

MASIPALA WASE THEEWATERSKLOOF MUNISIPALITEIT

Munisipale Kantoor/Municipal Office
Pleinstraat/Plein Street
Posbus/P.O Box 24
twkmun@twk.org.za
CALEDON
7230



Tel. no.: 028 214 3300
Faks/Fax no.: 028 214 1289
E-pos/E-mail:

Our Reference Number: GRA/3881
Your Reference Number:
Enquiries: Enquiries: S du Toit, 028 214 3300 / sunetdu@twk.org.za

Date: 27 August 2018

REGISTERED MAIL

TTP-Consult
P O Box 47
DURBANVILLE
7550

(E-MAIL: doep@ttp-consult.co.za)

DECISION LETTER TO APPLICANT

Dear Mr Muller

APPLICATION FOR PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME AND DEPARTURE : ERF 3881, GRABOUW.

1. This Municipality's letter dated 12 April 2018, refers.
2. The Authorised Employee, 27 August 2018 **approved, in whole** your application for the following series of applications as per **Site Development Plan No CTC_WC_2056 dated 06/11/17** drawn by TPP Consult in terms of Section 60 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015 for:
 - 2.1. **Permanent Departure** from the **Street Building and common building line** (10 meters to 0,0 meters); and
 - 2.2. **Permission required in terms of the Zoning Scheme** (for the erection of a **25 meter high** freestanding base telecommunications station).
3. **Reasons** for the above decision are as follows:
 - 3.1. The proposed development is in line with the applicable Development Principles as contained in SPLUMA and LUPA.
 - 3.2. The proposal will ensure optimal use of existing municipal engineering services.
 - 3.3. The proposed use will have no detrimental impact on the character of the surrounding area.

- 3.4. No change in zoning is proposed; the proposal is allowed as of right and will have no impact on the continued use of the existing structures.
 - 3.5. The proposal will not impact on the engineering services and the character of the area.
 - 3.6. The proposed base station is placed in the most appropriate location on-site, thus minimal impact (if any at all) on the street scape of the area.
4. The abovementioned approval is subject to the following **conditions** in terms of Section 66 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning:
- 4.1. This approval is valid for 5 years after which it shall lapse if not exercised in terms of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning (2015);
 - 4.2. All applicable zoning parameters shall remain in force and must be adhered to;
 - 4.3. Complete building plans must be submitted to the Municipality, before any construction activities commence;
 - 4.4. That the applicant constructs a 25m high freestanding base telecommunication mast camouflaged as a tree;
 - 4.5. The mast and other infrastructure (equipment containers and fence) must be painted a suitable colour in order to further mitigate the freestanding base station and ultimately blend in with its surrounding urban environment;
 - 4.6. Access control measures must be implemented to ensure that unauthorised persons do not gain access to the public exclusion zone;
 - 4.7. That the service provider / operator / lessee are 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;
 - 4.8. That the service provider / operator / lessee shall remove all decommissioned infrastructure, and where the site has been disturbed, shall rehabilitate the site to its original state or a state acceptable to the Director Development Services or her/his delegate;
 - 4.9. That all conditions as per ESKOM letter dated 05/06/18 be complied with;
 - 4.10. That the service provider / operator / lessee shall maintain the requirements of Section 17.5 of the Theewaterskloof Zoning Scheme regulations pertaining to Radio Frequency Emissions and in the event that such measurement shows that the ICNIRP public exposure standard is exceeded, this approval shall lapse and the Municipality shall cause the cellular telecommunication infrastructure to be decommissioned at the cost of the service provider / operator / lessee and
 - 4.11. The approval of this application does not exempt the applicant/developer from compliance of any other legislation.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) & 80 of the said legislation.
- 5.1. The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Theewaterskloof Municipality, 6 Plein Street, Caledon, 7230 telephone: 028 214 3300, within 21 days of notification of this decision together with proof of payment of the appeal fee.
 - 5.2. You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine (see attached list). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
 - 5.3. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

6. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Yours faithfully

A handwritten signature in black ink, appearing to read 'JC Pienaar', with a long horizontal flourish extending to the right.

JC PIENAAR

MANAGER: TOWN PLANNING AND BUILDING CONTROL

CTC_WC_2056 - Christian Sending Grabouw



Note: = Existing Buildings



SITE INFORMATION

Site Name & Number:
CTC_WC_2056
Christian Sending Grabouw

Property Description:
Erf 3831 Grabouw,
Christian Sending
Wabian Cape

Project:
Greenfield
25m Monopole Mast
Coast to Coast

Latitude:	-34.159649°	Longitude:	18.980339°	ASL:	367m
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Notes:

PRELIMINARY:
 - THIS IS A PRELIMINARY DESIGN AND NOT A FINAL DESIGN.
 - THE CLIENT HAS TO VERIFY ALL DIMENSIONS AND SPECIFICATIONS.
 - THE CLIENT HAS TO VERIFY ALL DIMENSIONS AND SPECIFICATIONS.
 - ALL WORK TO COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.
 - THE CLIENT HAS TO VERIFY ALL DIMENSIONS AND SPECIFICATIONS.
 - THE CLIENT HAS TO VERIFY ALL DIMENSIONS AND SPECIFICATIONS.

Disclaimer:
 The information contained herein is for general guidance only and does not constitute an offer of any financial product or service. The information is subject to change without notice. The information is provided as is and without any warranty, express or implied. The information is not intended to be used for any purpose other than that for which it is provided. The information is not intended to be used for any purpose other than that for which it is provided.



Coast to Coast Towers (Pty) Ltd
 3 Henley House
 Wellington Park, Wellington Road
 Cell: 072 740 4231
 Email: jandine@ctctowers.co.za

Track:	Initial:	Signature:	Date:
Designation:	Name:	Signature:	Date:
Design Approval:	Date:	Signature:	Date:
Technical Approval:	Date:	Signature:	Date:
Approved for Issue:	Date:	Signature:	Date:
Scale:	N/A		
Drawing Reference:	N/A		
ERF PLAN SHEET A0305	Site No.: CTC 2056 Revision: A		
	Site Name: Christian Sending Grabouw		

SUNET DU TOIT
Erf 3881
GRABOW

Date:
05 – 06 - 18

Enquires:
Phumeza Qwashu
Tel: 021 980 3269
Fax: 021 980 3053

SIR/MADAM

PROPOSED CONSTRUCTION: APPLICATION FOR CONSENT AND PERMANENT DEPARTURE, ERF 3881, GRABOW.

OUR REF: 01195- 18

Eskom has no objection to the proposed work as indicated in your application provided that the following conditions are adhered to:

- I. No building may be erected or work done within **3 (THREE) metres** from any Eskom **11 /22 kV power line** or Bundle conductors.
- II. No building may be erected within **3 (THREE) metres** from any Eskom underground cable.
- III. The location of the cable from the Eskom transformer to the distribution box must be pointed out to the contractor by the owner and is the owner's responsibility.
- IV. A copy of this letter / documentation must be handed to the contractor who must have it available on site.
- V. That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.

That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:

- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above.
- ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules.
- iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom.
- iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.

Western Region
Eskom Road, Brackenfell, 7560
PO Box 222, Brackenfell, 7561

Eskom Holdings SOC Limited Reg No 2002/015527/06



- v. Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- vi. The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- vii. Eskom shall at all times have unobstructed access to and egress from its services.
- viii. Any development which necessitates the relocation of Eskom's services will be to the account of the developer.

PLEASE CONTACT AND MAKE APPOINTMENT: GRABOW CNC, SYDNEY MULLINS – 021 859 8020 BEFORE WORKING IN CLOSE PROXIMITY TO ANY ESKOM OVERHEAD POWER LINES.

The above is a requirement under the **Occupational Health and Safety Act (Act No. 85 of 1993)** to ensure safety.

Please apply to your local Eskom office (Sales and Customers) for a new electricity connection or an increase in your supply.

Should it be necessary to move any of the Eskom services a written request must be given to the local Eskom office. It must be noted that it will take 3 month or longer to move any power line and that the cost of moving a power line will be for the applicant's account.

Yours sincerely



**PHUMEZA QWASHU
LAND DEVELOPMENT**

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APPEAL FORM

(Section 79 of the Proposed Standard Draft By-law on Municipal Land Use Planning)

KINDLY NOTE: Please complete this form using BLOCK capitals and ticking the appropriate boxes. Append this form to your letter of appeal which must comply with section 80 of the Theewaterskloof Standard By-law on Municipal Land Use Planning.

PART A: APPEAL

Are you appealing against the decision made by the authorised employee or Tribunal?	Y	N	If Yes, indicate in Part E if the appeal is lodged against the whole decision or part thereof. If the latter applies provide a description of the part.
Are you appealing in respect of the failure of the authorised employee or Tribunal to make a decision within the period contemplated in section 57(1) or (2)?	Y	N	If Yes, provide facts that prove the failure in Part E.
Are you appealing against the condition(s) of approval imposed by the authorised employee or Tribunal?	Y	N	If Yes, list relevant condition(s) and provide a description in Part E.
Is your appeal based on and primarily concerned with the process followed prior to the authorised employee or Tribunal decision?	Y	N	If Yes, specify in Part E.
Is your appeal based on and primarily concerned with the merits of the land development or land use application on which it is believed that the authorised employee or Tribunal erred in coming to the conclusion?	Y	N	If Yes, specify in Part E.
Date of decision	DD/MM/YYYY		Date receiving notice of decision
Who took the original decision?	<input checked="" type="checkbox"/>	Authorised employee	<input checked="" type="checkbox"/> Tribunal

PART B: APPELLANT'S DETAILS

First name(s)	
Surname	

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 Faks/Fax no.: 028 214 1289
 E-pos/E-mail: twkmun@twk.org.za

Company or legal person's name <i>(if applicable)</i>				
Postal address				Postal Code
Email				
Tel		Fax		Cell

PART C: APPELLANT'S PROPERTY DESCRIPTION *(Property that is affected by proposed development)*

Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.				
Physical Address				
GPS Coordinates		Town/City		

PART D: PROPERTY DESCRIPTION OF PROPOSED LAND DEVELOPMENT

Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.				
Physical Address				
GPS Coordinates		Town/City		

PART E: APPEAL MOTIVATION AND REASONS*

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* Appeal motivation, information and reasons may be attached.

PART F: APPEAL FEE (for completion and use by official)

Appeal	R
TOTAL APPEAL FEES*	R

* Appeal fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.

BANKING DETAILS

Name:

Bank:

Branch no.:

Account no.:

Payment reference:

(If applicable)

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION

Complete the following checklist and attach all the information and documentation relevant to the appeal.

Y	N	Proof of payment of appeal fees (applicant)	Y	N	Proof of serving notice of appeal (applicant)
Y	N	Copy of decision and proof of notification	Y	N	Copy of conditions of approval
Y	N	Motivation and reasons for appeal	Y	N	Other (specify)

SECTION H: DECLARATION

I hereby wish to confirm the following :

- That the information contained in this appeal form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of section 85(1)(e) of the said legislation to supply particulars,

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information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.

Appellant's signature: _____

Date: _____

Full name: _____

FOR OFFICE USE ONLY

Date received:

Received by:

Municipal Stamp