



CONSECUTIVE CLEAN AUDITS



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Lêer verw/ 15/3/5-8/Erf_7805
File ref: 15/3/4-8/Erf_7805
15/3/10-8/Erf_7805

Navrae/Enquiries:
Mr H L Olivier

4 June 2021

By Registered Mail

Warren Petterson Planning
P O Box 152,
CENTURY CITY
7446

Sir

PROPOSED AMENDMENT OF TITLE RESTRICTIONS, CONSENT USE AND DEPARTURE ON ERF 7805, MALMESBURY

Your application received on 30 March 2021 on behalf of Holy Cross Mission Church has reference.

- A. By virtue of the authority delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019, as determined by Section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for removal of restrictive conditions from Title Deed T43301/2009 of Erf 7805, Malmesbury, is hereby approved in terms of section 70 of the By-Law;

The approval grants the removal of restrictive condition III(A)(2) from Title Deed T43301/2009, that reads as follows:

"III (A)(2) Die koper of sy opvolgers in regte moet die eiendom wat hierdeur oorgedra word, slegs aanwend vir die oprigting van 'n kerkgebou en die gebou slegs vir kerkdoeleindes gebruik".

The approval be subject to the following process:

- (a) The applicant/owner applies to the Deeds Office to amend the Title Deed in order to reflect the removal of the restrictive condition;
- (b) The following minimum information be provided to the Deeds Office in order to consider the application, namely:
- (i) Copy of the approval by Swartland Municipality;
 - (ii) Original Title Deed; and
 - (iii) Copy of the notice which was placed in the Provincial Gazette by Swartland Municipality;
- B. By virtue of the authority that is delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019 as determined in Section 79(1) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for consent use on erf 7805, Malmesbury is hereby approved in terms of Section 70 of the abovementioned By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- (a) The approval authorise the construction of a transmission tower and encampment, that makes provision for the following, as presented in the application:

- (i) Construction of a 20 m high transmission tower, camouflaged as a tree, situated in the North Eastern corner of the property;
 - (ii) Microwave dishes attached to the tower
 - (iii) 4 Equipment units
 - (iv) 12 Antennas to be attached to the tower and
 - (v) The mast and equipment containers be placed inside a 66m² encampment, enclosed by a 2.4 m high palisade fence;
 - (b) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval for the proposed tower as well as the existing building, indicating sufficient parking for the church with the space lost due to the transmission tower;
 - (c) Building materials be stored on Erf 7805 and no excess building materials be placed on road reserves or open spaces;
 - (d) Application for the construction of attaching of advertising signs to any of the structures be made to the Senior Manager: Built Environment for consideration and approval;
 - (e) The service provider/operator/lessee shall maintain the requirements of Paragraph 13.3.2 of the development management scheme pertaining to Radio Frequency Emissions and in the event that such measurement shows that the ICNIRP public exposure standard is exceeded, the approval shall lapse and the Municipality shall cause the cellular telecommunication infrastructure to be decommissioned at the cost of the service provider/operator/lessee;
- C.** By virtue of the authority that is delegated to the Senior Manager: Built Environment in terms of Council Decision No. 4.1 dated 28 March 2019 as determined in Section 79(1) of the Swartland Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), the application for departures of the development parameter applicable on erf 7805, Malmesbury is hereby approved in terms of Section 70 of the abovementioned By-Law, subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- (a) The 8m height restriction be departed from, increased to a maximum of 20m;
- (b) The transmission tower be constructed and camouflaged as a tree which, as presented in the application;
- (c) The 10 m northern street building line be departed from and reduced to 0 m, restricted to the extent of the transmission tower and the encampment, as presented in the application;
- (d) The 5 m eastern side building line be departed from and reduced the 0 m, restricted to the extent of the transmission tower and the encampment, as presented in the application;
- (e) Given the close proximity of the proposed transmission tower to the existing MV overhead line, the tower may only be erected after the MV overhead line is removed / relocated. Please note that Swartland Municipality is in the process of laying a new MV cables in Alfa Street which could take some time due to the scarcity of MV material.

D. GENERAL

- (1) The approval is, in terms of section 76(2)(w) of the By-Law valid for a period of 5 years. All conditions of approval be complied with before the transmission tower comes into operation, failing to do so will result in administrative action;

Yours faithfully


MUNICIPAL MANAGER
 via Department Development Services

/ds

Copies: *Director: Financial Services*
 Building Control Officer
 Holy Cross mission Church, 6 Kraanvoël Street, MALMESBURY, 7230