



Coll No: (18052780)  
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Tel No: (021) 807- 4770  
Date: 29 November 2023

EC/JA  
15/4/1 (F585/14) P

Warren Petterson Planning  
P.O Box 152  
**CENTURY CITY**  
7446

E-mail: [dloots@wpplanning.co.za](mailto:dloots@wpplanning.co.za)

Sir

## APPLICATION FOR CONSENT USE: PORTION 14 OF FARM 585 PAARL DIVISION

Your above mentioned application refers,

1. **Approval has been granted** in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the following:
  - 1.1 **Consent Use** in order to establish a telecommunication base station, consisting of a lattice mast with a maximum height of 15m with associated infrastructure ( $\pm 100\text{m}^2$ ) on Portion 14 of Farm 585 Paarl;
2. The approval mentioned in Paragraphs 1 above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein By-law on Municipal Land Use Planning, 2018:
  - 2.1 Adherence to the conditions laid down in the memorandum of the Drakenstein Municipality: Civil Engineering Services Department reference 15/4/1 (F585/14) P (1061) dated 02 August 2022, (**Annexure E**);
3. The following conditions from a town planning point of view be applicable:
  - 3.1 This approval applies only to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;

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- 3.2 Any amendments to the application be subject to the relevant approval;
  - 3.3 No new structures are to be erected or existing buildings converted without the prior approval of building plans by the Council;
  - 3.4 The telecommunication infrastructure should always adhere to any electrical engineering regulations;
  - 3.5 That security fence, be painted a suitable colour that will fit in with the surrounding environment;
  - 3.6 The submission of a revised site development plan for acceptance by Manager: Land Development Management in consultation with the Spatial Planning and Environmental Management Division, taking the comments rendered by the Heritage Resources Sub-section into consideration (**Annexure F**);
4. The following be regarded as the reasons for the decision:
- 4.1 The proposed location on the application property is identified, in terms of the Drakenstein Municipality Telecommunication Infrastructure Policy, as an area in which telecommunication infrastructure can be accommodated;
  - 4.2 The proposed design of the mast (lattice structure) will see to it that it blends into the environment especially seeing that it will only be 15m high;
  - 4.3 The application is adequately in line with the approved Drakenstein Municipality Telecommunication Infrastructure Policy;
  - 4.4 All the relevant internal and external departments consented to the application, subject to certain conditions; and
  - 4.5 Little to no negative impacts to the natural environment is foreseen by this application;
5. The applicant **must** take note of comments received from the following departments:
- 5.1 The Department of Transport and Public Works;
  - 5.2 Western Cape: Department of Agriculture; and
  - 5.3 Cape Winelands District Municipality: Health Department.

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(3) of the Drakenstein By-law on Municipal Land Use Planning 2018, by any person whose rights are affected by the decision, within 21 days from the date of the letter.

This approval is therefore suspended until further notice. Please also notify **(email or per hand)** the surrounding property owners who were notified of the application during the public participation process, of their right of appeal – proof of notification must be provided. The appeal procedures are set out in Section 80 of the above-mentioned By-law (attached).

All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O Box 1, Paarl, 7622 or at [customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za).

Yours faithfully



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**H.G. STRIJDOM (PR.PLN A 1058/1998)**  
**MANAGER: LAND DEVELOPMENT MANAGEMENT**

# Memo

**To:** EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT  
(ATTENTION: H STRIJDOM)

**From:** MANAGER: INFRASTRUCTURE MANAGEMENT

**Enquiries:** L. PIENAAR

**Collaborator number:**

**Reference number:** 15/4/1 (F585/14) P (1061)

**Date:** 02 August 2022

**Subject:** APPLICATION FOR PROPOSED CONSENT USE AND DEPARTURE FARM 585  
PORTION 14, PAARL

**Time Limit on Conditions:** These conditions will be limited to a period of 2 (two) years from the date as on the covering memo from this department. If after this period no construction has commenced (this excludes any preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly, this shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

**NOTE:** This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants.

## THE FOLLOWING CONDITIONS WILL APPLY

### 1. STREETS & TRAFFIC

- 1.1. Any new roads and accesses will be the responsibility of the developer, including all internal and bulk connectors;
- 1.2. *Letter from SANRAL to WPP reference W11/5/4-1/1-7, dated 10 September 2021 and letter the Provincial Roads Engineer (PRE) to WPP reference TPW (Job 29053), dated 26 October 2021 must be adhered to;*
- 1.3. Any alterations to the existing road network will be the responsibility of the developer, including the design, approval and construction of any additional traffic control and or traffic calming measures.

## **2. STORMWATER**

- 2.1. Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;
- 2.2. Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event;
- 2.3. Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m<sup>3</sup>/m<sup>2</sup> roof area.

## **3. WATER**

- 3.1 All potable water supplied to consumers on the farm shall comply with SANS 241 as amended. Proof of compliance test no older than 6 months must be available on request. All testing must be done by an accredited service provider;
- 3.2 Water saving devices shall be installed in toilets, bathrooms and basins; and
- 3.3 Any existing system that is to remain shall be upgraded to minimum municipal standards.

## **4. WASTEWATER SERVICES**

- 4.1 The developer shall be responsible to adhere to all conditions in terms of the Drakenstein Municipality, Water Services By-law (2014);
- 4.2 No new septic tanks allowed, all old/existing septic tank and soakaway systems must comply with the Water Research Commissions Report TT 114/99. No conservancy tank will be allowed within 100m of the 1:50 year flood line;
- 4.3 The municipality cannot guarantee a tanker service at all times and the owner remains responsible for the servicing of the conservancy tank. Any private company used must be registered with the Municipality and must provide the owner of an invoice for services rendered. All invoices must be submitted on a monthly basis to the Waste Water Services section as proof of compliance; and
- 4.4 Any existing system that is to remain shall be upgraded to minimum municipal standards.

## **5. SOLID WASTE**

- 5.1 All solid waste disposal shall comply with, the National Environmental Management Waste Act 59 of 2008.  
Proof of compliance must be available on request;

5.2 A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out; and

5.3 The Developer shall indemnify the Municipality from any damages caused as a result in rendering the refuse removal service.

## **6 DEVELOPMENT CHARGES**

6.1 Based on the information provided in the application, no Development Charges are payable by the developer.

## **7 GENERAL**

7.1 The developer is responsible for the funding of all connections to the bulk services and all internal works;

7.2 All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;

7.3 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;

7.4 The above conditions are to be complied with in stages;

7.4.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;

7.4.2 Requirements associated with the completion of construction, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any property or occupation of any property/building in the phase; and

7.4.3 Proof of compliance for the requirements associated with long term operations must be available on request.



**LP PIENAAR (Pr. Eng)**

**MANAGER: INFRASTRUCTURE MANAGEMENT**

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LP/cb



Annexure F

# Memo

<b>To:</b>	<b>LAND USE PLANNING AND SURVEYING</b>	
	<b>J MEYER</b>	<b>(EXT: x4836)</b>
<b>From:</b>	<b>HERITAGE RESOURCES SUB-SECTION</b>	
<b>Enquiries:</b>	<b>CLIVE THEUNISSEN</b>	<b>(EXT: x4818)</b>
<b>Collaborator number:</b>	<b>1805278</b>	
<b>Reference number:</b>	<b>15/4/1(F585/14)P</b>	
<b>Date:</b>	<b>01 AUGUST 2022</b>	
<b>Subject:</b>	<b>APPLICATION FOR CONSENT USE IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING, 2018: PORTION 14 OF FARM 585, PAARL</b>	

RECEIVED APPLICATION ON 25 JULY 2022

## 1. PROPOSAL

The proposal entails a consent use application for the establish a 15m high freestanding cellular communications base station on Portion 14 of Farm 585, Paarl.

## 2. EVALUATION

### 2.1 NATIONAL HERITAGE RESOURCES ACT No. 25 of 1999

In a letter dated 19 July 2022, Heritage Western Cape (HWC) indicated that there is no reason to believe that the proposed telecommunications mast on Portion 14 of Farm 585, Paarl, will impact heritage resources. Therefore, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

The Kloof is also surrounded by the Boland Mountain Complex of the Cape Floral Region World Heritage Site and located within the Cape Winelands Biosphere Reserve. The Kloof is considered of high scenic value and is of regional importance as a significant gateway into the Boland Cultural Landscape.

### 2.2 DRAKENSTEIN SPATIAL DEVELOPMENT FRAME WORK 2022 to 2027 UPDATE

In terms of the 2022 to 2027 Drakenstein Municipal Spatial Development Framework, the proposal is located along the scenic Du Toitskloof Pass and the kloof is considered the scenic gateway into the Boland Region of the Cape Winelands.

### 2.3 DRAKENSTEIN MUNICIPAL ZONING SCHEME BYLAW 2018

In terms of the Drakenstein Municipal Zoning Scheme Bylaw 2018, the proposal is located outside of any the Special Character Protected Area Overlay Zone of Paarl and Scenic Route Overlay Zone.

### 2.4 DRAKENSTEIN HERITAGE SURVEY 2013

In terms of the Drakenstein Heritage Survey 2013, the proposal is located outside of any proposed Heritage Overlay Zone.

### 3. CONCLUSION

In view of the above, the proposed consent use application for the establish a 15m high freestanding cellular communications base station on Portion 14 of Farm 585, Paarl is supported on condition that:

- The positioning of the tower and base station must be reconsidered to make it less visually obtrusive within its environment;
- That existing screening elements must be utilized to reduce the visual impact of the mast when viewed from Du Toits Kloof Pass e.g. large trees or clusters of trees;
- The mast must be disguised and painted to blend it into the fore and mid ground of the visual experience; and
- The height of the mast must be reconsidered to reduce its overall visual impact.



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**W HENDRICKS**  
**MANAGER: SPATIAL PLANNING, HERITAGE AND GIS**