



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15279(TP144/2022)

Our File Reference Number: Erf 4, Franschhoek

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR CONSENT USE ON ERF 4, FRANSCHHOEK

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 Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015, for consent use in order to permit a freestanding base telecommunication station (fibre node base station) on Erf 4, Franschhoek;

BE APPROVED in terms of Section 60 of the said By-law and subject to conditions of approval.
 - 2.2 The approval is subject to the following **conditions** imposed in terms of Section 66 of the said By-law:
 - 2.2.1 The approval only applies to the proposed application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or By-laws or Regulations that may be applicable.
 - 2.2.2 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.

- 2.2.3 The development be undertaken in accordance with the referenced Site Plan with Drawing No. 03 and Base Station Layout Plan with Drawing No. 04, both dated 01/09/2022 and drawn by SFP Town Planning, and attached as **Annexure B**
- 2.2.4 Building plans must be submitted for all work and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.
- 2.2.5 Building plans must be in accordance with the referenced Site Plan with Drawing No. 03 and Base Station Layout Plan with Drawing No. 04, both dated 01/09/2022 and drawn by SFP Town Planning, and attached as **Annexure B**.
- 2.2.6 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.
- 2.2.7 The finishing and colour of the telecommunication infrastructure and associated equipment must be kept in keeping with the buildings located on the subject property.
- 2.2.8 The telecommunication infrastructure and associated equipment or any boundary enclosure shall not be utilised for outdoor advertising purposes.
- 2.2.9 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.
- 2.2.10 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. The reasons for the above decision are as follows:

- 3.1 Proposal is compliant with the Telecommunication Mast Policy, and the use is compatible with the Industrial zoning of the property.

Matters to note:

- 3.2 A recoverable cost application to the Municipality is required at the cost of the applicant/owner if any electrical services are moved, removed, changed or upgraded.
- 3.3 Only the existing electrical connection is available and the proposal is subject to SANS 10142,204-1-2008, energy savings and efficiently implementation and Municipal by-laws.

- 4. 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.

5. 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.

6. 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.

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

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

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

6.4 The relief sought by the appellant.

6.5 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

6.6 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.

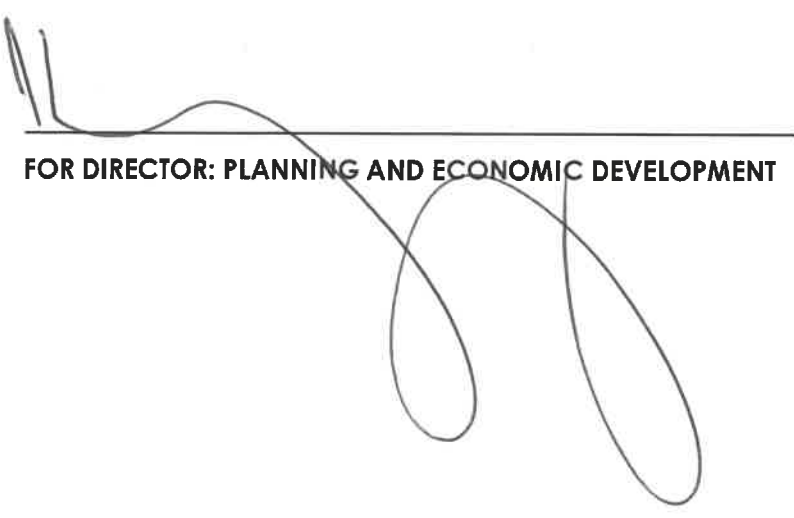
7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address:
landuse.appeals@ Stellenbosch.gov.za

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

19/1/2024
DATE



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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE B

SITE PLAN



Frogfoot
Just connect

SITE NAME:

FRANSCHHOEK

SITE NUMBER:

FRG-740560

REV

DATE

NOTES

0 2022-09-01 1st Issue

DATE: 01/09/2022

DRAWN: K. KOCH

PAGE SIZE: A3

NOTES:

- FROGFOOT TO INSTALL NEW GENERATOR AT THE BACK OF THE CLASS B CONTAINER AS INDICATED IN PROJECT PLAN
- FROGFOOT TO EXTEND PULSAR FENCE BY 1.5m
- SIZE OF GENERATOR 2470mm x 900mm
- SIZE OF PLANT 1287mm x 1350mm

1x 8kg DCP fire extinguisher on each container & to be installed, maintained & serviced in accordance with SANS 1475-1 & SANS 19400 Part 1 (2011)

1. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.

PROPERTY DESCRIPTION:

Erf 4

Franschhoek Township

CO-ORDINATES:

Lats: -33.906757

Longs: 19.113995

HASL:

256m

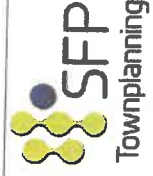
PROJECT:

NODE INSTALLATION SITE

ADDRESS:

Cabriere Street

Franschhoek, Western Cape



SITE PLAN

SCALE:

1:1500

DATE:

2022-09-01

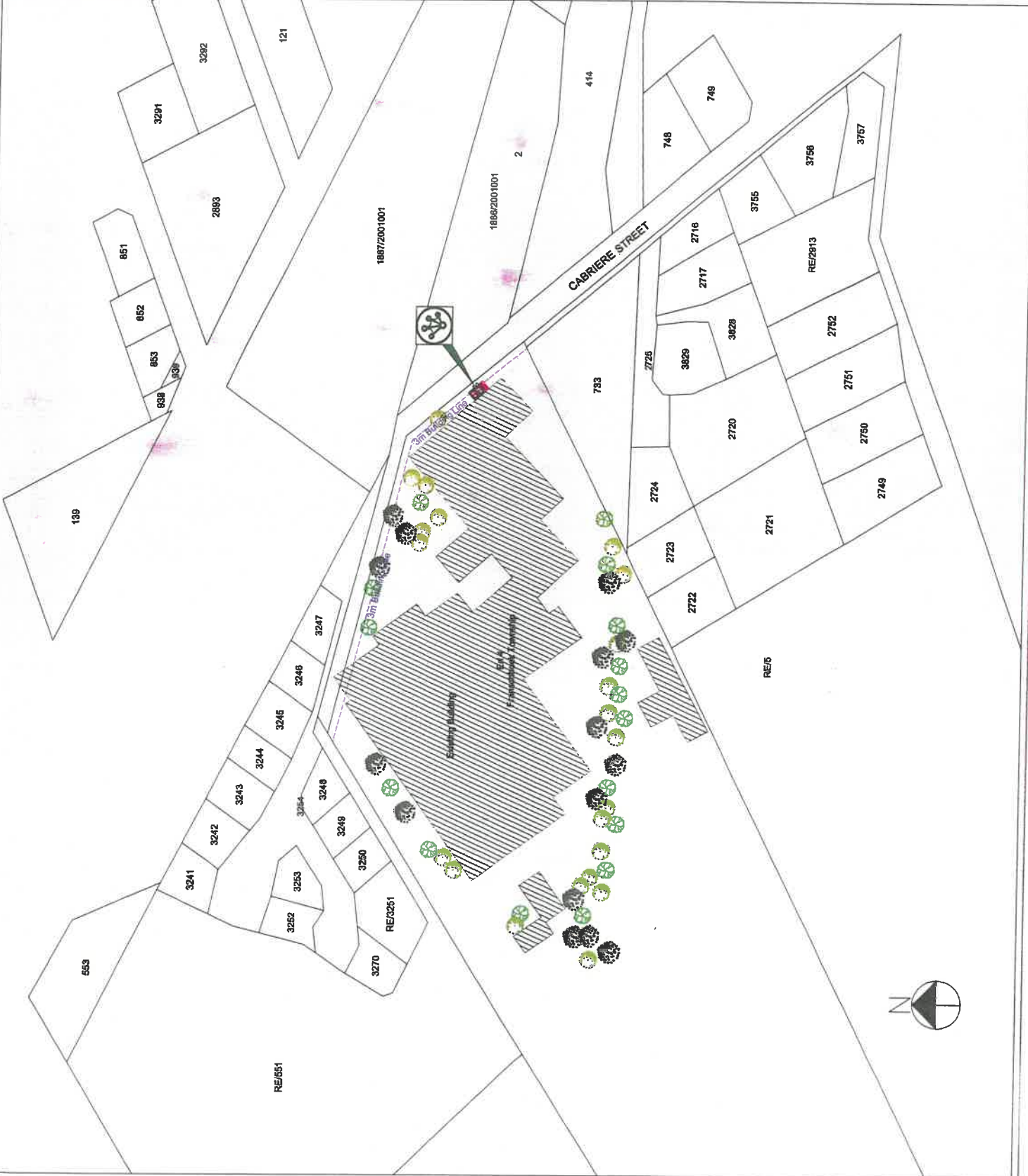
PAGE:

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DWG NO:

03

R0





Frogfoot
Just connect

SITE NAME:

FRANSCHHOEK

SITE NUMBER:

FRG-740560

REV

DATE

NOTES

0

2022-09-01

1st Issue

DATE: 01/09/2022

DRAWN: K. KOCH

PAGE SIZE: A3

NOTES:

- FROGFOOT TO INSTALL NEW GENERATOR AT THE BACK OF THE CLASS B
- FROGFOOT TO EXTEND PALISADE FENCE BY 1.5m
- SIZE OF GENERATOR 2400mm x 2000mm
- SIZE OF PLINTH 2000mm x 1500mm

1x 9kg DCP fire extinguisher on each container & to be installed, maintained & serviced in accordance with SANS 1475-1 & SANS 19400 Part 1(2011)

1. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.

PROPERTY DESCRIPTION:

Erf 4
Franschhoek Township

CO-ORDINATES:

Lats: -33.906757

Longs: 19.113995

HASI:

256m

PROJECT:

NODE INSTALLATION SITE

ADDRESS:

Cabriere Street
Franschhoek, Western Cape



Townplanning

BASE STATION LAYOUT

SCALE:

1:50

DATE:

2022-09-01

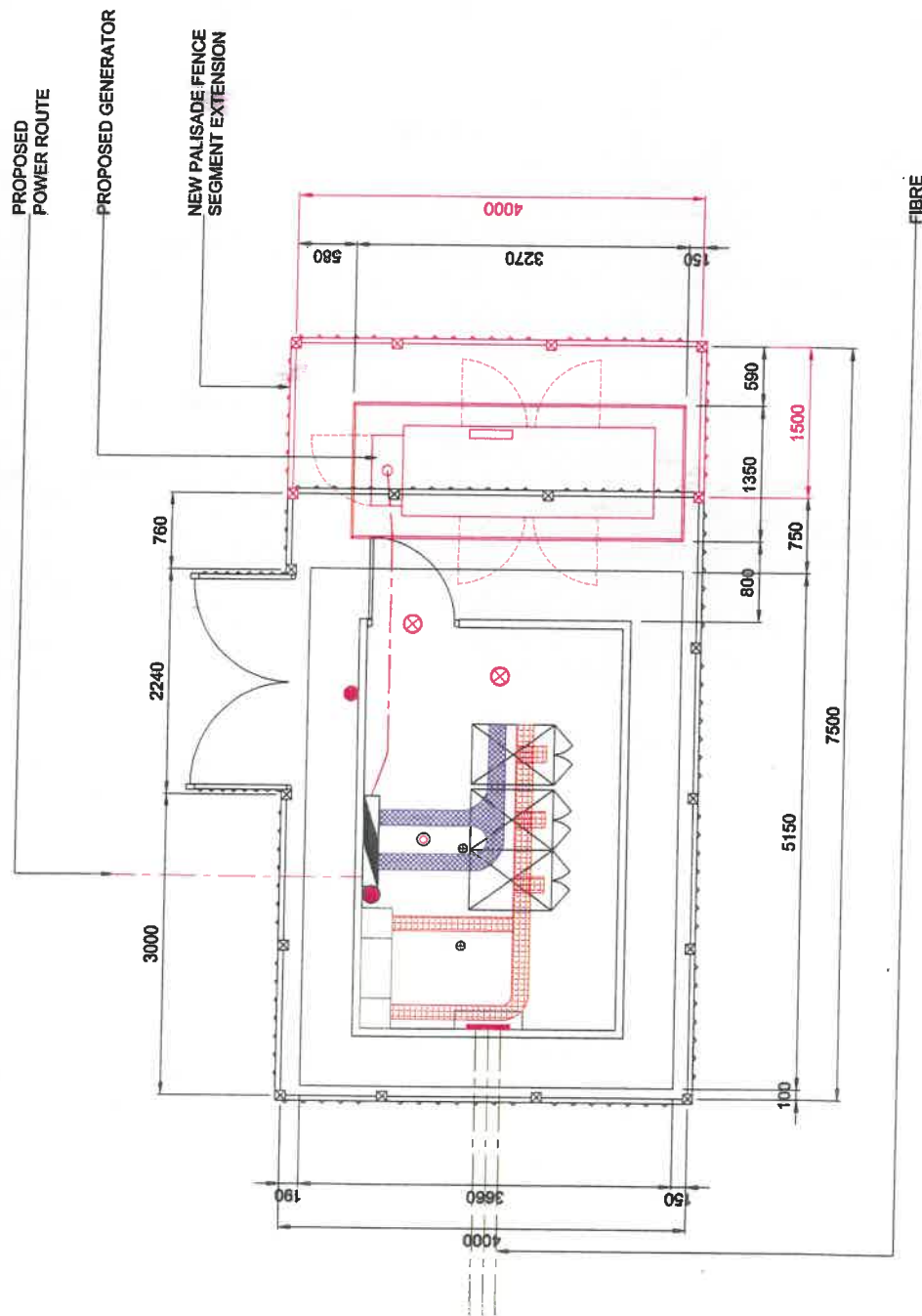
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DWG NO:

04

R0



LEGEND:

10kg CO₂ FIRE EXTINGUISHER

