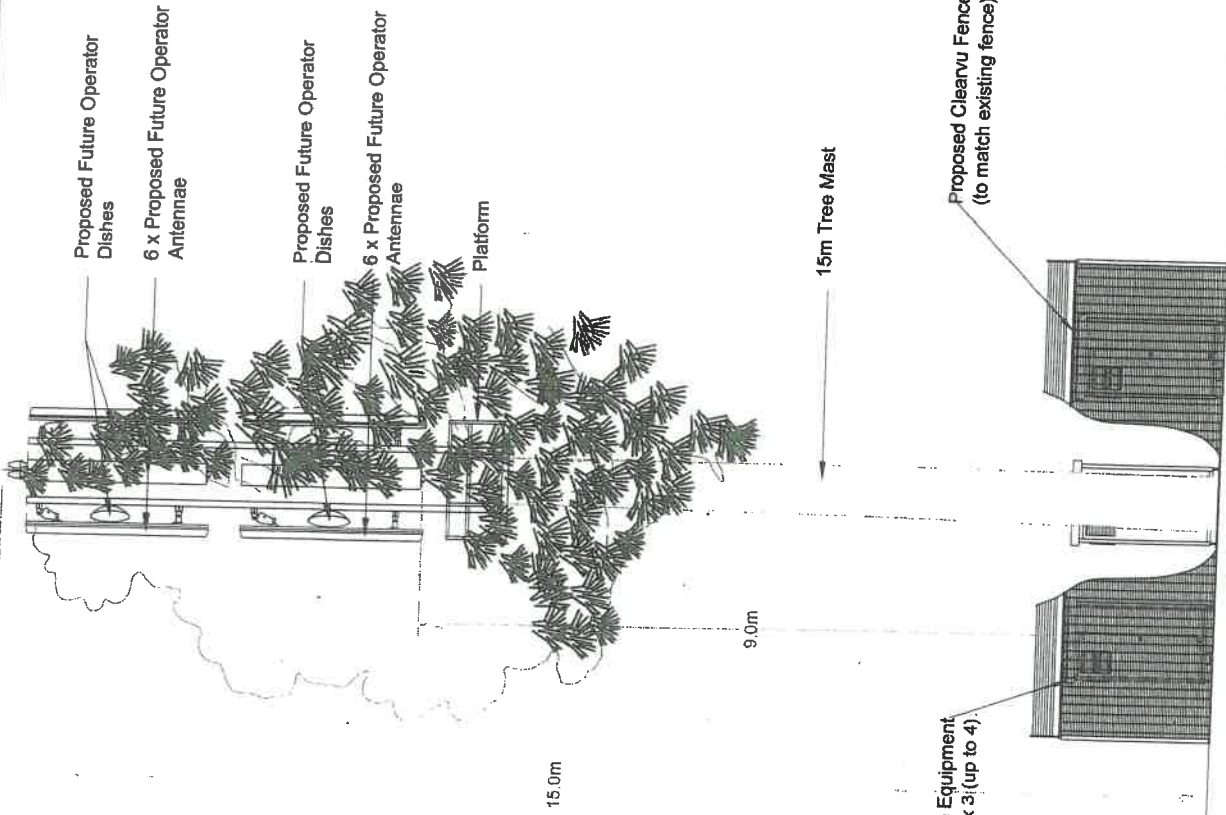
DATE	DESCRIPTION	REVISION
06/05/2022	1st Issue	0
06/07/2022	1st Issue	1
22/11/2022	1st Issue	2

**DRAWING NUMBER:** 3 OF 8  
**SHEET:** 3 OF 8  
**DRAWING TITLE:** TOP VIEW  
**DRAWN:** S vd Merwe  
**SCALE:** 1:100  
**DATE:** 22/11/2022  
**REVISION:** 2




# Elevation

**NOTE:** Advisory or warning signage including a pictogram may be a requirement for TMI. Such signage shall identify the property and the TMI and shall warn the general public as required. Such signage shall be to the City's satisfaction and may not be larger than 400mm x 500mm.



8.0m  
15m Tree Mast



**TOWN AND REGIONAL PLANNING CONSULTANTS**

**SITE ID:** BEL AIRE - FARM 712


**SITE NAME:** BEL AIRE - FARM 712

**PROPERTY DESCRIPTION:** REMAINDER OF FARM 712, STELLENBOSCH

**ADDRESS:** 33 HELDERSFRUIT ROAD, SOMERSET WEST / STELLENBOSCH

**CO-ORDINATES:** Lat: -34.046854 Long: 18.841458

**ELEVATION:** 265m



**TOWN AND REGIONAL PLANNING CONSULTANTS**

Unit H, 3rd Floor  
Tel: (021) 692 5265  
Fax: 086 837 8167  
P.O. Box 182,  
Market Building, Bridgeway,  
Century City, Cape Town  
7448

**PROJECT:** PROPOSED 15M TREE MAST

**NOTES:**

- A) NEW 15M TREE MAST
- B) CUSTOM BASE STATION
- C) CLEARAVU FENCE (TO MATCH EXISTING FENCE)
- D) SITE TO BE GRUBBED & FILL TO STREET LEVEL
- E) PAVING IS AVAILABLE ON SITE
- F) SITE SIZE: APPROXIMATELY 6450M<sup>2</sup>
- G) BASE STATION: CHIP STONE SURFACE
- H) ZONING: AGRICULTURAL AND RURAL ZONE (AR)
- I) ACCESS TO BE GAINED THROUGH SOUTHERN BOUNDARY SERVITUDE

DATE	DESCRIPTION	REVISION
06/05/2022	1st Issue	0
08/07/2022	1st Issue	1
22/11/2022	1st Issue	2

**DRAWING NUMBER:** 4 OF 6  
**SHEET:** 4 OF 6

**DRAWING TITLE:** ELEVATION

**DRAWN:** S vd Merwe  
**SCALE:** 1:120

**DATE:** 22/11/2022  
**REVISION:** 2