

## 3.2

**ERF 2820, CORNER OF MAIN ROAD & JIMMY SMITH STREET (SANDBAAI COMMUNITY HALL), SANDBAAI: OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS WARREN PETTERSON PLANNING ON BEHALF OF OVERSTRAND MUNICIPALITY**

**2820 HSB**

**3766/2021**

**(H Boshoff)**

**H van der Stoep**

**20 July 2023**

**(028) 313 8900**

**Hermanus Administration**

### 1. EXECUTIVE SUMMARY

To consider an application received on 12 March 2021 (revised application 25 March 2022) from Messrs Warren Petterson Planning on behalf of the Overstrand Municipality, the owner of Erf 2820, Sandbaai (the property), for the following:

1. **application for consent use** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-law) to accommodate a 10m high monopole transmission tower comprising of sector antennas and microwave dishes attached to the mast, as well as an equipment container within an enclosed area of approximately 16m<sup>2</sup>, on the property; and an
2. **application for the determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law for the illegal usage of a portion of the property for transmission apparatus purposes.

The Locality Plan of the property concerned is attached as Annexure A, the Motivation Report from the applicant in support of the application is attached as Annexure B and the Site Development Plan is attached as Annexure C.

### 2. DECISION AUTHORITY

Municipal Planning Tribunal

### 3. BACKGROUND / SITE HISTORY

Erf 2820, Sandbaai abuts Main Road, Sandbaai and is zoned Community Zone 1: Community Facilities. The property measures 8912m<sup>2</sup> and is developed with the Sandbaai Community Hall. The property is registered in the name of the Overstrand Municipality but is rented by the Sandbaai Hall Management Committee on a long-term basis. The Property Administration Department of the Municipality granted conditional approval to the leaseholder to sub-let a portion of the property to Vodacom for the construction of a telecommunications mast. See picture below of the existing 9m high mast on the property. Application is now made for a 10m high transmission tower by heightening the existing mast with 1m and to enlarge the lease area to 16m<sup>2</sup>.



#### 4. SUMMARY OF APPLICANT'S MOTIVATION

The applicants' Motivation Report is attached as Annexure B. The main grounds of motivation are summarized as follows:

##### *Consent use*

- ❖ The direct surrounding properties are predominantly utilised for Community Zone 1 purposes – various mixed land uses also occur in the area.
- ❖ The transmission apparatus will consist of a 10m high monopole mast, 3 x 1 sector antennas and microwave dishes attached to the mast. The total area of the property that the transmission apparatus will occupy is approximately 16m<sup>2</sup>.
- ❖ There are no existing sites within a 500m to 1km radius of the property.
- ❖ The main purpose of the application is to improve the network coverage (3G, 4G, and LTE) for the service provider Vodacom.
- ❖ Electricity is available on-site. The advanced telecommunication equipment uses less electricity.
- ❖ Access to the property is from Jimmy Smith Street.
- ❖ The proposal will have no impact on engineering services, traffic, or the biophysical environment.
- ❖ The proposal is not a listed activity in terms of environmental legislation.
- ❖ The application complies with the development principles as set out in SPLUMA.
- ❖ Telecommunication infrastructure forms a vital part of the Municipality's Disaster Management Plan as set out in its IDP.
- ❖ The proposal is in line with the Municipality's Spatial Development Framework, which document emphasises that population growth is taking place and with the increase in population, there is a need to provide adequate coverage for consumers.
- ❖ Cellular infrastructure contributes to economic growth within the municipal area.
- ❖ The design of the tower plays a big factor since it must fit in with the character of the area, limiting visual impacts. The monopole mast will be the best option in terms of visual impacts.
- ❖ The dependency on communication technology becomes increasingly higher due to society's utilisation of more mobile devices since these devices are used for multiple purposes such as socialization, business uses, and accessibility to important emergency services.

- ❖ Due to densification, urbanisation, the influx of people during festive seasons and holidays, poor network coverage is experienced. Sandbaai falls under Hermanus West together with Onrust and Vermont, and Vodacom identified several positions in the area that need to be equipped with base stations to alleviate the pressure, as well as to cater for the ever-increasing demand.
- ❖ Erf 2820 is a temporary site in Sandbaai, and if it is taken away a big area in Sandbaai would not have any coverage, thus a permanent tower will increase the coverage in the area to ensure that coverage will meet the capacity which is required.
- ❖ The proposed tower will not interfere with any activities on the property and no trees need to be removed for the base station.
- ❖ Alternative sites were considered being Erven 2825, 2824, and 1746, but Erf 2820 is the best alternative since visual impacts will be less than the other alternative sites that will have more severe impacts. The base station is placed at the back of the existing building that is surrounded by trees on the boundary making it less visual.
- ❖ Current scientific research is yet to produce conclusive evidence suggesting adverse health effects associated with, working with, or living close to cellular technology. Emissions from base stations and antennae must comply with the guidelines published by the Department of Health, which guidelines are based on guidelines endorsed by the International Commission on Non-Ionising Radiation Protection.

*Administrative penalty for the existing 9m high transmission apparatus*

**The nature, duration, gravity, and extent of the contravention.**

- ❖ The apparatus was established around 2016, meaning that the duration is about 6 years and 2 months.
- ❖ Vodacom is aware of the situation and takes full responsibility to rectify the problem.

**The conduct of the person (allegedly) involved in the contravention.**

- ❖ From 2016 Vodacom had to renew the agreement for the temporary site. Until recently Vodacom and the Sandbaai Community Hall has a lease agreement to put up a transmission apparatus (temporary site) while getting permanent approvals. A power of attorney from the Municipality was provided based on the approved lease agreement, which power of attorney was obtained on 11 March 2021 and the land use application was submitted on 12 March 2021.

**A report by a quantity surveyor in a matter of unauthorised building/construction.**

- ❖ The apparatus is temporary and can be removed anytime since there is no foundation in the soil, therefore no report from a quantity surveyor is required. The value of the transmission apparatus is R150 000. The total area of the mast and equipment is 4m<sup>2</sup>. The current land value of the property is R2000 000.

**Whether the unlawful conduct was stopped.**

- ❖ The unlawful conduct was not stopped. An application for an administrative penalty was submitted together with the consent use application.

**Whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law.**

- ❖ Vodacom has contravened the By-Law before, but not intentionally since by-laws are amended/changed. The unlawful activity was/is not intentionally, but Vodacom accepts full responsibility for the activity. The installation is in line with the Municipality's IDP and SDF to accommodate such infrastructure and it emphasises the need for transmission apparatus. If the apparatus was to be removed from the property, a new mast would have to be erected in the area since there is a major need for coverage/capacity in the surrounding residential suburbs. It is therefore requested that the administrative penalty be waived based on the mentioned reasons.

**5. ADMINISTRATIVE COMPLIANCE**

Methods of advertising		Date published	Closing date for comments
Local Newspaper	Yes	09 December 2022	27 January 2023
Notices ( <i>possibly affected property owners</i> )	Yes	12 December 2022	27 January 2023
Internal Departments	Yes	09 December 2022	27 January 2023
Ward councillor	Yes	09 December 2022	27 January 2023
Total comments	<b>Two (2) in support One (1) partially in support</b>		
Total letters of support	<b>Two (2) and One (1) partially in support</b>		
Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?			<b>Yes</b>
Was the application processed correctly?			<b>Yes</b>
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA?			<b>Yes</b>

**6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS**

Name	Date received	Summary of comments
Building Department	09/12/2023	No objection. Building plan application to comply with all applicable law.
Engineering Services	14/12/2022	Attached as Annexure F.
Waste Management	20/12/2022	No objection.
Property Administration	21/12/2022	Annexure G
Local Heritage	12/01/2023	Supported.

Environmental Section	20/01/2023	No objection.
-----------------------	------------	---------------

## 7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

Comments were received from the following parties/person/s:

- Sandbaai Hall Management Committee, lessee subject property (full support).
- JC Roberts, Erf 1355, Sandbaai (partial support).
- CURRO, Erf 2836, Sandbaai (attached to JC Roberts' comment - full support).
- JA Swanepoel, Erf 280, Sandbaai (objection).

Three comments were received during the formal public participation process. CURRO school's comment is attached to JC Robert's comment. The letters of support are not addressed but are attached as Annexure D for perusal. The response of the applicant on the comments received, are predominantly focussed on the comments in favour of the transmission apparatus. Thus, the applicant's response is not entirely addressed, but can be perused in the attached Annexure E. The main points of comment (objections) are addressed as follows:

### **Point 1 of comments**

(Some points are in Afrikaans and are translated to English.)

**There was already controversy regarding the illegal mast at the hall during the time when my legal application, which complied with all the requirements, was refused.**

#### Applicant's response

Not addressed by applicant. However, see applicant's response on the comments received addressed as Annexure E.

#### Town planner's response

Noted.

### **Point 2 of comments**

**No public participation occurred regarding the tower at the hall. A previous councillor and official of the Municipality, who is no longer in the service of the Municipality, must be hold responsible. Why refuse a legal application whilst such irregularities occur?**

#### Applicant's response

Same as Point 1 above.

#### Town planner's response

The point will be addressed under the administrative penalty section of this submission.

**Point 3 of comments**

**The tower at the hall was supposedly only temporary and assurance was given that it was to be removed after the 2017 Easter weekend, but it is still on the property. I now seek justice for the persons responsible. Who must pay the administrative penalty, hopefully not the ratepayers.**

**Applicant's response**

The transmission apparatus was only temporary in the agreement between the municipality and Vodacom, but it is still standing with not all approvals in place, thus the application for consent use and an administrative penalty to remedy the situation. Vodacom takes full responsibility and will pay the administrative penalty and will ensure that all approvals are in place to provide an essential service to the Sandbaai community.

**Town planner's response**

The commenter's points are noted. However, the response of the applicant is not agreed with. The Property Administration Department (Overstrand Municipality) did not enter into an agreement with Vodacom. It specifically gave consent to the Sandbaai Hall Management Committee (the lessee) to sub-lease a portion of the property to Vodacom to accommodate transmission apparatus. However, the latter will be further addressed in the administrative penalty section of this submission.

**Point 4 of comments**

**The former councillor said that a policy needs to be in place, but my opinion is that to remove the illegal structure would be the best policy or to construct the apparatus on the mountain where it would serve a better purpose.**

**Applicant's response**

Same as Point 1 above.

**Town planner's response**

Since no formal policy is in place for telecommunication infrastructure/apparatus, the requirements for an application for such apparatus have been worked into the Overstrand Land Use Scheme (Chapter 16.10.23 of the Scheme – see extract attached as Annexure J) to simultaneously serve as a policy in this regard. The Land Use Scheme was adopted by the Council of the Municipality and forms an integral part of the Municipality's Integrated Development Plan.

**Point 5 of comments**

**The height of the tower is not supported based on the following:**

- **No due diligence study is included that provide evidence that the proposed height is the optimal height for effective distribution of signal.**
- **A single service provider on a tower is not feasible.**
- **If the optimal height is scientifically determined, the clutter of small towers would be unnecessary and would have a far less visual and environmental impact.**

- **I do not support the additional proposed sites for 15m towers behind the Hemel & Aarde Estate and the turnoff towards the Preekstoel Water Works.**

Applicant's response

Same as Point 1 above.

Town Planner's response

The Property Administration Department indicated that the sub-letting of a portion of the property to Vodacom, expires on 31 July 2029.

Recently a 20m high transmission tower was approved by the MPT on Erf 2861, Sandbaai. The tower will be constructed at the rear of the Whale Coast Mall building on the property and a condition was imposed that co-location for other service providers must be provided for on the tower to ensure that more and more towers are not necessarily required. Should the application under discussion be approved a similar condition will be imposed that will be for the duration of the sub-letting agreement.

In the Visual Impact Assessment that was submitted by the applicant, amongst others, it is stated that the location of the apparatus behind the hall will only be intermittently visible to the surrounding area with no significant visual obtrusion being expected. It is further stated that the landscape character of the site is suburban and enclosed due to surrounding buildings and trees and that there is opportunity for screening along the fence line of the property. See GIS extract directly below.



Towards the east of the property approximately 200m of vacant land occurs. It is therefore the opinion that the apparatus be placed at the eastern rear side of the hall building to ensure minimal visual impacts from Sandbaai's main road and the surrounding area resulting in the minimization of overall visual impacts on the surrounding area.

The commenter refers to towers at the Hemel & Aarde Estate and at the turnoff towards the Preekstoel Water Works that is also not supported. The statement has no relevance to the application under discussion; thus no comment is offered on this point of comment.

#### **8. SUMMARY OF APPLICANT'S REPLY TO OBJECTIONS**

See paragraph 7 above.

#### **9. MUNICIPAL ASSESSMENT OF COMMENTS**

See paragraph 7 above.

#### **10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**

##### **10.1 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

The application is in line with the planning objectives applicable to this application.

The objectives relating to:

##### **Spatial Justice**

The application will not perpetuate spatial injustices but will enhance access to telecommunications infrastructure that is fair and equal.

##### **Spatial sustainability**

Enhanced signal in the Sandbaai area will promote all three dimensions of sustainability (economic, social, and environmental). Economically businesses will benefit from enhanced connectivity. The social facet is that more people will have access to emergency services. Environmentally sensible placement of base stations and the possibility of co-location will limit the number of base stations should there be sufficient signal in the area.

##### **Efficiency**

The proposed telecommunication infrastructure will be situated optimally in the area in terms of the number of users, thereby promoting effectiveness.

##### **Spatial resilience**

The application will ensure that the existing resource, land is used to its maximum in an affordable manner and in line with the Overstrand Municipality's forward planning documents. Furthermore, it should be noted that telecommunications installations provide a service that is always necessary. In a state of crises, communication plays an integral role in a social environment.

##### **Good administration**

The application followed the required planning procedures to ensure that land use activity is in line with Municipal By-Laws and the public process has been followed.

**10.2 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)**

Same as above.

**10.3 (In)consistency with the IDP/Various levels of SDF's/Applicable policies**

The proposed application is in line with the strategic documents.

**10.4 (In)consistency with guidelines prepared by the Provincial Minister**

Not applicable.

**10.5 Impact on Municipal engineering services**

The existing services are available.

**10.6 Outcomes of investigations/applications i.t.o other legislation**

Not applicable.

**10.7 Existing and proposed zoning comparisons and considerations**

The Overstrand Zoning Scheme Regulations provide for telecommunication installations as a secondary use on community zoned properties, subject to compliance with the development parameters stipulated in the Scheme Regulations. The proposed transmission tower does not exceed the applicable 10.5m height restriction, nor any other applicable development parameters of the property's zoning status.

**10.8 ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

N/A

**11. THE DESIRABILITY OF THE PROPOSAL**

The desirability of the proposal must be read in conjunction with author's responses on the points of comment in paragraph 7 of this submission.

***Consent use***

(It should be noted that no new tower will be constructed for the site – the existing 9m high tower will only be lengthened with 1m and repositioned on the property and will be enclosed in a 16m<sup>2</sup> portion of the property. It should further be noted that the consent use will only be temporary since the Property Administration Department indicated that the sub-lease period may not exceed the main lease period that expires on 31 July 2029.)

The proposed 10m high transmission tower will be beneficial to the Sandbaai area and surrounding community (residents, businesses, emergency services etc.) since it will provide improved network provision and coverage, enhance social interaction (i.e., access to social media) and economic efficiency (i.e., access for businesses and individuals to faster and more efficient internet and communication connectivity). Although the sub-letting agreement between the Sandbaai Hall Management Committee and the municipality is temporary, the transmission apparatus will be beneficial for the intermediate period to commuters as well as tourist who rely on cell phones when passing / visiting the area. In addition, it is the opinion that once the approved 30m high transmission tower on Erf 9720, Zwelihle at the eastern border of Sandbaai, and the 20m high approved transmission tower at the northern side of Sandbaai on Erf 2861 is constructed and operative, close to optimal coverage for Sandbaai should be reached.

The proposed transmission tower will be a monopole design which is considered favourable from a visually point of view. The colour of the tower and all fixtures must however blend in with the surrounding environment.

It is stated in the Visual Impact Assessment that was submitted by the applicant that amongst others, the location of the apparatus behind the hall will only be intermittently visible to the surrounding area resulting in no significant visual obtrusion. It is further stated that the landscape character of the site is suburban and enclosed due to the existing surrounding buildings and trees, but that there is opportunity for screening along the fence line of the property. The opinion is however held that due to the afore-said findings contained in the visual impact assessment, it should not be necessary for further screening along the fence line of the property since sufficient surrounding "screening" exists and the apparatus will only be temporary (until 2029).

To ensure that the applicant permits other operators on the installation, a condition must be imposed that the applicant must allow space for co-location for other service providers.

In view of the above the telecommunication apparatus will not have intrusive visual impacts to warrant the refusal of the application. The proposal is further supported by all municipal departments and more public comments were received in favour of the apparatus than against it.

### ***Determination of an Administrative penalty***

The applicant motivated its application for the determination of an administrative penalty in terms of the required criteria as set out in Section 90(3) of the By-Law (see paragraph 4. of this submission).

It is the opinion that an administrative penalty be payable in terms of Section 90(5) of the By-Law for the following reasons (the points under Section 90(3) of the By-Law):

The nature, duration, gravity and extent of the contravention

A temporary sub-lease agreement was entered into between the Sandbaai Hall Management Committee and VODACOM EDMS BPK for the period 1 May 2018 to 30 April 2019 for a total amount of R6 400.00 per month (see Annexure I). The telecommunication infrastructure was not removed or made inoperative after the lease expired. On 14 December 2020 an extended sub-lease period (main lease period until 31 July 2029) was issued by the Property Administration Department to the Sandbaai Hall Management Committee to sub-lease a portion of the property to VODACOM for telecommunication purposes (see Annexure G). However, the consent was, amongst others, subject thereto that town planning and building plan approvals be obtained.

The application under discussion was submitted approximately 3 months later on 12 March 2021, which is regarded as a reasonable time for the submission of the application to justify compliance with the said condition.

The applicant indicates that the portion of the property where the contravention occurs is approximately 4m<sup>2</sup> in extent. However, during a site inspection, the size of the portion of the property was measured and came to just over 5m<sup>2</sup> which is the gravity of the contravention.

In view of the above the duration of the contravention was from 1 May 2019 until 14 December 2020 (the 3-month period during which the application was compiled and submitted is not included in the calculation). The duration of the contravention is therefore calculated at 7 months and 13 days.

The conduct of the person (allegedly) involved in the contravention

The applicant in its motivation states that VODACOM is aware of the situation and takes full responsibility for the contravention.

A report by a quantity surveyor in matters of unauthorised building/construction

No report by a quantity surveyor was provided. In its motivation for the administrative penalty, the applicant states that VODACOM indicated that the telecommunication apparatus is valued at R150 000.00. In terms of the Overstrand GIS the land value of the property is R1 780 000.00.

Whether the unlawful conduct was stopped

The unlawful conduct was not ceased between 1 May 2019 and 14 December 2020.

Whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law

Although the applicant states that VODACOM previously contravened this By-Law it does not fully elaborate on the matter and it is therefore the opinion that it would only be administratively fair that the contravention occurred once as per the period mentioned above.

In terms of Section 90(5)(b) of the By-Law the municipality must determine an amount for land use in contravention of the By-Law that may not be more than 100% of the municipal valuation of the area that is used unlawfully, as determined by the municipality. The area of contravention is  $\pm 5\text{m}^2$  and the penalty will be calculated on  $5\text{m}^2$  as a round figure. The land use contravention penalty is determined as follows:

Property size:	8912m <sup>2</sup>
Land value:	R1 780 000.00
Land value /m <sup>2</sup> :	$R1\ 780\ 000.00 \div 8912\text{m}^2 = R199.73/\text{m}^2$
Contravention area:	5m <sup>2</sup>
Contravention penalty:	$R199.73 \times 5\text{m}^2 = R998.65$

The transmission apparatus is not habitable and in terms of the 2023/2024 approved Tariff List two formal quotations must then be provided for construction costs of which the penalty is the average of the quotations. The applicant did not provide the said quotations and instead provided a letter from Vodacom indicating that the value of the equipment is R150 000.00 (see letter of Vodacom attached as Annexure K). The penalty will be determined at 5% of the value of the equipment, as follows:

Transmission apparatus:  $R150\ 000.00 \div 5\% = R3000.00$

Total Administrative penalty:  $R998.65 + R3000.00 = \mathbf{R3998.65}$ .

## 12. RECOMMENDATION

1. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-law), applicable to Erf 2820, Sandbaai, for consent use to accommodate transmission apparatus on the property, consisting of a 10m high monopole transmission tower with sector antennas and microwave dishes attached to the mast, as well as an equipment container within an enclosed area of approximately 16m<sup>2</sup>, **be approved** in terms of the provisions of Section 61 of the By-Law, and:
2. that the application for the determination of an administrative penalty in terms of Section 16(2)(q) of the By-Law for the illegal land use and an illegal structure for an area of 5m<sup>2</sup> was considered and that **an administrative penalty be payable** in terms of the provisions of Section 90 of the By-Law, and that the penalty be set at 5 percent (5%) of the maximum allowable penalty which amounts to R3998.65;
3. that the decisions in paragraphs 1 and 2 above be subject to the following conditions:
  - (a) that the administrative penalty in 2 above, must be paid within 30 days from the final decision of the application;
  - (b) that the transmission tower and associated infrastructure must be placed at the eastern rear side of the main building to avoid any possible intrusive visual impacts;
  - (c) that the tower must be a monopole design and may not exceed a height of 10m or any other applicable development parameters;

- (d) that the colour of the tower and all fixtures must be of such a nature that is blends in with the surrounding environment;
  - (e) that co-location on the tower for other service providers must be provided;
  - (f) that building plans be submitted to the Building Department for consideration and approval and that any requirements by internal departments at the time must be adhered to;
  - (g) that no signage, banners, or flags may be fixed to the mast;
  - (h) that no floodlighting may be fixed to the mast - other light fittings if required, may only be permitted below a 3m height.
  - (i) that the Senior Manager: Town- and Spatial Planning must be notified prior to other operators being permitted on the transmission tower and be provided with the relevant details of the proposed installations;
  - (j) that all the relevant conditions of Engineering Services attached as Annexure F , be complied with;
  - (k) that the transmission apparatus must operated in such a manner that it is not detrimental to the peacefulness and amenity of the surrounding area;
  - (l) that the EMF of the transmission tower must always be compliant with ICNIRP standards as endorsed by the South African Department of Health;
  - (m) that the Municipality be indemnified against any claim which may be instated as a result of the above approval; and
  - (n) that this approval does not absolve the applicant from compliance with any other relevant legislation.
4. that the applicant and the commenters be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditional approval.

### **13. REASONS FOR RECOMMENDATION**

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ Numerous such enterprises have been approved in similar nodes throughout the Overstrand Municipality's area of jurisdiction.
- ❖ The transmission apparatus is not out of character of the surrounding area.
- ❖ The proposed transmission tower will contribute to economic development, promotion of tourism and will ensure improved access to telecommunication services and emergency services.
- ❖ The proposal will not have an unacceptable visual impact.

**14. Annexures**

- Annexure A: Locality Plan  
Annexure B: Motivation Report  
Annexure C: Site Plan  
Annexure D: Objections  
Annexure E: Comment on objections  
Annexure F: Services Report  
Annexure G: Comment and letter of approval from the Property Administration Department  
Annexure H: Visual Impact Assessment  
Annexure I: Lease Agreement  
Annexure J: Extract from Overstrand Land Use Scheme, 2020  
Annexure K: Letter of Vodacom

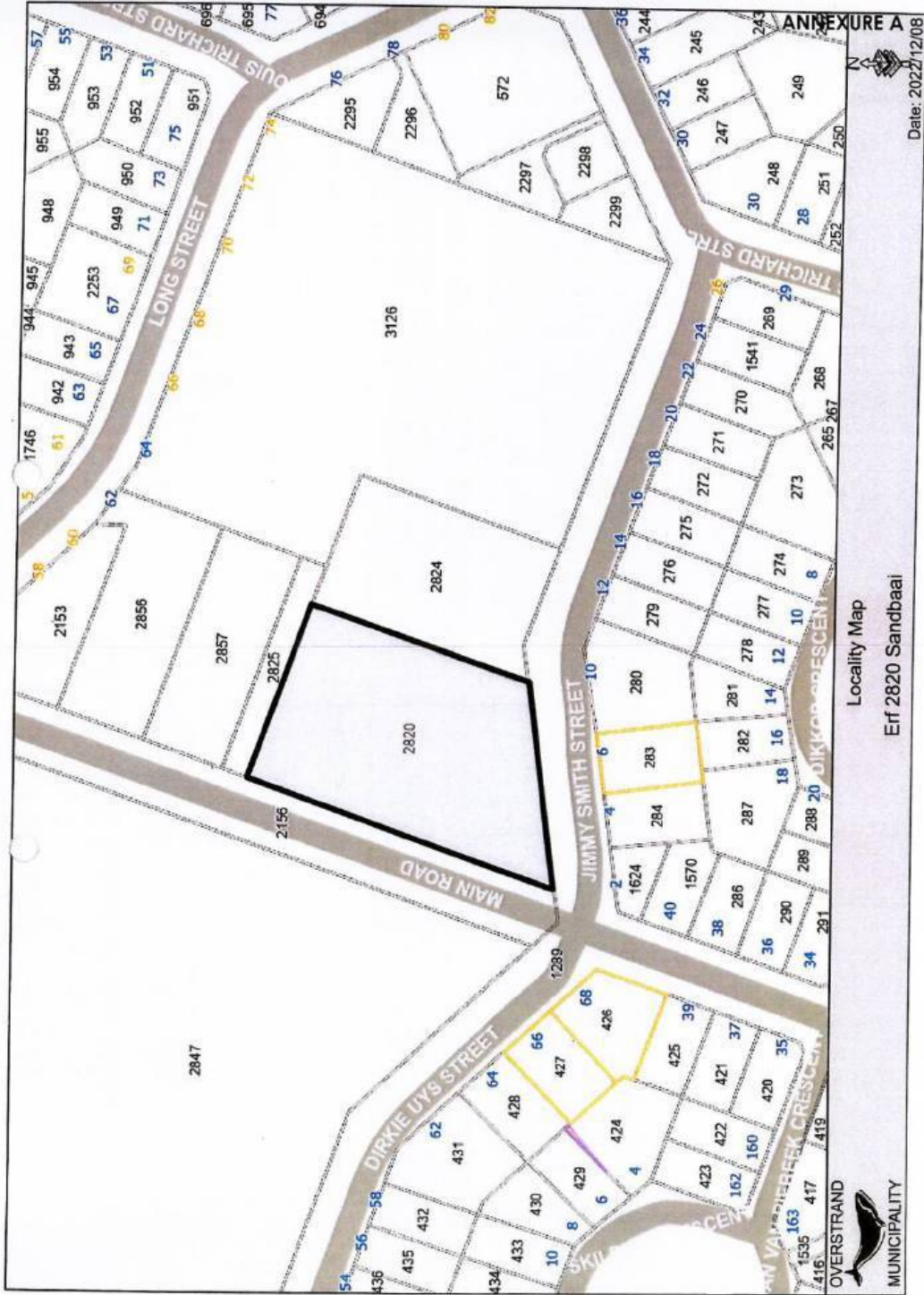
**REGISTERED PLANNER**

Name: **H VAN DER STOEP**

SACPLAN Reg No: **A/1708/2013**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_





Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wppanning.co.za

## LIST OF DEFINITIONS AND ABBREVIATIONS

This section represents the definitions and abbreviations that will be found in this application.

### DEFINITIONS:

**Please note:** For the purpose of this application and its associated descriptions and motivation, and unless it appears otherwise in the text, the terms used herein are as follows:

Table 1 - Definitions

<b>PROPERTY:</b>	Erf 2820, Sandhaai
<b>CLIENT:</b>	Vodacom
<b>APPLICANT:</b>	Warren Petterson Planning
<b>OWNER:</b>	Overstrand Municipality
<b>CONSENT USE</b>	means the secondary use right that is permitted in terms of the provisions pertaining to a particular zone, only with the consent of the Council
<b>DEPARTURE</b>	means a permanent departure or a temporary departure (has the meaning assigned to it by Planning Law)
<b>RESTRICTIVE CONDITION</b>	means any condition registered against the title deed of land restricting the use, development or subdivision of land concerned, excluding servitudes creating real or personal rights
<b>SURVEYOR-GENERAL</b>	means the Surveyor-General as defined in the Land Survey Act

### ABBREVIATIONS:

**Please note:** For the purpose of this application and its associated descriptions and motivation, and unless it appears otherwise in the text, the terms used herein are as follows:

Table 2 - Abbreviations

<b>OZS</b>	Overstrand Zoning Scheme
<b>SPLUMA</b>	Spatial Planning and Land Use Management Act, 2013
<b>RBTS</b>	Rooftop Base Telecommunication Station
<b>TA</b>	Transmission Apparatus
<b>TI</b>	Telecommunication Infrastructure
<b>TOA</b>	Top of Antenna
<b>SG-DIAGRAM</b>	Surveyor-General Diagram
<b>SDF</b>	Spatial Development Framework
<b>IDP</b>	Integrated Development Plan

## SECTION A: BACKGROUND

### A.1. THE APPLICATION

Application is hereby made for the following:

- ✓ **Consent Use provided for in the zoning scheme** in terms of Section 16(2) (o) of the Overstrand Municipal Planning By-Law, 2020 for the purpose of erecting a 10m Transmission Apparatus.

### A.2. DETAILS OF THE DEVELOPMENT AREA

Table 3 - Details of the Development Area

<b>TITLE DEED DESCRIPTION</b>	Erf 2820 Sandbaai (Portion of Erf 570) Sandbaai, in the Municipality of Overstrand, Division of Caledon, Province of the Western Cape, in extent 8912m <sup>2</sup> , held by the Deed Of Transfer No. T59348/2012 and T 5209/1915
<b>TITLE DEED NUMBER</b>	T59348/2012
<b>PROPERTY SIZE (m<sup>2</sup>)</b>	8912m <sup>2</sup>
<b>CURRENT ZONING</b>	Community Zone 1
<b>OWNER OF PROPERTY</b>	Overstrand Municipality

## SECTION B: CONTEXTUAL INFORMANTS

The following section includes information relating to the locality, current land use, zoning and surrounding area.

### B.1. LOCALITY

The property within the Overberg District is located on a portion of land (Erf 2820 Sandbaai). It is further surrounded by other erven and the main road that links with the R43.



Figure 1 - Location of the Existing Transmission Tower on Erf 2820 Sandbaai

**B.2. CURRENT LAND USE AND ZONING**

Table 4 - Current land use and zoning

<b>CURRENT LAND USE</b>	The land is currently utilised for religious purposes and a small piece of land for a Transmission Apparatus
<b>ZONING</b>	Community Zone 1: Community Facilities (CO 1)



Warren Petterson Planning  
 P.O. Box 152  
 Century City  
 7446

T: (021) 552 5255  
 C: (073) 012 6124  
 E: ruan@wpplanning.co.za

**B.3. SURROUNDING AREA**

The proposed site is located on Erf 2820 Sandbaai which is accessible from the Main road turning onto Jimmy Smith Street which leads onto an access road towards the proposed site. The Main Road connects with the R43 (Provincial Route).

Suburbs/Towns near the property and within the surrounding area is Zwelihle which lies south east and Onrus which lies west. The other suburbs are a bit further away such as Hemel en Aarde which lies to the north.

The surrounding land uses in the area of the proposed site are predominantly zoned as Community Zone 1. Other land uses found in the surrounding area are Business Zone 3, Transport Zone 2, Open Space Zone 2, Residential Zone 1: Single Residential and General Residential Zone 1: Town Housing (See Figure 2 below).

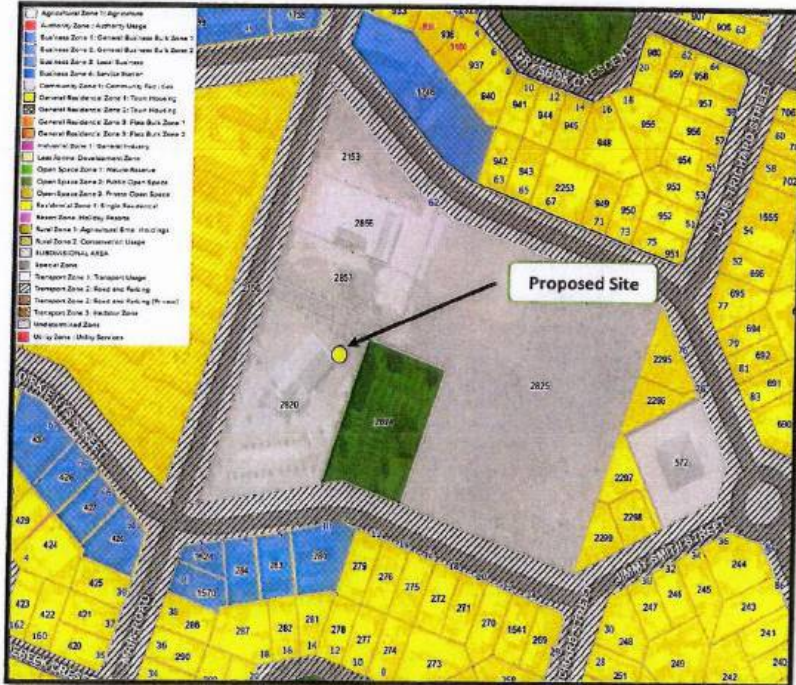


Figure 2 - Surrounding Land Uses adjacent to the proposed site



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

## SECTION C: DEVELOPMENT PROPOSAL

### C.1. APPLICATION SPECIFICATIONS

The client, Vodacom, wishes to apply for consent use in terms of Section 16 (2)(o) of the Overstrand Municipal Planning By-Law, 2020 in order to erect a 10m TA.

#### C.1.1 Development Concept

The application comprises the following proposed development parameters:

- ✓ A 10m Pole Mast (Transmission apparatus)
- ✓ 3 x 1 - sector antennas attached to the mast,
- ✓ Microwave dishes attached to the mast, and
- ✓ 1 x Equipment container, which will be locked at all times

The total area of the TA will be +/- 14m<sup>2</sup>, including the equipment container. The main purpose of the proposed transmission apparatus is to improve the network coverage (3G, 4G and LTE services) for the service provider Vodacom. There are currently no other existing sites in Sandbaai within a 500m and 1km radius. There currently also an application in process for a 18m TA on erf 2856 Sandbaai.

### C.2. UTILITY SERVICES

Electricity for the TA will be obtained from the available on-site electrical supply to the property. Advances in technology (telecommunication related equipment) enable the TA to utilise less electricity.

Access to the proposed TA will be obtained from the existing entrance to the property found along the southern boundary of the property, situated adjacent to Jimmy Smith Street. Jimmy Smith Street connects to the Main Road and Dirkie Uys Street on west and Louis Trichard Street on the east. The main road connects with the R43 in a northern direction. All these roads forms a road network between all the erven in Sandbaai.

The proposed use will have no impact on the external engineering services, on transport or traffic related considerations, or on the biophysical environment.



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

### C.3. ENVIRONMENTAL REGULATIONS

Environmental and social sustainability are regulated by *The National Environmental Management Act (Act 107 OF 1998) (NEMA)* - published in *Government Notice No. R546*. When read together with the National Environmental Management Act Regulations Listing Notice 3 of 2014 (promulgated 08 December 2014), an Environmental Impact Assessment (EIA) or Environmental Authorization (EA) is only applicable in the following circumstances:

*The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower:*

- i) is to be placed on a site not previously used for this purpose; and*
- ii) will exceed 15 meters in height*

*But excluding attachments to existing buildings and masts on rooftops.*

The requirements in the Western Cape are defined in NEMA Listing Notice 3 of 2014:

*in Western Cape:*

- i) All areas outside urban areas; or*
- ii) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas.*

An application was lodged with the Department of Environmental Affairs and Development Planning (refer to Annexure F) to confirm whether an environmental authorization is required or not. Attached is the letter from DEA&DP and no environmental authorization is required as well as no listed activity of the EIA Regulations will not be triggered.



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

## SECTION D: POLICY AND LEGISLATION

### D.1. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013

This application complies with the land development principles (Chapter 2, SPLUMA, 2013) as referred to in section 42 of the *Spatial Planning Land Use Management Act, 2013* (Act 16 of 2013) (SPLUMA).

Table 5 - Compliance of application with Principles 7a-7e of SPLUMA, 2013

	HOW DOES THIS APPLICATION COMPLY WITH THIS PRINCIPLE?
<b><i>Principle 7a:</i></b> <b><i>Spatial Justice</i></b>	In a broader sense, spatial justice refers to an intentional incorporation of spatial (geographical) aspects. This refer to the fair and equally distributed services and enhanced accessibility of these services. The aim of this proposal is to provide excellent communication service to the inhabitants of an area.
<b><i>Principle 7b:</i></b> <b><i>Spatial Sustainability</i></b>	Spatial sustainability is an explicit concept which describe the relations between environmental, economic and socio-cultural facets related to a societal environment. Enhanced signal in an area will promote all three the dimensions of sustainability (economic, social and environmental facets). Economically, businesses in the area will benefit from enhanced connectivity. The social facet is addressed as more people will have access to emergency services (e.g. Healthcare, Police, Fire response etc.). The third dimension (Environmental facets) will be promoted as the sensible placement of telecommunication base stations and the possibility of co-location will limit the amount of base stations should there be sufficient signal in an area.
<b><i>Principle 7c:</i></b> <b><i>Spatial Efficiency</i></b>	Spatial efficiency relates to the concept of minimum distance to be travelled between a specific location and intended destination. RBTS and TA is placed in an area (optimally situated between planned and existing stations) with a reason. This reason is to incorporate various factors (e.g. number of users, quality of service etc.) when considering the placement in order to promote effectiveness and is not merely placed by random.
<b><i>Principle 7d:</i></b> <b><i>Spatial Resilience</i></b>	Spatial resilience can be defined as the ability of a region to withstand possible arising shocks (e.g. economic crisis, social disruptions etc.). However, RBTS and TA will be a service that will always be necessary. In a state of crisis, communication plays an integral role in a societal environment.
<b><i>Principle 7e:</i></b> <b><i>Good administration</i></b>	This installation will be lawful and reasonable, following an equal and fair public participation process in order to incorporate the views and opinions of all relevant parties.



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

## D.2. OTHER POLICIES AND LEGISLATION

Other policies and legislative frameworks include: Integrated Development Plan (2017/18 – 2021/22), and the Spatial Development Framework (SDF), 2020.

### D.2.1. Five-Year Integrated Development Plan (2017/18 - 2021/22)

Telecommunications form a critical part of our everyday lives, what most people don't realise, is that it also plays a vital role in times of crisis. As stipulated in the Overstrand Municipality's IDP (2017/18 & 2021/22), the disaster management coordinator forms part of the JOC (Joined Operations Centre) and one of his main tasks are to (page 262 of the Overstrand IDP 2017/18 – 2021/22):

- Establish and maintain required telecommunications links
- Establish and maintain a resources database
- Coordinate all communication to and from incidents

It is clear from the items listed above; telecommunications infrastructure forms a vital part of the municipality's Disaster Management Plan.

### D.2.2. Municipal Spatial Development Framework, 2020

This application is in line with the spatial development principles as set out in the Overstrand SDF, 2020, as it strives to improve urban efficiency, and align planned growth with infrastructure. As a result, connectivity is enhanced on local, national and international level as stipulated in the SDF, 2020.

The MSDF 2020 of the Overstrand Municipality also emphasises that population growth is taking place within the Municipal Area. Figure 2.2 on page 21 of MSDF 2020 shows that the population number increased in Sandbaal between 2001 – 2011 (See Figure 3 below which shows figure 2.2 of MSDF). "It is also mentioned that Sandbaal experienced a high growth with a percentage change of 98% over the period (MSDF, 2020: 21)." With an increase in population, there is a need to provide adequate coverage to consumers. Please see Figure 6-8 below explaining cellular infrastructure.



Warren Petterson Planning  
 P.O. Box 152  
 Century City  
 7446

T: (021) 552 5255  
 C: (073) 012 6124  
 E: ruan@wpplanning.co.za

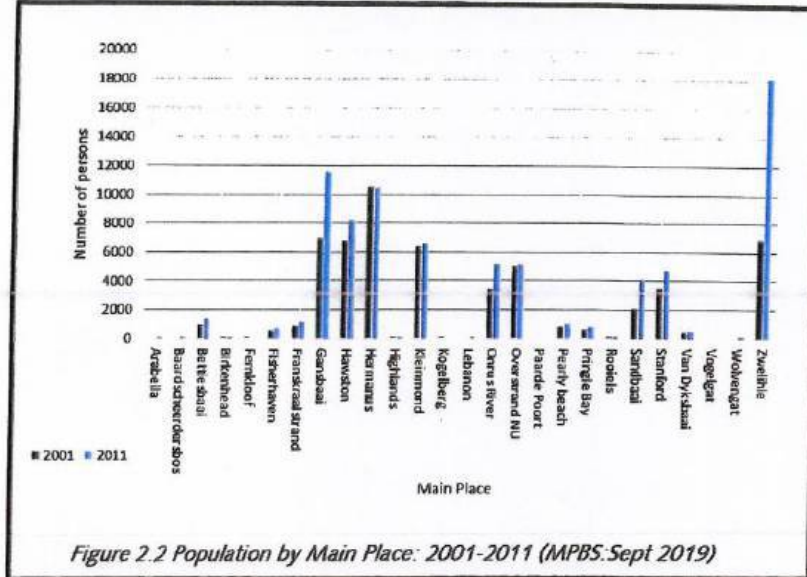


Figure 2.2 Population by Main Place: 2001-2011 (MPBS: Sept 2019)

Figure 3 - Figure 2.2 on Page 21 of the MSDF, 2020

Cellular infrastructure also contribute to the economic growth within municipal area. This is seen on page 35 of MSDF 2020 where the Communication sector has achieved strong annual growth and contributing to the GVA in Overstrand. The above on economic growth can be emphasised that the proposed transmission apparatus is situated within a community zone in Sandbaai surrounded by business zones and residential zones, therefore showing the importance that coverage must be provided to these zones. To emphasise the importance of the proposed transmission apparatus, one can refer to that many people are working from home during the Covid-19 pandemic, therefore the network capacity is more.

With the above emphasis on the population growth in Sandbaai, one can motivate the importance of the location and design of the proposed 10m TA at Sandbaai Gemeenskapsaal. The proposed 10m TA location is situated between residential and business zones on a community zone. Location mostly plays a big role when proposing TA as the service provider like Vodacom wants to provide coverage to many users. The current location of the proposed TA is on a Community zone as most of the surrounding zonings are residential. There are also main factors which contribute to the chosen location for the proposed TA such as

- Safety distances
- Elevation



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

- Access
- Interested owners
- The right zoning which can accommodate the proposed TA according to the Overstrand Land Use Scheme and to promote the adequate coverage to the surrounding area.
- Making sure the proposed TA falls within no heritage/environmental overlay zones.

The proposed TA design also plays a big factor as it must fit in with the surrounding area, limiting visual impact. The pole mast will be the best option as motivated below under visual impact.

The location and design of the proposed TA therefore corresponds with the MSDF 2020 as the Communication sector has achieved strong annual growth and contributing to the GVA in Overstrand.

## SECTION E: DEVELOPMENT MOTIVATION

Please read together with previous sections in this application. Consent use in terms of the zoning scheme is applied for in order to allow for the erection of a TA should be supported based on the following grounds:

### E.2.1. Need and Desirability

In a modern-day society, the dependency on communicative technology becomes increasingly higher. This is due to the society's utilisation of more mobile devices and more than one device per household which mainly relies on internet connectivity (e.g. smartphones, portable computers, tablets/iPads etc.). These devices are used for multiple purposes including socialisation, business related uses and accessibility to important emergency services. Due to factors including densification, urbanisation and influx of seasonal guests especially over festive seasons and holidays, in a tourist attractive place like the Hermanus, poor network coverage (related to both voice and data) is experienced. Sandbaai falls under Hermanus West together with Onrus and Vermont. Vodacom identified several positions in the area that need to be equipped with base stations to alleviate the pressure and to cater for the ever-increasing demand.

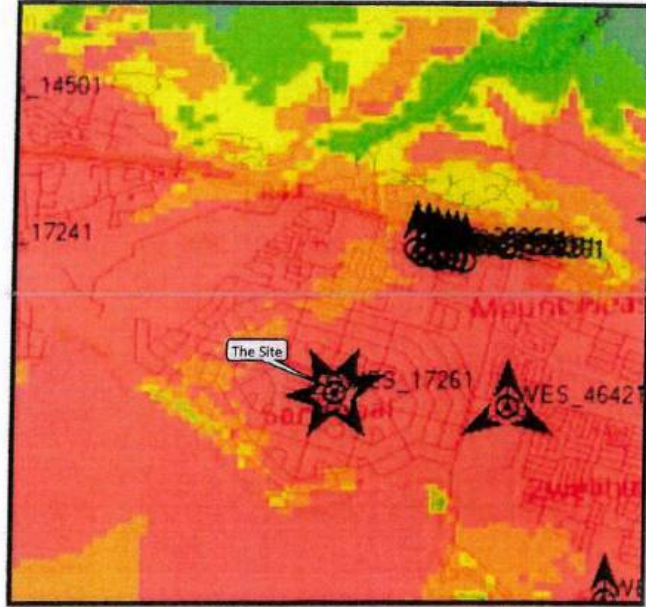


Figure 4 - Current Coverage with the Temporary Site at Erf 2820 Sandbaai

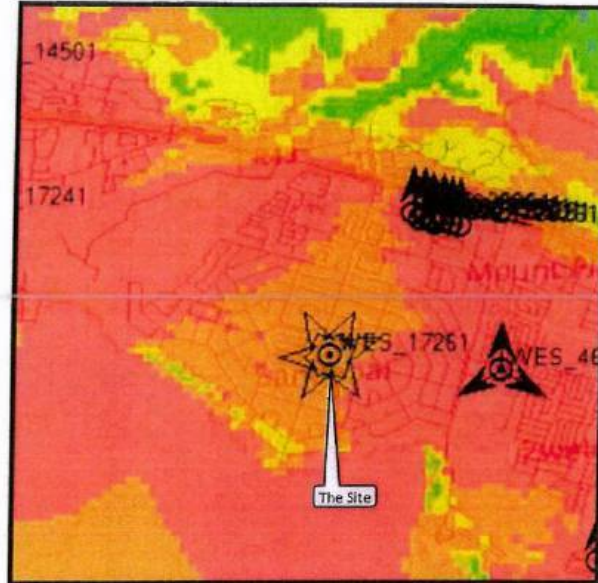


Figure 5 - Coverage without the temporary site at Erf 2820 Sandbaai

Figures 4 illustrate the current coverage in Sandbaai as there is a temporary site on Erf 2820. If the temporary site is taken away, then a big area in Sandbaai won't have any coverage (See figure 5 above). Therefore, a permanent TA as proposed in this application will increase the amount of coverage in this area and make sure that coverage will meet the capacity which is demanded/needed.

The increase in network strength brought by the proposed TA will aid the local businesses and can unlock growth potential which will have a positive economic impact. Residents, businesses and commuters will have a more secure connection to emergency services and armed response which will have a huge social impact.

The mix of land uses range from community, open space, residential to business use. The proposed TA will not interfere with the current use of the property and there are no negative impacts on the surrounding land uses and environment. No trees need to be removed to build the base station and no buildings with heritage value will be affected.

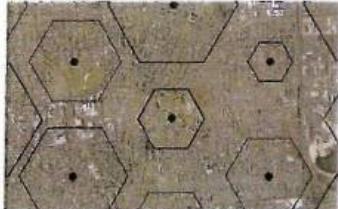
### E.2.2. Choice of site

As an increase in the number of users occurs, the area which is covered by the existing network decreases, leading to poorer network coverage. Figures 5-7 strive to explain how the need for an increase in cellular infrastructure evolves in a typical urban area. Cellular infrastructure explained:



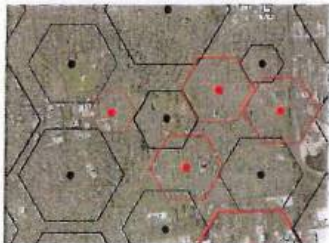
*Figure 6 is an illustration of optimum network and data coverage. This is explained by envisioning the octagonal shape of a honeycomb (cells).*

Figure 6 - Initial Coverage (Cell) provided by Telecommunications Base Stations



*As network users increase, the cells shrink which leads to gaps within this network of cells. This leads to dropped calls, weak/ limited signal and the failure to access the latest technologies in communication innovations.*

Figure 7 - Coverage decreases due to increase in network users - cell size decreases



*Gaps between cells require new/additional telecommunication base stations to be placed in these gaps to retain good network coverage*

Figure 8 - Additional telecommunication base stations required to fill the gaps

Locations for telecommunication infrastructure are primarily chosen within areas where a need exists for coverage (refer to Figure 7-8).

The need for coverage is however not the only determining factor when identifying a possible position for a telecommunication base station/ transmission apparatus. Other determining factors include altitude, zoning and the visual impact of the proposed base station/ transmission apparatus. Distance away from existing base stations/ transmission apparatus in the surrounding area is also an influencing factor.



Figure 9 - 500m and 1km radius of the proposed site and surrounding base stations

Considering the information in Figure 9 the need for the proposed TA is clear. Existing TI are not sufficient to provide coverage as there are no other TA/TBS within the 500m and 1km radius. Therefore the proposed TA will be necessary to provide coverage to the needed capacity.

However there is an application in for an 18m transmission apparatus on Erf 2856 Sandbaai. This is approximately 60-70m away from Erf 2820 Sandbaai. The application in for Erf 2856 Sandbaai is at an advanced stage, but the following impacts could be considered if both applications is approved.

- Both applications will contribute to better capacity coverage for multiple service providers.
- Both erven has a suitable zoning for proposing transmission apparatus (TA).



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

- Both TA's will have some visual impact on the surrounding area. The 18m TA at Erf 2856 will possibly have more visually impacts based on its height, compared to the proposed 10m TA on Erf 2820 Sandbaai.
- The proposed 18m TA will probably have a bigger footprint size compared to the 10m TA.
- However the 18m TA will accommodate 1-2 service providers more than 10m TA which will accommodate just one service provider.
- Both TA's will be better in the end and otherwise a bigger TA of 25m will needed in order to accommodate al service providers.

Alternative sites were considered during the initial stages of the proposal but this option is deemed the most acceptable option in terms of visual impact and based on the requirements of the network providers, contractors and land owner.

Alternative sites considered:

- Option 1- Erf 2825 was considered as an alternative and is zoned Community Zone 1. However this alternative can work but visual impacts may be severe as erf is quite opened and vacant. The proposed TA will be visually intrusive and residents across the streets will have a full view of TA.
- Option 2- Erf 2824 is zoned Open Space Zone 2. This alternative will also have severe visual impact from Jimmy Smith Street. The erf is also used for community purposes.
- Option 3- Erf 2820 is zoned as Community Zone 1. The property is owned by the Overstrand municipality. This is the best alternative for the proposed TA. Visual impacts will be less and no residential properties is in close proximity from the proposed TA. No vegetation will be removed as the proposed TA is placed at the back of the church building and is surrounded by trees on the boundary, making it less visual. The proposed TA will provide the needed coverage to the surrounding business and residential zones.
- Option 4- Erf 1746 was considered as an alternative and is zoned Business Zone 3. The business zone is a perfect to propose a transmission apparatus, however it may have more visual impacts and it will be much closer to residential properties. Multiple Applications was submitted before on this erf and refused in the end.



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za



Figure 10 - Alternatives considered



Figure 11 - 1km radius around the Proposed Pole Mast Site (Transmission Apparatus)



Figure 12 - Zonings of the surrounding properties within a 1km radius.

Figure 11 and 12 shows the 1km radius around the proposed pole mast on erf 2820 - Sandbaai Gemeenskapsaal. One can see that most of the zonings within the 1km radius is zoned residential, making the alternative sites less to propose a transmission apparatus.

Just outside the 1km radius from the proposed site is an area with industrial zonings. There is an existing transmission apparatus in that area, therefore those zonings were not considered.

Most of the open spaces in Sandbaai don't have sufficient space for access purposes when installing a transmission apparatus.

The area where the proposed site is, is chosen based on the above mentioned factors in the motivation.

See below alternatives sites with other designs under visual impact.

### E.2.3. Visual Impact

The proposed TA reduces visual impact. The proposed TA in figure 13 and drawings submitted with the motivation will be the best option. The lattice mast (figure 14) was proposed as a second option

and the tree mast (figure 15) as a third option to consider. The lattice mast won't work in the sense that it will not be visually suitable to the surrounding area. It will require a bigger footprint size as the pole option in figure 13. The tree mast option is also a good option, but it will also need a bigger footprint size and design will be much wider than the pole option in figure 13.

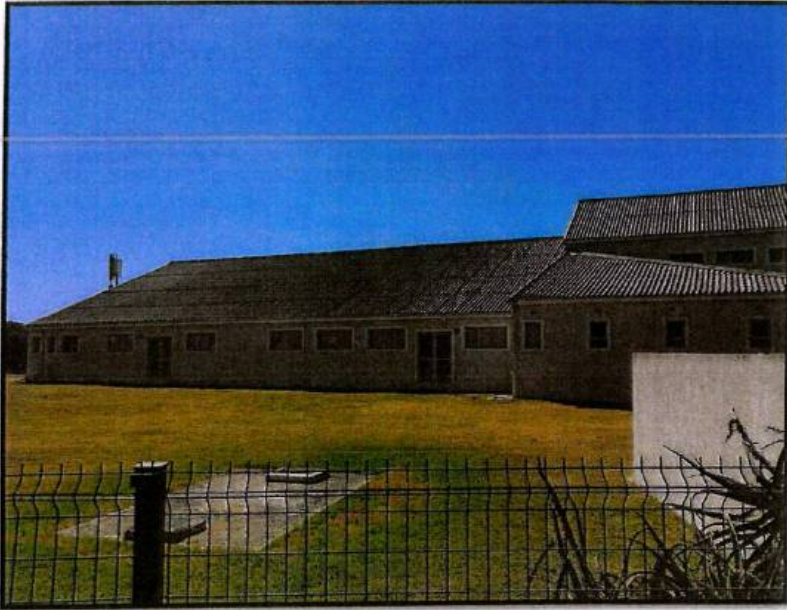


Figure 13 - Superimposition of Pole Mast

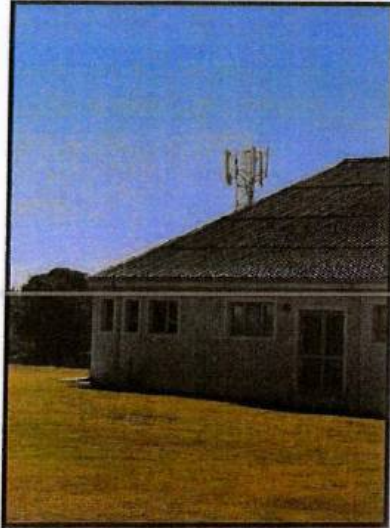


Figure 14 - Superimposition of Lattice Mast

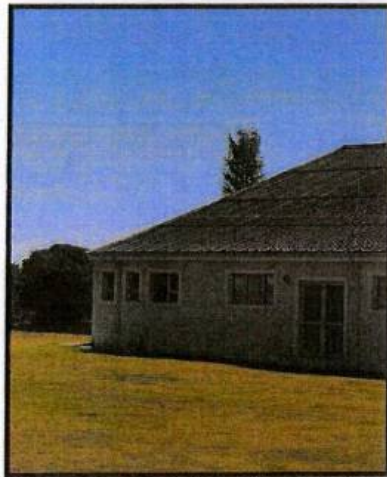
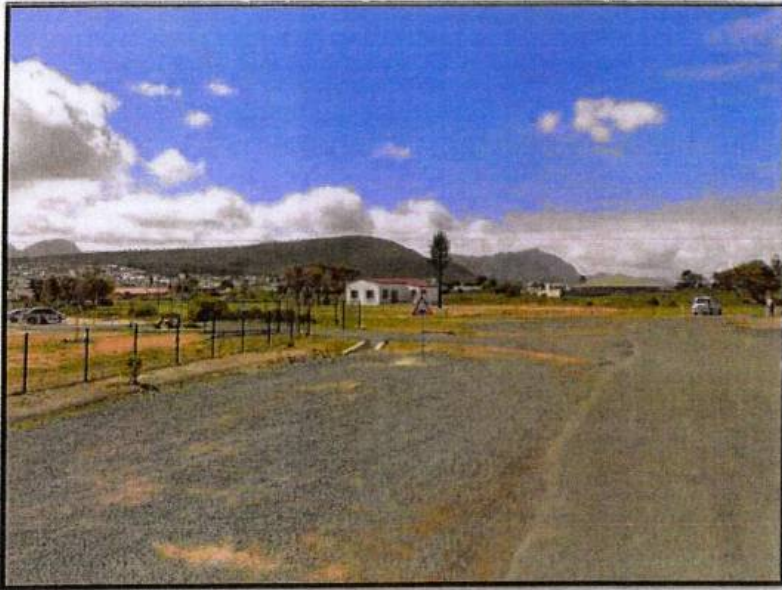


Figure 15 - Superimposition of Tree Mast

Based on figure 13 – 15 above, showing three mast designs on Erf 2820 Sandbaai, we of opinion that the Pole mast design will be the best as it is less visual and uses a small footprint.

**Two alternative sites with design options**

Figure 16 -19 shows two alternative sites with other design options, but in opinion these designs will have more severe visual impact to the surrounding area.



*Figure 16 - Tree Mast Design on Erf 2824 Sandbaai*

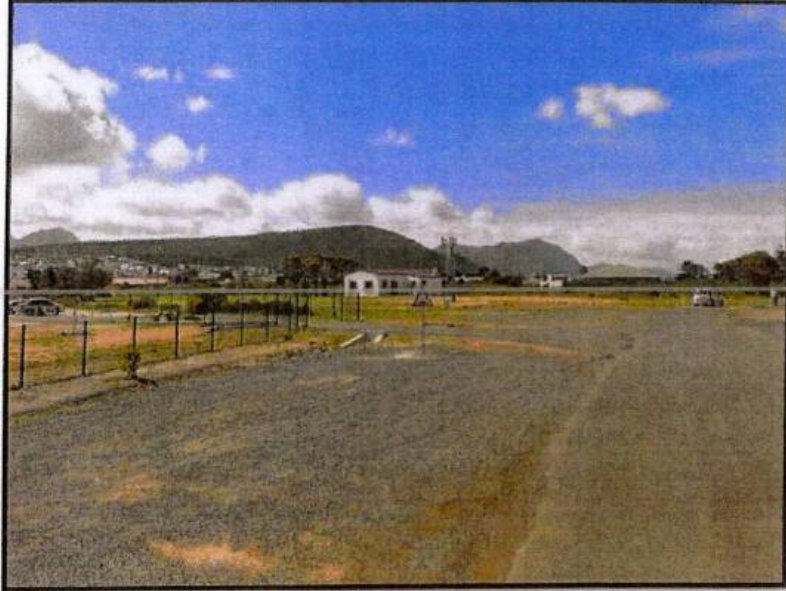
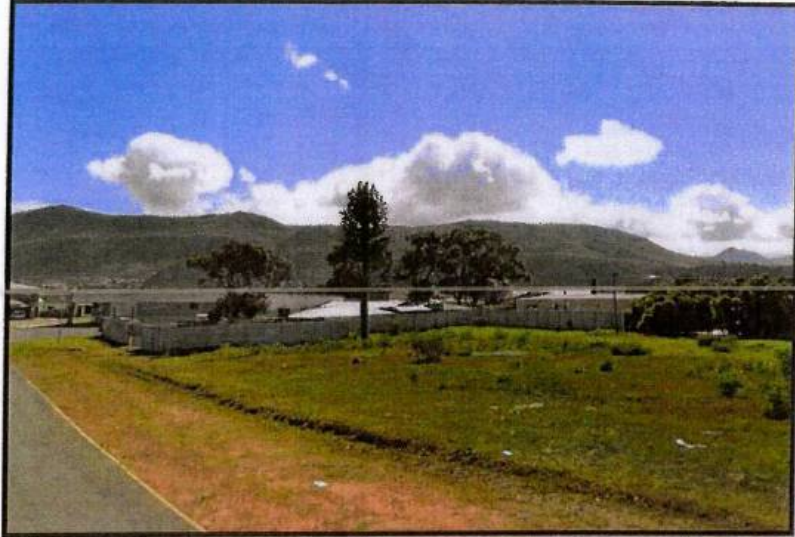


Figure 17 - Lattice Mast Design on Erf 2824 Sandbaai



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za



*Figure 18 - Tree Mast Design on Erf 1746 Sandbaai*



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wppanning.co.za

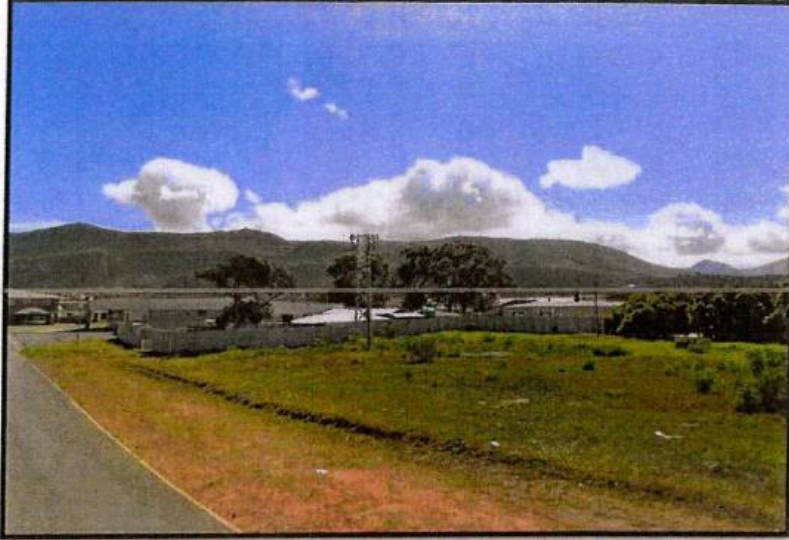


Figure 19 - Lattice Mast Design on Erf 1746 Sandbaai



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

#### E.2.5. Health concerns

There has been increasing public concern about health risks associated with cellular communication. Current scientific research is yet to produce conclusive evidence suggesting adverse health effects associated with, working with or living close to cellular technology. Although antennae and base stations emit radio waves, their frequency is not considered high enough to pose a health risk. Antennae mounted on towers, masts or any other structures are usually substantially elevated above ground level, and as radio waves are emitted at this level thereby further reducing the amount of radiation at ground level. Furthermore, regular tests regarding the compliance to safety regulations add to reducing the health risk factor.

South Africa's Department of Health has published EMF exposure limit guidelines. These are based on guidelines endorsed by the ICNIRP (International Commission on Non-Ionising Radiation Protection), an independent scientific organization established in 1992. Emissions from the base stations and antennae comply with these guidelines.

In a statement made by the Department of Health dated 8 September 2020 on the Health Effects of base stations states the following:

**"Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects"**

**"A large number of studies have been performed over the last two decades to assess whether mobile phones pose a potential health risk. To date, no adverse health effects have been established as being caused by mobile phone use"**

There are no conclusive studies linking emissions at these levels to any health effects and scientific research that may reveal such a link is ongoing. The steps taken by the cellular communication companies to ensure the safety of the public against any possible harmful emissions, along with the above facts, concerns about health issues can be allayed.



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

## SECTION F: CONCLUSION

This consent use application in terms of the zoning scheme for a proposed TA on Erf 2820, Sandbaai, will provide an essential and sort after service to the surrounding community, businesses and commuters. This application is in line with the current policy and legislation on a local level. Policy and legislation are mainly focused on the Spatial Planning and Land Use Management Act, 2013. Furthermore, this application is in compliance with the Integrated Development Plan (2017/18 – 2021/22), and Spatial Development Framework (MSDF), 2020.

We trust that this application will meet your requirements and will receive your positive consideration.



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

**Overstrand Local Municipality**

Town Planning Department  
Hermanus  
Magnolia Street  
7200

18 October 2021 (revised 25 March 2022)

Dear Sir/Madam

**DETERMINATION OF AN ADMINISTRATIVE PENALTY APPLICATION FOR A TRANSMISSION APPARATUS ON ERF 2820, SANDBAAI**

Kindly find attached the motivation regarding the application for the determination of an administrative penalty to allow a transmission apparatus (temporary site) on erf 2820, Sandbaai. We trust that your department will consider waiving an administrative penalty based on the following information.

We are of the opinion that the current development is greatly beneficial for the inhabitants of Sandbaai – which include local businesses and residents – as well as surrounding communities, tourists and commuters. These benefits relate to the accessibility to enhanced mobile technologies (LTE, 4G).

*We hereby apply for the determination of an administrative penalty in terms of section 16 (2)(q) of the Overstrand Municipal Planning By-law (2020) to permit a transmission apparatus on Erf 2820, Sandbaai.*

Please do not hesitate to contact our office at any given time should additional information be required. We furthermore wish to thank your office in advance for the positive consideration of this application.

Yours faithfully

**Ruan Chipps**

**Candidate Planner – C/8778/2018**

**WARREN PETERSON PLANNING**



Warren Petterson Planning  
 P.O. Box 152  
 Century City  
 7446

T: (021) 552 5255  
 C: (073) 012 6124  
 E: ruan@wpplanning.co.za

**Contents**

1. BACKGROUND ..... 2

    1.1 THE APPLICATION..... 2

    1.2 DETAILS OF THE DEVELOPMENT AREA ..... 2

2. CASE HISTORY ..... 3

    3 (a) the nature, duration, gravity and extent of the contravention ..... 3

    3 (b) the conduct of the person (allegedly) involved in the contravention. .... 3

    3 (c) a report by a quantity surveyor in matter of unauthorised building/construction. .... 3

    3 (d) whether the unlawful conduct was stopped..... 4

    3 (e) whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law..... 4

3. MOTIVATION ..... 4

    3.1 VISUAL IMPACT AND SUPERIMPOSITION ..... 5

4. CONCLUSION ..... 10

Figure 1 - Existing 9m Transmission Apparatus ..... 6

Figure 2 - Photo of the existing transmission apparatus on Erf 2180 Sandbaai ..... 7

Figure 3 - Current Coverage with the Temporary Site at Erf 2820 Sandbaai..... 8

Figure 4 - Coverage without the temporary site at Erf 2820 Sandbaai ..... 9



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

## 1. BACKGROUND

### 1.1 THE APPLICATION

Application is hereby made for the following:

- ✓ **Determination of an administrative penalty as contemplated in section 90** in terms of section 16(q) of the Overstrand Municipal Planning By-law, 2020 to permit a 9m transmission apparatus on Erf 2820, Sandbaai.

### 1.2 DETAILS OF THE DEVELOPMENT AREA

Table 1 - Details of the Development Area

PROPERTY DESCRIPTION	Erf 2820 Sandbaai
TITLE DEED NUMBER	T59348/2012
PROPERTY SIZE (m <sup>2</sup> )	8912 SQM
CURRENT ZONING (per CTZS)	Community Zone 1
OWNER OF PROPERTY	Overstrand Municipality



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

## 2. CASE HISTORY

### Section 90 – Application for administrative penalty:

#### 3 (a) the nature, duration, gravity and extent of the contravention

The transmission apparatus on Erf 2820 Sandbaai was established around 2016, meaning that the duration is about 6 years 2 months.

Vodacom is aware of the current situation on Erf 2820 Sandbaai and takes full responsibility to rectify the problem.

#### 3 (b) the conduct of the person (allegedly) involved in the contravention.

From 2016 Vodacom had to renew the agreement for the temporary site. Until recently now Vodacom and the Sandbaai Community Hall has a lease agreement to put up a transmission apparatus (temporary site) while getting the permanent approvals. A Power of Attorney from the Overstrand Municipality was provided based on the approved lease agreement as mentioned above. The Power of Attorney was obtained 11/03/2021 early this year and a land use application was submitted on 12/03/2021 in order to get the permanent approval.

After submitting a consent use application for the permanent approvals, Overstrand Municipality notified us that an admin penalty must be first processed to rectify the contravention. Our client, Vodacom, wishes to highlight the need for this transmission apparatus at Erf 2820 Sandbaai and want to follow the correct procedure in order to get all approvals in place.

#### 3 (c) a report by a quantity surveyor in matter of unauthorised building/construction.

The existing Transmission Apparatus is temporary site which can be removed anytime. There are no foundation in the soil, therefore no report by a quantity surveyor is required. See value letter attached from Vodacom which states the Gumi Pole and Equipment is valued at R150 000.

The total area of the Gumi Pole and Equipment is 4m<sup>2</sup>

The current land value of the Erf 2820 Sandbaai is R 2 000 000 according to Overstrand Municipal Map Viewer (Public).



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

### 3 (d) whether the unlawful conduct was stopped.

The unlawful conduct at Erf 2820 Sandbaai has not stopped. If the activity was to be ceased, the entire surrounding community would suffer from weak or no coverage which could lead to safety and security issues. With the Covid-19 pandemic, more people are working from home nowadays, making coverage in residential areas more essential than ever before. See coverage plots below – Figure 3 and 4.

An admin penalty application for the unlawful conduct is submitted together with a consent use application in order to follow all municipal procedures in getting the necessary approvals.

### 3 (e) whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law.

Vodacom has contravened the by-law before, but this is not intentional as bylaws are amended/changed. The Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) came into effect which requires every local authority to have their own set of municipal planning by-laws. In the case of Overstrand Municipality, the Municipal Planning By-Law allows for a Transmission Apparatus as a consent use under properties zoned for Community Zone 1 purposes.

The operation of unlawful activity on Erf 2820 Sandbaai was / is not intentional but Vodacom accepts full responsibility for the activity by submitting an admin penalty

The installation is in line with SPLUMA 16 of 2013, Overstrand Municipality Integrated Development Plan 2017/18 – 2021/22 as well as the Municipal Spatial Development Plan, 2020 to accommodate the infrastructure and emphasize the need of the transmission apparatus. If the installation was to be removed from Erf 2820 Sandbaai, a new mast would have to be erected in the area, as there is a major need for coverage/capacity in the surrounding residential suburb.

## 3. MOTIVATION

We kindly request your department to waive any administrative penalty based on the following reasons:

- ✓ The existing Transmission Apparatus is by no means a careless act and Vodacom is trying to rectify this situation by following all necessary steps to regularize the installation on Erf 2820 Sandbaai.
- ✓ The existing Transmission Apparatus is temporary site which can be removed anytime. There are no foundation in the soil, therefore no report by a quantity surveyor is required. See value letter attached from Vodacom.



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

- ✓ This Transmission Apparatus is in-line with the SPLUMA Policy, the Overstrand Integrated Development Plan 2017/18 – 2021/22 and the Overstrand Municipal Spatial Development Framework, 2020.
- ✓ If the Transmission Apparatus is to be removed, the surrounding community will have no signal as it serves the whole area at the moment. (See Figure 3 and 4 below)
- ✓ The removal of the existing Transmission Apparatus will also mean that a new mast will have to be erected to accommodate the necessary cellular infrastructure.
- ✓ If the administrative penalty was to be approved, a Land Use Management Application will be submitted (already submitted) to legalize the transmission apparatus on this property.
- ✓ The type of design used for the transmission apparatus, will reduce visual impact as it is behind the existing building with trees/plants in the backdrop. (See under visual impact below)
- ✓ Our credible client, Vodacom has a good reputation and wish to rectify any misconceptions or legitimise any actions.
- ✓ Due to the Covid-19 pandemic more people are working from residential areas (their homes) than ever before, making this FSBS a necessity for residents to do so.

### 3.1 VISUAL IMPACT AND SUPERIMPOSITION

The existing Transmission Apparatus will reduce visual impact as it is only 9m long (See Figure 1 below). It is not a 15m or 25m transmission apparatus which will have severe impacts. The height was chosen due to the elevation and safety reasons while taking visual impact mitigation measures into consideration. The visual impact of the site will be greatly mitigated by the fact that the existing base station/ transmission apparatus size is small while accommodating for only a 9m pole. The other 15m – 25m transmission apparatus normally requires bigger base station size to accommodate all equipment.

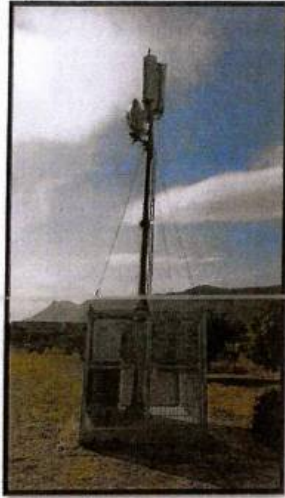
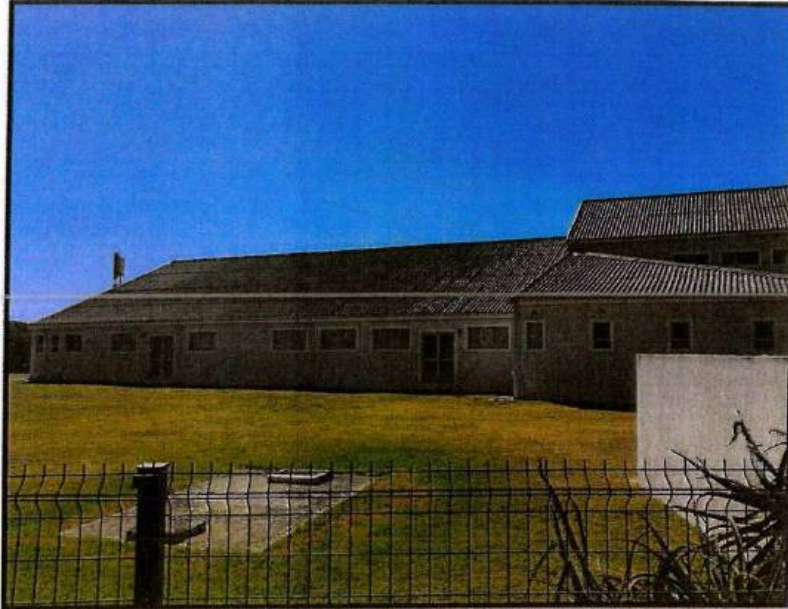


Figure 1 - Existing 9m Transmission Apparatus



*Figure 2 - Photo of the existing transmission apparatus on Erf 2180 Sandbaai*

Figure 2 illustrates that the existing transmission apparatus on Erf 2180 Sandbaai will not have a severe visual impact.

Figure 3 and 4 below illustrates the importance and current coverage within and around Sandbaai.

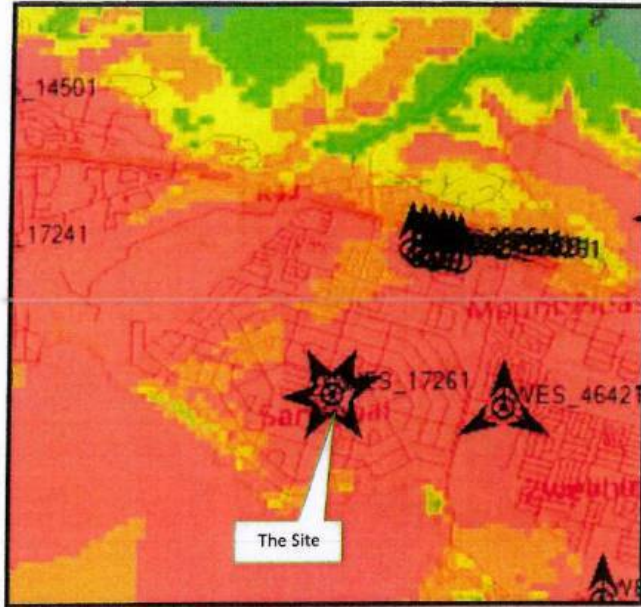


Figure 3 - Current Coverage with the Temporary Site at Erf 2820 Sandbaai

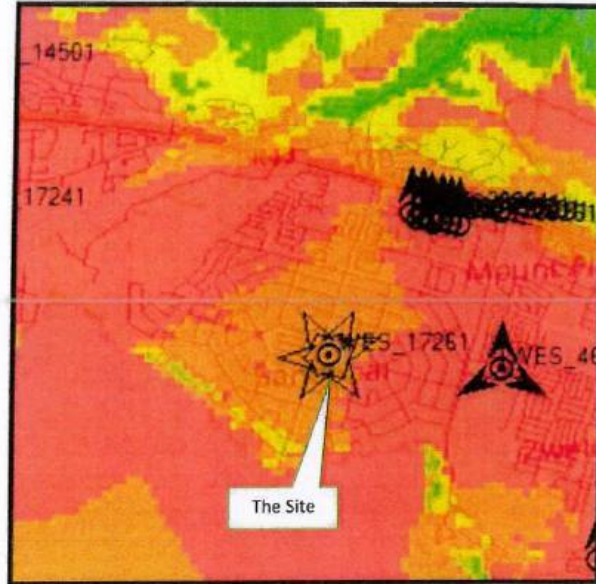


Figure 4 - Coverage without the temporary site at Erf 2820 Sandbaai



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: (073) 012 6124  
E: ruan@wpplanning.co.za

#### 4. CONCLUSION

This application is for the **determination of an administrative penalty** as contemplated in section 90 in terms of section 16(q) of the Overstrand Municipal Planning By-law, 2020 relating to an existing transmission apparatus on Erf 2180, Sandbaai.

We trust that the provided information in this document will assist your department's consideration of waiving an administrative penalty on the said property. We urge your department to acknowledge the lifestyle changes that Covid-19 has brought upon us and that more coverage/capacity in residential areas is a necessity, now more than ever before.


This existing transmission apparatus and associated applications are not a careless act and strive to keep enhancing the efficiency and effectiveness of mobile connectivity and coverage in the area of Sandbaai. This development will keep on contributing to improve accessibility to social structures (e.g. emergency services, police, ambulances, security groups etc.) and economic growth (e.g. improved connectivity for local businesses and home enterprises).

We trust that this application will meet your requirements and will receive your positive consideration.

ANNEXURE C 1/7




VODACOM SITE ID:	BS - SANDBAAI	
VODACOM SITE NAME:	SANDBAAI GRBEENSKAPSAAL	
PROPERTY DESCRIPTION:	ERF 2820, SANDBAAI	
ADDRESS:	JIMMY SMITH STREET, SANDBAAI	
COORDINATES:	ELEVATION: 19m	
Lat: 34.4274287°	Long: 18.1977321°	
TOWN AND REGIONAL PLANNING CONSULTANTS 1st Floor, 100 Main Road, Sandbaai, Sandbaai, 7448 Tel: 021 533 9100 Fax: 021 533 9101 Mobile: 082 933 9100 E-mail: info@wpp.co.za		
PROJECT:	PROPOSED NEW VODACOM 10m TELECOMMUNICATION MAST WITH 3m x 3m BASE STATION	
APPROVED MAST:	10m TELECOMMUNICATION MAST	
NOTES:	<p>A) NEW 10m TELECOMMUNICATION MAST WITH 3m x 3m BASE STATION</p> <p>B) 2m CLEARANCE FENCE</p> <p>C) 2m CLEARANCE FENCE</p> <p>D) SITE SIZE SHIFED TO FENCE WITH FENCE</p> <p>E) EXISTING STATION CAP STONE SURFACE</p> <p>F) DOWNY PINE PLANT TO BE REMOVED</p> <p>G) TEMPORARY BASE STATION ON SITE TO BE REPLACED</p>	
DATE:	DESCRIPTION:	REVISION:
20-03-2020	1st Issue	D
DRAWING NUMBER:	BS - SANDBAAI	SHEET:
2 OF 5		
DRAWING TITLE:	SITE PLAN	
DESIGNER:	C. BRIDENMANN	SCALE:
		1:750
DATE:	2020-03-03	REVISION:
		0



**vodacom**

<b>VODACOM SITE ID:</b>	BS - SANDIBAAI
<b>VODACOM SITE NAME:</b>	SANDIBAAI GEMEINSKAPSAAL
<b>PROPERTY DESCRIPTION:</b>	ERF 2820, SANDIBAAI
<b>ADDRESS:</b>	JIMMY SMITH STREET, SANDIBAAI
<b>COORDINATES:</b>	ELEVATION: 18m
Lat: -34.837744°	
Long: 19.377738°	



**TOWN AND REGIONAL PLANNING CONSULTANTS**  
 1st Floor, 100 West Street,  
 Sandbaai, Cape Town  
 Tel: 021 953 8827  
 Fax: 021 953 8827  
 Email: info@mpp.co.za

**PROJECT:**  
PROPOSED NEW VODACOM 10m TELECOMMUNICATION MAST WITH 3.8m X 3.8m BASE STATION

**APPROVED MAST:**  
10m TELECOMMUNICATION MAST

**NOTES:**  
 A) NEW 10m TELECOMMUNICATION MAST  
 B) 10m TELECOMMUNICATION MAST  
 C) 2.4m CLEARANCE FENCE  
 D) SITE SIZE: SITE SHARED TO FENCE WITH FENCE  
 E) 10m TELECOMMUNICATION MAST WITH 3.8m X 3.8m BASE STATION  
 F) ZONING: COMM-04  
 G) TEMPORARY BASE STATION ON SITE TO BE REPLACED

DATE	DESCRIPTION	REVISION
09-03-2023	1st Issue	0

<b>DRAWING NUMBER:</b> BS - SANDIBAAI	<b>SHEET:</b> 3 OF 8
<b>DRAWING TITLE:</b> TOP VIEW	

<b>DESIGNER:</b> C. BREDENHANN	<b>SCALE:</b> 1:100
<b>DATE:</b> 2023-03-03	<b>REVISION:</b> 0

Top View





**VODACOM SITE ID:** BS - SANDIBAII  
**VODACOM SITE NAME:** SANDIBAII GEMEINSKAPSAAL  
**PROPERTY DESCRIPTION:** ERF 2120, SANDIBAII

**ADDRESS:** JIMMY SMITH STREET,  
SANDIBAII

**COORDINATES:** **ELEVATION:**  
 Lat: 34.422742°  
 Long: 28.127723°  
 18m



**TOWN AND REGIONAL PLANNING CONSULTANT**  
 28 BOSTON STREET  
 SANDIBAII, SANDIBAII DISTRICT  
 FIC 58157 987  
 CONTACT: 081 201 1100  
 WWW.WPP.CO.ZA

**PROJECT:** PROPOSED 10M TOWER WITH TELECOMMUNICATION MAST  
 WITH 3x VC ANTENNA AT SANDIBAII

**APPROVED MAST:** 10m TELECOMMUNICATION MAST

- NOTES:**
- A NEW 10m TELECOMMUNICATION MAST
  - B 3.000m BASE STATION
  - C 2.4m CLEARWAY FENCE
  - D 10m CLEARWAY FENCE
  - E BASE SITE SHARDED TO FINISH WITH FENCE
  - F 10m CLEARWAY FENCE
  - G ZONING: COMMUNITY ZONE 1
  - H TEMPORARY BASE STATION ON SITE TO BE REPLACED

DATE	DESCRIPTION	REVISION
03-03-2020	1st ISSUE	0

DRAWING NUMBER:	BS - SANDIBAII	SHEET
		4 OF 8

DRAWING TITLE:	ELEVATION

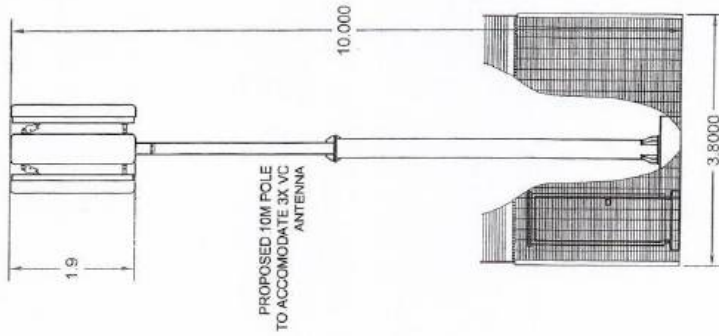
  

DRAWN:	C. BREIDENHARN	SCALE:
		1:75

DATE:	2020-03-03	REVISION:
		0

Elevation



**NOTE:** Advisory or warning signage including a pictogram may be a requirement for TM. Such signage shall identify the property and the TM 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.

This application will comply with the COCT, Telecommunication Mast Infrastructure Policy, as approved in April 2015.

Art Impression



Photo of temporary site on property (To be replaced with 10m pole)



**VODACOM SITE ID:** BS - SANDHAI  
**VODACOM SITE NAME:** SANDHAI GEMEINSKAPSAAL  
**PROPERTY DESCRIPTION:** ERP 2000 SANDHAI  
**ADDRESS:** JIMMY SMITH STREET, SANDHAI  
**COORDINATES:** ELEVATION: 18m  
 Lat: -34.427748°  
 Long: 18.187733°



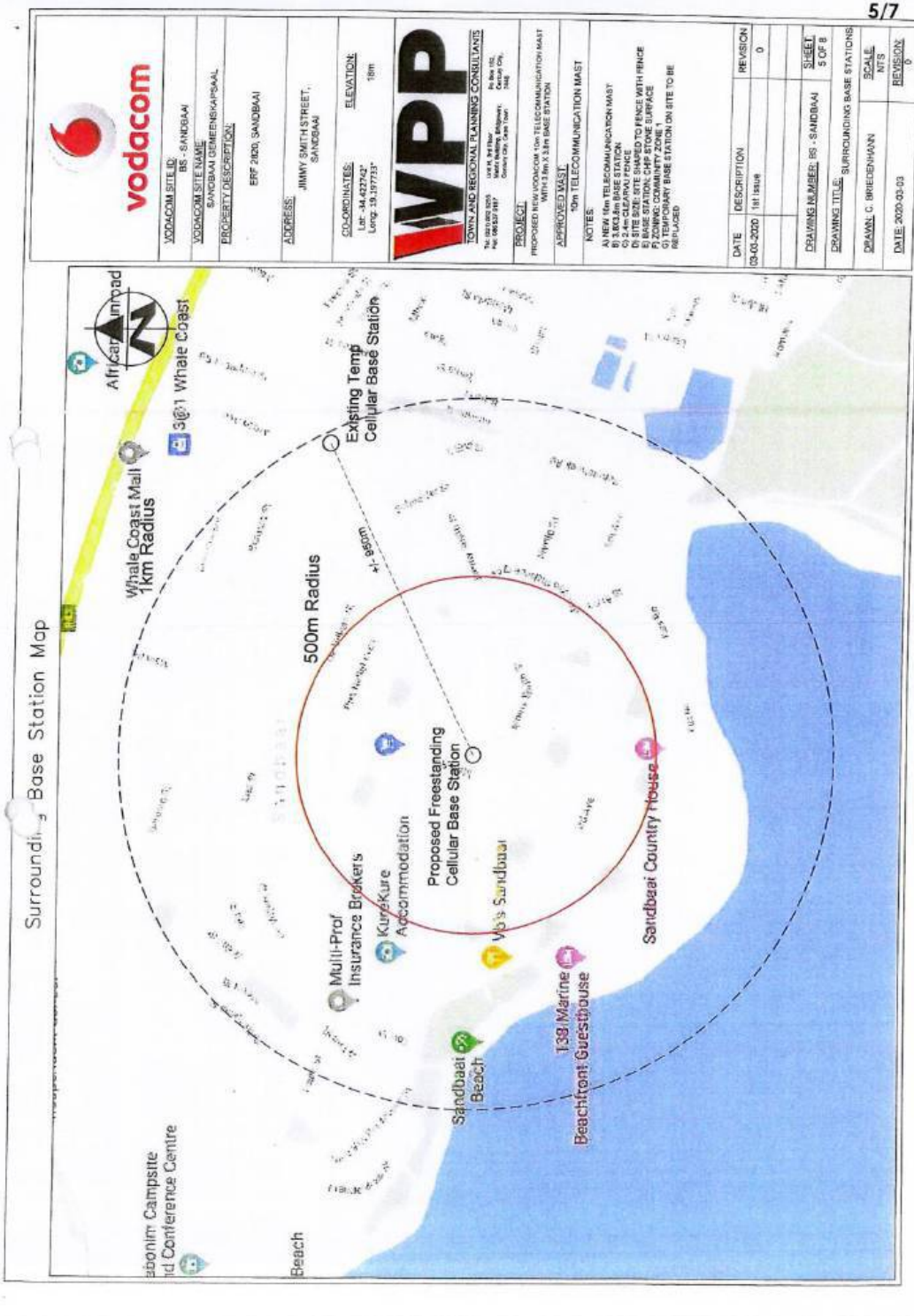
**TOWN AND REGIONAL PLANNING CONSULTANT**  
 WPP  
 10th Floor, 3rd Phase  
 10th Floor, 3rd Phase  
 10th Floor, 3rd Phase  
 10th Floor, 3rd Phase

**PROJECT:** PROPOSED VODACOM 10m TELECOMMUNICATION MAST WITH 10m x 3m x 3m TELEPHONE STATION  
**APPROVED MAST:** 10m TELECOMMUNICATION MAST

**NOTES:**  
 01 NEW 10m TELECOMMUNICATION MAST  
 02 2.8m x 3m BASE STATION  
 03 2.4m CLEARANCE FENCE  
 04 10m x 3m x 3m TELEPHONE STATION  
 05 SITE SHAPED TO BRIDGE WITH FENCE  
 06 10m x 3m x 3m TELEPHONE STATION  
 07 ZONING COMMUNITY ZONE 1 PURPOSE  
 08 TEMPORARY BASE STATION ON SITE TO BE REPLACED

DATE	DESCRIPTION	REVISION
08/03/2020	1st ISSUE	0

**DRAWING NUMBER:** BS - SANDHAI  
**SHEET:** 8 OF 8  
**DRAWING TITLE:** ARTIST IMPRESSION  
**DRAWN:** C. BRIDENHANN  
**SCALE:** NTS  
**DATE:** 2020-03-03  
**REVISION:** 0



**VODACOM SITE ID:** BS - SANDBAAI  
**VODACOM SITE NAME:** SANDBAAI DEMENSAPSAAL  
**PROPERTY DESCRIPTION:** ERF 2020, SANDBAAI  
**ADDRESS:** JIMMY SMITH STREET, SANDBAAI  
**COORDINATES:** ELEVATION: 18m  
 Lat: -34.02762  
 Long: 33.37733



**TOWN AND REGIONAL PLANNING CONSULTANTS**  
 MPP  
 100-102  
 100-102  
 100-102  
 100-102

**PROJECT:** PROPOSED NEW VODACOM 10m TELECOMMUNICATION MAST WITH 3.8m X 3.8m BASE STATION



**APPROVED MAST:** 10m TELECOMMUNICATION MAST

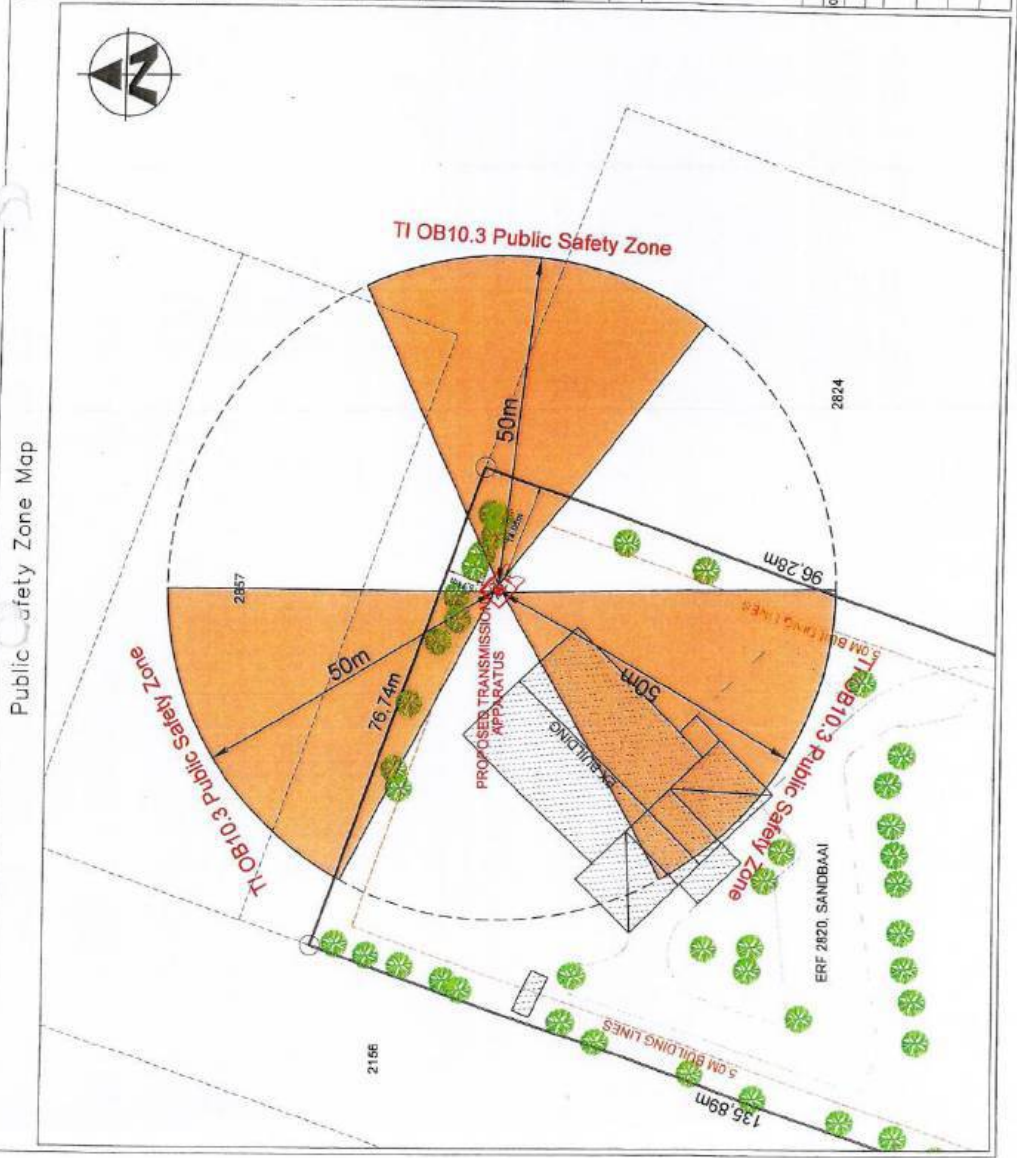
**NOTES:**  
 A) NEW 10m TELECOMMUNICATION MAST  
 B) 3.8x3.8m BASE STATION  
 C) SITE SHAWED TO FENCE WITH FENCE  
 D) BASE STATION: CHP STONE SURFACE  
 E) TEMPORARY BASE STATION ON SITE TO BE REPLACED

DATE	DESCRIPTION	REVISION
03-03-2020	1st ISSUE	0

**DRAWING NUMBER:** BS - SANDBAAI  
**SHEET:** 5 OF 8  
**DRAWING TITLE:** SURROUNDING BASE STATIONS

**DRAWN:** C. BREDENHANN  
**SCALE:** INTS  
**DATE:** 2020-03-03  
**REVISION:** 0

		
VODACOM SITE ID	BS - SANDRAAI	
VODACOM SITE NAME	SANDRAAI GEMEINSKAPSAAL	
PROPERTY DESCRIPTION	ERF 2020, SANDRAAI	
ADDRESS	JIMMY SMITH STREET, SANDRAAI	
COORDINATES	ELEVATION 10m	
		
TOWN AND REGIONAL PLANNING CONSULTANTS 101 BLOEMFONTEIN ROAD, SANDRAAI, SANDRAAI, N. CAPE Tel: 083 663 5006 Fax: 083 663 5007 P.O. Box 152, Maitland, Sandberg, 7440 (Cape Town, South Africa)		
PROJECT	PROVIDED NEW VODACOM 10m TELECOMMUNICATION MAST WITH 2.4m X 3.8m BASE STATION	
APPROVED MAST	10m TELECOMMUNICATION MAST	
NOTES	A) NEW 10m TELECOMMUNICATION MAST B) 2.4m X 3.8m BASE STATION C) 2.4m CLEARANCE HEIGHT D) SITE SIZE: SITE SHARPED TO FENCE WITH FENCE E) SURFACE FINISH: ASPHALT F) FOUNDATION: CHIP STONE SURFACE G) TEMPORARY BASE STATION ON SITE TO BE REPLACED	
DATE	DESCRIPTION	REVISION
03-03-2020	1st Issue	0
DRAWING NUMBER	BS - SANDRAAI	SHEET
		3 OF 8
DRAWING TITLE	PUBLIC SAFETY ZONE MAP	
DRAWN BY	C. BRIDENMANN	SCALE
		1:1750
DATE	2020-03-03	REVISION
		0



Public Safety Zone Map



TP. A. Theak  
(H. Divier)



FILE NO.	Eif 2820
	Sandbaai
SCAN NO.	MSB 2820
COLLABORATOR NO.	1801210

Die munisipale bestuurder  
Overstrand Munisipaliteit  
Herrmanus

Vir Aandag Mnr Boshoff.

Meneer,

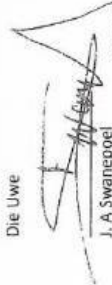
1/5 Efr 2820, H/V Hoofweg en Jimmy Smith straat ( Sandbaai Gemeenskap Saal)  
Aansoek om vergunnings gebruik en bepaling van 'n onwettige toring aangebring by die saal.  
bepanning names Overstrand Munisipaliteit.  
Kennisgewing nr. 174 / 2022

Ek teken beswaar aan teen sodanige vergunnings gebruik en bepaling van Boete  
Daar was alreeds heelwat kontroversie oor die onwettige toring aangebring by die saal.  
Dit was in die tyd toe my wettige aansoek wat aan alle vereistes voldoen het oorkant die saal  
afgekeur is.  
Geen publieke deelname is gedoen met die toring by die saal nie. Die persone ( 'n vorige raadslid en  
ampenaar van die munisipaliteit) wat vir hierdie sake verantwoordelik gehou moet word, is nie  
meer in u diens nie. Waarom 'n wettige aansoek afkeur en sulke onwettighede aanvang.

Die toring by die saal sou kwansuis net tydelik gewees het en die versekering is gegee dat na  
Paasaweek 2017 verwyder so word.  
Dit staan nog steeds. Ek sou nou geregtigheid in die saak. Die persone verantwoordelik moet nou pa  
staan. Sien insetseis soos verskyn in die plaaslike pers.  
Wie moet nou pa staan vir die administratiewe boete?  
Hopelik nie die belasting betalers nie.

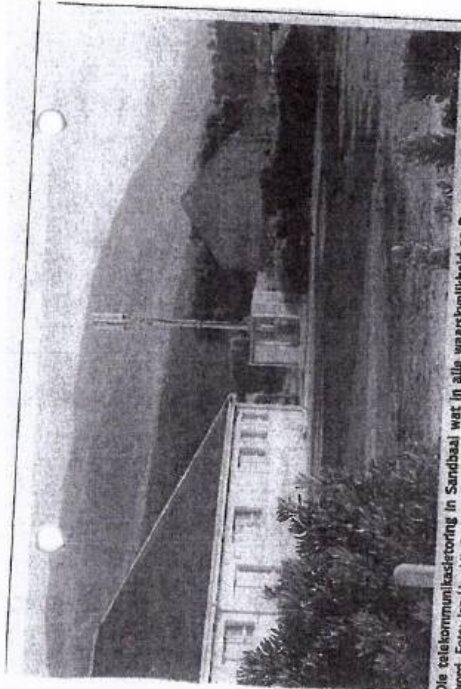
Hoe het die betrokke raadslid destyds gesê .  
Ons moet beleid in plek kry. Wat se Beleid? Ek dink die beste beleid is om maar die onwettige  
struktuur te verwyder of so nie in die berg te gaan opsit waar dit 'n beter doel sal dien.

Die Uwe

  
J. A Swainepoel

20 JAN 2023

TP



Die telekommunikasietoring in Sandbaai wat in alle waarskynlikheid na Paasweek afgebreek sal word. Foto: Jan-Hendrik Coetzer

## Selfoontorings: 'Ons moet 'n beleid in plek kry'

Jan-Hendrik Coetzer

Die aansoek om die telekommunikasietoring in Sandbaai van 8,5 meter na 15 meter te verhoog, is afgekeur.

Dit kom nadat die wykskomitee nie ten gunste was van die toring nie, aangesien daar nog nie 'n beleid oor selfoontorings as riglyn in plek is nie. Daar was ook drie besware van die inwoners ontvang.

Van die inwoners wat beswaar aangeteken het, voer aan dat die toring wat op Erf 260, 10 Jimmy Smithstraat in Sandbaai staan, nie net 'n gesondheidsrisiko vir die inwoners inhou nie, maar dat dit ook die waarde van eiendom in die omgewing gaan laat daal.

Daar is ook angevoer dat die beplande verlenging van die toring bykans dubbel die hoogte van die toegelate boubeperking in Erf 260...

David Botha, wyksraadslid in Sandbaai asook portefeulje-voorsitter Infrastruktuur & Teplanning, se dat die aansoek om telekommunikasietorings op te rig nog 'n baie ongemaklike saak is.

"Voor ek nie 'n beleid as riglyn in my hand het nie, kan ek dit nie goedkeur of goedpraat nie. Die toring staan reg langs 'n woning en naby ander huise.

"Maatskappye wat aansoek doen om hierdie torings op te rig, spandeer baie geld met so 'n aansoek. Daar is besluit wat 'n beleid saamgestel moet word waarvolgens aansoekers moet word.

telekommunikasietorings oorweeg sal word."

Ingevolge Artikel 63 van die Wet op Plaaslike Regering, Municipale Stelselwet, 32 van 2000, het die aansoeker die reg om binne 21 dae vandaat hy kennis van die besluit gekry het, appel aan te teken.

"Die bestaande toring was tydelik...

<p><b>OVERSTRAND MUNICIPALITY</b>  <b>ERF 2820, CORNER OF MAIN ROAD &amp; JIMMY SMITH STREET (SANDBAAL COMMUNITY HALL), SANDBAAL: APPLICATION FOR CONSENT USE &amp; DETERMINATION OF AN ADMINISTRATIVE PENALTY; WARREN PETERSON PLANNING ON BEHALF OF OVERSTRAND MUNICIPALITY</b></p>	<p>Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the applications mentioned below applicable to Erf 2820, Sandbaal namely:</p> <p><b>Consent Use</b>          Application in terms of Section 16(2)(c) of the By-Law for a consent use to accommodate a 10m high transmission tower on the property.</p> <p><b>Determination of an Administrative Penalty</b>          Application in terms of Section 16(2)(q) of the By-Law for the determination of an administrative penalty.</p> <p><b>Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department Town Planning at 16 Paterson Street, Hermanus.</b></p> <p>Any comments must be in writing in accordance with the provisions of Sections 51 and 52 of the By-law to reach the Municipality (16 Paterson Street, Hermanus / f) 028 313 2093/ (e) <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> on or before 27 January 2023, quoting your name, address, contact details, interest in the application and the reasons for comment. Telephonic enquiries can be made to the Town Planner, Mr. H. Boshoff at 028 313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.</p>	<p><b>UNASIPALA WASE-OVERSTRAND</b>  <b>ISIZA 2820, CORNER OF MAIN ROAD &amp; JIMMY SMITH STREET (SANDBAAL COMMUNITY HALL), SANDBAAL: ISICELO SOKULUNGISA KUNYE NOKUSHENXISA IMIQATHANGO YESITHINTELOYETAYITILE YOBUNINI, UKUSETYENZISWA KWEMVUJHE KUNYE NOKUPHAMBUKA: WARREN PETERSON PLANNING ON BEHALF (MASIPALA WASE OVERSTRAND)</b></p>	<p>Kuhluthwhe isaziso ngokweCandelo lama-47 kunye ne-48 loMthethwana kaMasipala waseOverstrand ongoloCwangciso lokusetyenziswa koMhlaba kaMasipala wovama-2020 ngocicelo ezichazwe ngezantsi ezihambelana neSiza 2820, e Sandbaal koku kulandelayo:</p> <p><b>Ukusetyenziswa kwemvume</b>          Isicelo ngokwenziwa yeCandelo le-16(2)(c) loMthethwo kaMasipala soSetyenziso kwemvume ukulungiselela ukujongana ne-10m yothumelo oluphezulu kwipropat.</p> <p><b>Ukumiselwa kwesohlayo soLawulo</b>          Ukwenziswa kwesicelo ngokweCandelo le-16(2)(q) loMthethwo kaMasipala wokumisela isohlayo solawulo.</p> <p>Inkculakcia ezihambelana nesi sindululo ziyalumaneka ukuba zihlolewe kwizicuko zaphakathi evekini, phakathi kwentsimbi ye-08:00 ukuya kweye-16:30 kwiCandelo: Ukwangciso lweDolophu kwe-16 e-Paterson Street, e-Hermanus.</p> <p>Nazphi na izirwo ezibhalweyo mazingeniswe ngokwezibonelelo zamaCandelo lama-51 nelama-52 oMthethwana kaMasipala (16 Paterson Street, Hermanus / f) 028 313 2093/ (e) <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> ngaphambi komhla wama-27 Janyuwar 2023, unike igama lakho, idilesi, inkculakcia olumaneka kuzo, umda wekho kweti sicelo neztabhu zokuhlomla, imbuzo ngelwum ingathunyelwa <b>weDolophu Ophesantsi uHnu. H. Boshoff</b> kule nombolo 028 313 8900. UMasipala lokugala ukwaziela ziphakemiso emva kosuku lokugala. Nabaqina ongakwaziyo ukufunda okanye ukubhala angandwendwela isebhe kaMasipala lokuCwangciso lDolophu apho igosa likamasipala liza kumnceda ukuze ahlome ngokuzemdiethweni.</p>
<p><b>OVERSTRAND MUNICIPALITEIT</b>  <b>ERF 2820, HOEK VAN HOOFWEG EN JIMMY SMITHSTRAAT (SANDBAAL GEMEENSKAPSAAL), SANDBAAL: AANSOEK OM VERGUNNINGSGEBRUIK &amp; BEPALING VAN 'N ADMINISTRATIEWE BOETE; WARREN PETERSON PLANNING NAMENS OVERSTRAND MUNICIPALITEIT</b></p>	<p>Kragens-Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die onderstaande aansoek van toepassing op Erf 2820, Sandbaal naamlik:</p> <p><b>Vergunningsgebruik</b>          Aansoek om vergunningsgebruik ingevolge Artikel 16(2)(c) van die Verordening ten einde 'n 10m hoë transmissietoring op die eiendoms te akkommodeer.</p> <p><b>Bepaling van 'n Administratiewe Boete</b>          Aansoek ingevolge Artikel 16(2)(q) van die Verordening vir die bepaling van 'n administratiewe boete.</p> <p>Besonderhede aangaande die voorstel is ter insae gedurende wekedae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus.</p> <p>Enige kommentaar moet skriftelik ingedien word in ingevolge Artikels 51 en 52 van die bogenoemde Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / f) 028 313 2093/ (e) <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a>) bereik voor of op 27 Januarie 2023, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrre kan gerg word aan die Stadsbeplanner, Mr. H. Boshoff by 028 313 8900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygeaan sal word ten einde hul kommentaar te formuleer.</p>	<p><b>OVERSTRAND MUNICIPALITEIT</b>  <b>ERF 2820, HOEK VAN HOOFWEG EN JIMMY SMITHSTRAAT (SANDBAAL GEMEENSKAPSAAL), SANDBAAL: AANSOEK OM VERGUNNINGSGEBRUIK &amp; BEPALING VAN 'N ADMINISTRATIEWE BOETE; WARREN PETERSON PLANNING NAMENS OVERSTRAND MUNICIPALITEIT</b></p>	<p>Kragens-Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die onderstaande aansoek van toepassing op Erf 2820, Sandbaal naamlik:</p> <p><b>Vergunningsgebruik</b>          Aansoek om vergunningsgebruik ingevolge Artikel 16(2)(c) van die Verordening ten einde 'n 10m hoë transmissietoring op die eiendoms te akkommodeer.</p> <p><b>Bepaling van 'n Administratiewe Boete</b>          Aansoek ingevolge Artikel 16(2)(q) van die Verordening vir die bepaling van 'n administratiewe boete.</p> <p>Besonderhede aangaande die voorstel is ter insae gedurende wekedae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus.</p> <p>Enige kommentaar moet skriftelik ingedien word in ingevolge Artikels 51 en 52 van die bogenoemde Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / f) 028 313 2093/ (e) <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a>) bereik voor of op 27 Januarie 2023, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefontiese navrre mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygeaan sal word ten einde hul kommentaar te formuleer.</p>
<p><b>OVERSTRAND MUNICIPAL MANAGER</b>          Overstrand Municipality          P.O. Box 20  <b>HERMANUS</b>          7200</p>	<p><b>DGI O'Neill</b>  <b>UMLAWULI KAMASIPALA</b>          Masipala waseOverstrand          P.O. Box 20  <b>HERMANUS</b>          7200</p>	<p><b>DGI O'Neill</b>  <b>UMLAWULI KAMASIPALA</b>          Masipala waseOverstrand          P.O. Box 20  <b>HERMANUS</b>          7200</p>	<p><b>DGI O'Neill</b>  <b>UMLAWULI KAMASIPALA</b>          Masipala waseOverstrand          P.O. Box 20  <b>HERMANUS</b>          7200</p>

Notice number 174/2022

SMALL MATCH REPAIRS

## g net tydelik

RIET-NEETHLING

saal-inwoners het  
oon  
sietoring by die  
opge is.

beweer dat hulle nie  
n kennis gestel is nie,  
publieke deelname

Stephen Müller,  
struktuur en  
ie Overstrand-

munisipaliteit, verduidelik dat die oprigting van 'n telekommunikasietoring by die saal net 'n tydelike vergunning gedurende hoogseisoen is om 'n beter sein/selfoonontvangs aan die genoemde diensverskaffer se verbruikers te voorsien.

"Die munisipaliteit verhuur die ruimte teen 'n vasgestelde tarief vir 'n tydperk van drie maande aan die huurders.

Daar is soorgelyke tydelike selfoontorings in Onrus en Voelklip opgerig," het Müller gesê.



letoring te sien by die Sandbaai-saal is net tydelik opgerig en dié grond, wat Munisipaliteit behoort, word verhuur aan die diensverskaffer. Foto: JANINE VAN

lets BY ON. PHOTOGRAFIE DE OORUS VII SY

## Sandbaai-toring ver inwoners kla oor swa

Jan-Hendrik Coetzee

Overstrand munisipaliteit het bevestig dat die telekommunikasietoring langs die Sandbaaisaal in Sandbaai onlangs verwyder is.

Die selfoontoring was slegs tydelik - dit is sowat vyf maande gelede daar opgerig en sou net tot na Paasaweek daar staan.

Die aansoek om 'n verlengde toring van sowat 15 m hoog reg oorkant die Sandbaaisaal, op ERF 280 in Jimmystraat 10, op te rig, is ook onlangs afgekeur.

Intussen het 'n inwoner van die Hemel-en-Aarde Estate, aan die westekant oorkant Sandbaai, gekla oor hul swak selfoonsein in die gebied.

Handa Havenga, se sy werk van die huis af en dit

beïnvlo

verskrik

"Ons

letterlik

kla daar

hier sit

stembod

want by

nie. Dit

onprofes

besighe

dink jy l

oprepe,

keer by

maar h

skouers

raadop."

In d

Donderd

Hermanu

verkeerde

tydelike

telekomm

Sandbaai

in Jimmy

maar wel

Sandbaais

Rommie Pieterse

**DO NOT**  
DRIVE ARE...

**Alida Conradie**



**From:**  
**Sent:** Friday, 20 January 2023 14:54  
**To:** Alida Conradie  
**Cc:** hybre@iantic.net; 'Ruan Chipps'  
**Subject:** Cell Pone Tower Application  
**Attachments:** Cell Towers.pdf; Request from Curro Hermanus - Cell Phone Reception.pdf

Dear Alida

Please find attached files that are self-explanatory for your perusal and action.

Kind regards

J C Roberts

TP. N. Theak  
(H. Olivier)

FILE NO.	SF 2820
	Sandbaai ✓
SCAN NO.	
	Roberts
COLLABORATOR NO.	
	1801233

20 JAN 2023

ro

Dear Alida

With reference to the application brought by Warren Petterson Planning, for the **VISUAL IMPACT STATEMENT for the Proposed Transmission Tower REMAINDER ERF 2820, SANDBAAI Overberg Municipality:**

Also see attached file as reference and motivation from the Mr. JD Vermeulen, Executive Head, Curro School, Sandbaai, Hermanus, dated 9<sup>th</sup> September 2022.

It is a well-established fact that the residents of Sandbaai have difficulties in receiving suitable cell phone signal. This topic has been aired and discussed numerous times on various platforms which includes the ward committee as well as the Sandbaai Rate Payers Association. The lack of adequate reception is not limited to one service provider but is rather across the entire spectrum of service providers.

Technology has evolved over the past few years that individuals, immaterial where they are, are completely reliant on connectivity, to the extent that connective is now being viewed as a utility. This can now be classified in the same category as having access to fundamental basic requirements as water and electricity. The internet of things (IOT) has evolved over the past few years that most of the basic needs of people can be viewed or monitored over the web. This makes connectivity even more crucial in our time, especially where security systems and the monitoring of that for private individuals are concerned. In addition to the above, technology has advanced to 5<sup>th</sup> generation capabilities, over a narrow wavelength spectrum.

The proposed site as mentioned in the application, is probably the most appropriate site that could distribute connectivity to the entire Sandbaai. Cognisance must also be taken to the relative security of the site, the availability of alternative sites and the density of the distribution of cell towers in the vicinity. Hence to opportunity of vandalism and theft of the batteries that occur regularly at unprotected sites, would be minimised based on its location.

However, **I do not support the height of the tower based on the following:**

- A scientific due diligence study is not included that would provide evidence that the proposed height is the most optimum height for the effective distribution of signal.
- With land availability a concern, a single service provider on a tower is not feasible.
- If the two major service providers, (MTN and Vodacom) would share the tower, not only would it alleviate the need for additional tower space, but it would also allow the Sandbaai customers to have access to four service providers, since Telkom and Cell C utilise the same infrastructure.
- If the optimal height is scientifically determined, the clutter of small towers would be unnecessary and would have a far less visual and environmental impact on the residence. (Please take note of the current infrastructure that has been established at Lenvalco, corner of Schulphoek Boulevard and Bergsig Street, and that at Luvello in Main Street, Sandbaai.)
- 5<sup>th</sup> Generation hardware on the towers and adequate number of sectors to provide full coverage is non-negotiable, since all new handsets are 5G enable. Therefore, we pay towards a service that is unavailable, unless the service providers install the precise equipment.

In addition to the above, I also do not support the additional proposed sites for 15-meter towers. The one being behind the Hemel and Aarde Estate and the other one at the turnoff towards the Preekstoel Water Work.

I want to reiterate the importance of tower heights versus its reach radius. Effective distribution of signal is directly proportional to its height. The lower the tower, the less its effectiveness and visa versa.

I therefore urge the powers at be who needs to approve requests for deviation on the height restrictions in Overstrand, to either urgently change the By-Law to which you subscribe, or to alternatively to be influenced by common sense.

Kind regards

Robbie  
14 Belladonna Street Sandbaai.

# CURRO

Hermanus

9 September 2022

To the Sandbaai Ratepayers Association,

SUPPORT FOR ERRECTION OF AN ADDITIONAL CELL PHONE TOWER IN SANDBAAI:

We would like to raise our collective voice along with the many other Ratepayers in the region for the erection of an additional cell phone tower in the area.

The cell phone reception is extremely weak at times and has a negative impact on users. With many families relocating to Hermanus recently, this situation seems to have worsened.

We believe that there is a great opportunity to attract top professionals, working from home to our beautiful town. This will benefit all businesses in Hermanus. However, cell phone reception needs to be excellent.

Best regards,



**Mr JD Vermeulen**

**Executive Head**

TP. n. /heat  
(M. Olivier)

**Alida Conradie**



**From:** Tuesday, 24 January 2023 12:41  
**Sent:** Alida Conradie  
**To:** 'Ria Botha'; 'ANDRE KRUGER'; 'Richard Coquillon'; 'Willie & Poppie';  
**Cc:**  
**Subject:** Kennisgewingno 174/2022: Erf 2820, h/v Hoofweg en Jimmy Smithstr(Sandbaai Gemeenskapsaal) Sandbaai:  
**Attachments:** Ondersteuning tov perm selfoontoring 24 Jan 2023.docx

Re Erf 2820, h/v Hoofweg en Jimmy Smithstr(Sandbaai Gemeenskapsaal) Sandbaai: Aansoek om vergunningsgebruik ten einde 'n 10m hoë transmissietoring te akkommodeer.

Vind asb aangeheg kommentaar en ondersteuning van bg. aansoek.

Vriendelike groete

J (Deon) Beukes  
 Chairman : Sandbaaisaalbestuurskomitee

FILE NO.	Erf 2820
	Sandbaai ✓
SCAN NO.	HSB 2820
COLLABORATOR NO.	1802249

24 JAN 2023

## SANDBA AIS AALBESTUURSKOMITEE

Die Sandbaai Gemeenskapsaal  
Erf 2820  
H/v Hoofweg en Jimmy Smithstraat  
Sandbaai

Die Munisipale Bestuurder  
Overstrand Munisipaliteit  
Posbus 20  
Hermanus  
7200

24 Januarie 2023

I.s. Erf 2820, h/v Hoofweg en Jimmy Smithstraat (Sandbaai Gemeenskapsaal), Sandbaai:  
Aansoek om vergunningsgebruik & bepaling van 'n administratiewe boete.  
Kennisgewingnommer 174/2022

Geagte Munisipale Bestuurder

Ons, die Sandbaaisaalbestuurskomitee, bestuur die Sandbaai Gemeenskapsaal d.m.v 'n huurooreenkoms met Overstrand Munisipaliteit. Ons is dus baie betrokke by die daaglikse verhuring en gebruik van die Sandbaai Gemeenskapsaal vir watter gebeurtenis ookal.

Huidiglik is 'n tydelike selfoontoring geleë op die gronde van die Sandbaai Gemeenskapsaal en verskaf waardevolle selfoondekking vir die inwoners van Sandbaai. Vir die hele tydperk wat die toring hier staan, het ons nog nooit enige besware gekry van enige huurders oor die teenwoordigheid of ligging van die toring nie. Intendeel, geniet die huurders die voordeel van 'n beter selfoonopvangs by die saal.

Die aansoek om vergunningsgebruik ingevolge Artikel 16(2)(o) van die Verordening ten einde 'n 10m hoë transmissietoring op die eiendom te akkomodeer, word dus ten volle deur die Sandbaaisaalbestuurskomitee ondersteun.

Die huidige plasing is ook ideaal aangesien dit ver genoeg is van enige residensiële wooneenhede. Dit is ook aan die agterkant van die saal geleë, sodat visueel dit skaars waargeneem sal word. Selfs indien die toring baie hoër gemaak sou word, sal dit steeds weinig verskil maak.

Vriendelike groete



G J Beukes  
Voorsitter: Sandbaaisaalbestuurskomitee :  
namens die Sandbaaisaalbestuurskomitee



**Warren Petterson Planning**  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: 073 012 6124  
E: ruan@wpplanning.co.za

**Overstrand Municipality**  
Town Planning Department  
Hermanus  
Magnolia Street  
7200

03 March 2023

**LOCAL AUTHORITY CONSENT USE APPLICATION AND DETERMINATION OF AN ADMINISTRATIVE PENALTY IN ORDER TO PERMIT A TRANSMISSION APPARATUS ON ERF 2820, SANDBAAL.**

Dear Mr. H. Boshoff

An application for Council's Consent and a Determination of an Administrative Penalty was submitted to allow for a transmission apparatus at Erf 2820 Sandbaal. We have received 4 comments on the abovementioned application during the public advertising period. Three comments were for the application and one comment was against it.

We address the following points:

**Administrative penalty and the temporary transmission apparatus on Erf 2820:**

One comment questioned the timeline of the transmission apparatus on Erf 2820 Sandbaal as well as who will be responsible for the administrative penalty. The transmission apparatus was only temporary at the Sandbaal Community Hall. This is an agreement between Vodacom and the Overstrand Municipality. However the transmission apparatus has been standing for some time with not all the approvals in place. Therefore an administrative penalty application together with a consent use application was done in order to rectify the position of the existing transmission apparatus on erf 2820 Sandbaal. Vodacom takes full responsibility and will pay the administrative penalty and make sure all approvals are in place to provide an essential service to the community of Sandbaal.

**Comments for the transmission apparatus on Erf 2820 Sandbaal:**

Three of the comments on the application was for the transmission apparatus at the Sandbaal Community Hall on erf 2820 Sandbaal. The following points was taken out which supported the transmission apparatus

- "Residents of Sandbaal have difficulties in receiving suitable cell phone signal.
- Technology has evolved over the past few years where individuals are completely reliant on connectivity and that it is viewed as a utility.
  - o Basic needs of people can be viewed or monitored over the web.



Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: 073 012 6124  
E: ruan@wpplanning.co.za

- Connectivity is more crucial in our time, especially where security systems and the monitoring of that for private individuals are concerned.
- The proposed site is the most appropriate site (Location/Position of the transmission apparatus)
- The height of the tower has to increase in order to accommodate other service providers
- This will promote co-location and less towers will be needed.
- A higher transmission apparatus will cover a bigger area.
- Customers are using mobile phones that are 5G compatible, but there are no 5G in the area, meaning customers are paying for service which they are not getting.
- Cell phone reception is extremely weak at times and has a negative impact on users.
- With excellent cell phone reception in area, it can create the opportunity to attract top professionals, working from home to our beautiful town."

Based on the above positive comments and urgent need of a transmission apparatus in Sandbaai, we would like to propose a higher transmission apparatus of 20m on Erf 2820 Sandbaai. The 20m transmission apparatus will be beneficial to the community in Sandbaai as more service providers can co-locate on the TA. This will fill the needs of consumers seeking for the services they are paying for.

We kept by the monopole design which is more or less the same as the proposed 10m pole/transmission apparatus in the application. Please note that the footprint will increase when more service providers are going to co-locate on the transmission apparatus. See figure 1 and 2 below as an example with dimensions.

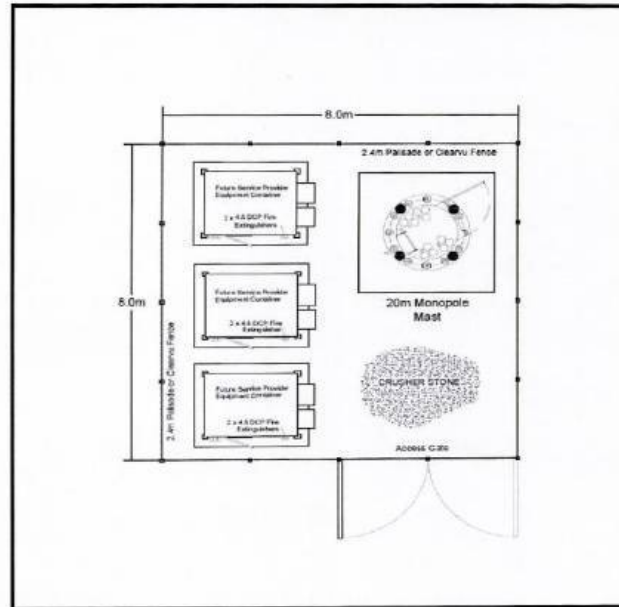


Figure 1 - Footprint Size of the proposed 20 Monopole Transmission Apparatus

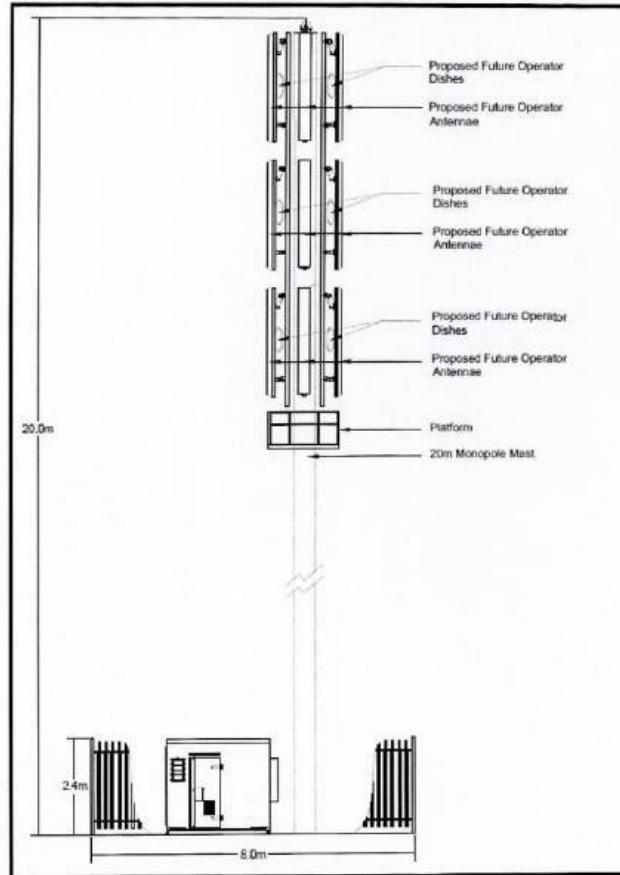


Figure 2 - Elevation of a proposed Monopole Transmission Apparatus



**Warren Peterson Planning**  
P.O. Box 152  
Century City  
7446

T: (021) 552 5255  
C: 073 012 6124  
E: ruan@wpplanning.co.za

---

**Conclusion:**

In conclusion, we would like to emphasise the positive contribution this transmission apparatus will have on the surrounding community:

- Vodacom takes full responsibility and will pay the admin penalty fee as well as make sure all approvals are in place.
- The temporary transmission apparatus is located in the Sandbaai, but comments above suggest that a higher transmission apparatus is needed to accommodate more service providers which will promote co-location. Therefore a 20m monopole transmission apparatus is proposed as solution based on comments that was received on this application as mentioned above.
- The community of Sandbaai are paying for services like 4G and 5G but are not getting the service, therefore the need for the transmission apparatus on Erf 2820 Sandbaai can be considered as important in order to solve any coverage concerns etc.

Taking the above facts into consideration, we feel that this application deserves your review on the additional info.

Please don't hesitate to ask for any additional info if required.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Ruan Chipps', written over a light blue horizontal line.

Ruan Chipps  
**Warren Peterson Planning**

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR CONSENT USE & DETERMINATION OF AN  
ADMINISTRATIVE PENALTY: ERF 2820, SANDBAAI (3766/2022)**

Stormwater (SW) : In Order  
Electricity : In Order  
Water : In Order  
Sewer : In Order  
Roads and traffic : In Order

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erf 2820, Sandbaai, unobstructed;
7. that no on-street parking be allowed.

  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

  
DATE

File reference:	2820 HSB (3766/2022)
Date:	9 December 2022
	LI



## INTERNAL MEMORANDUM

From	:	Town Planning Department
Town Planner	:	H. Boshoff (Town Planner)

TO:

<u>Area Manager</u>	<u>Building Control Department</u>	<u>District Health</u>	<u>Electrical Department</u>	<u>Environmental Officer</u>
<u>Fire Department</u>	<u>Infrastructure and Planning</u>	<u>Local Heritage Committee</u>	<u>Operational Services</u>	<u>Property Administration</u>
<u>Tourism</u>	<u>Traffic Department</u>	<u>Ward Councillor</u>	<u>Waste Management</u>	

Applicant	WARREN PETTERSON PLANNING ON BEHALF OF OVERSTRAND MUNICIPALITY
Property Details	ERF 2820, CORNER OF MAIN ROAD & JIMMY SMITH STREET (SANDBAAI COMMUNITY HALL), SANDBAAI
Application Description	APPLICATION FOR CONSENT USE & DETERMINATION OF AN ADMINISTRATIVE PENALTY

## ATTACHMENTS:

1. Notice	Should the information be insufficient for you to make an informative comment, please list any additional documentation that you would require to make informed comments.
2. Locality Plan	
3. Motivation	
4. Site Development Plan	

## YOUR DEPARTMENT'S COMMENTS:

No objection. A sublease to Vodacom was approved subject to Town Planning and Building approvals and that the period not exceed the main lease period which expires 31/07/2029. See attached letter	
Signature: <u>MEADWA</u>	Date: <u>21 December 2022/23</u>

Please provide your comments (with specific reference to any conditions of approval that should be imposed) in the space provided above or in a separate Memo by not later than the date stipulated below. If you require an extension of time for submission of comments, kindly request this in writing. Should no comments be received, it will be assumed that you have no objection to the proposal and where appropriate, the Mayoral Committee will be informed accordingly.

**COMMENTS REQUIRED BY: 27 January 2023**

20  
HERMANUS  
7200

Tel: 028 - 316 3724  
Fax: 028 - 316 3721



Property Administration  
Hermanus

e-mail: [hermanus@overstrand.gov.za](mailto:hermanus@overstrand.gov.za)  
website: [www.overstrand.gov.za](http://www.overstrand.gov.za)

Navrae:  
Imibuzo:  
Enquiries: M Erasmus

U Vow/Ref:  
Oms verw/Ref: 7/2/3/1 – Sandbaai Hall Management  
Committee (HSB 2820)

Datum:  
Isuku: 14 December 2020

Sandbaai Hall Management Committee  
Jimmy Smith Street  
HERMANUS  
7200

PER EMAIL: [deon.beukes@mweb.co.za](mailto:deon.beukes@mweb.co.za)

Dear Mr Beukes

**ERF 2820 SANDBAAI (SITUATED IN JIMMY SMITH STREET): REQUEST FOR SUB-LEASE UNDER LEASE OF MUNICIPAL PROPERTY TO THE SANDBAAI HALL MANAGEMENT COMMITTEE**

Your request for permission to sublease to Vodacom has reference.

It is with pleasure to inform you that the sub-lease of a portion of Erf 2820 Sandbaai to Vodacom (Pty) Ltd for the erection of a mast for telecommunication purposes is hereby approved subject to:

- 1 The necessary Town Planning and Building approvals where necessary;
- 2 That the infrastructure may not be of a temporary nature, and
- 3 That the sub-lease may not exceed the lease period between the Overstrand Municipality and yourself

We trust you find the above in order

Kind Regards

*M Erasmus*  
pp: MUNICIPAL MANAGER  
/me

**VISUAL IMPACT STATEMENT**  
**for the Proposed Transmission Tower**  
**REMAINDER ERF 2820, SANDBAAI**  
**Overberg Municipality**



Client: Warren Petterson Planning  
P.O. Box 152  
Century City  
7446

On behalf of Vodacom

Prepared by:



**Antoinette de Beer**  
Practitioner (UCT) 20218

[t] +27 +21 981 6104  
[m] +27 +83 232 6555

antoinette@arlaconsulting.co.za  
@ arla\_consulting\_la  
Postnet Suite #24 Private Bag XI  
Brackenfell 7561

**Contents**

LIST OF FIGURES ..... 4

LIST OF IMAGES ..... 4

ADDENDA ..... 5

1.0 INTRODUCTION ..... 6

    1.1 General ..... 6

    1.2 Level of Assessment ..... 6

    1.3 Personnel ..... 6

    1.4 Declaration of Interest ..... 7

2.0 SPECIALIST REPORT CONTENT AND METHODOLOGY ..... 8

    2.1 General ..... 8

    2.2 Methodology ..... 8

        2.2.1 The sequence of work employed in this Study ..... 8

        2.2.2 Written and Drawn Material was made available: ..... 8

        2.2.3 Receiving Site ..... 8

    2.3 Assumptions and Limitations ..... 9

3.0 SITE AND SETTING ..... 10

    3.1 Site Description ..... 10

    3.2 Land Use and Landform in the wider landscape ..... 13

    3.3 Protected Landscapes and the Bio Region ..... 13

    3.4 Landscape Character ..... 13

    3.5 Sense of Place ..... 13

4.0 PROJECT DESCRIPTION ..... 17

    4.1 Project Description: Preferred Layout ..... 17

5.0 VISUAL ANALYSIS ..... 20

    5.1 Extent of the Impact ..... 20

    5.2 Visual Exposure ..... 20



5.3 Zones of Visibility.....21

    5.3.1 Sandbaai Residents ..... 21

    5.3.2 Sandbaai Town Hall & Surrounding Community & Commercial Buildings ..... 21

    5.3.1 Road Users ..... 21

5.4 Compatibility of the Development.....22

5.5 Intensity or Magnitude, of Visual Impact ..... 22

5.6 Duration of Visual Impact.....22

5.7 Significance of the Visual Impact.....22

5.8 Mitigation of the Impacts .....22

    5.8.1 Residential Receptors ..... 22

    5.8.2 Commercial, Institutional & Recreational Receptors..... 22

    5.8.3 View Corridors ..... 23

    5.8.4 Lighting ..... 23

    5.8.5 Mast Alternatives..... 24

    5.8.6 Construction period ..... 25

    5.8.7 Operational Period ..... 25

6.0 CONCLUSIONS and RECOMMENDATIONS ..... 26

REFERENCES..... 27

    Addendum A ..... 28

    Addendum B ..... 31



### LIST OF FIGURES

- Figure 1: Location of the Proposed (and existing) Transmission Tower on Erf 2820  
*Source: Local Authority Consent Use Application to Permit a Transmission Tower (WPP: 2021:7)*
- Figure 2: Illustrated above is the site location in red with the four proposed options for the TT development. The site is located on the Sandbaai Town Hall property within a residential area with surrounding landmarks and access routes indicated. Option 3 is the chosen site for development.  
*Source: Google Earth with adaptations*
- Figure 3: Site Development Plan: illustrating the proposed site within its immediate context  
*Source: Warren Petterson Planning*
- Figure 4: Telecommunication Mast Plan  
*Source: Warren Petterson Planning*
- Figure 5: Telecommunication Mast Elevation  
*Source: Warren Petterson Planning*
- Figure 6: Elevation: Public Safety Zone  
*Source: Warren Petterson Planning*
- Figure 7: Plan: Public Safety Zone Map  
*Source: Warren Petterson Planning*
- Figure 8: The area around the site delineated by a broken yellow line of visual impact. This is restricted to less than 200m from the site  
*Source: Google Earth with adaptations*
- Figure 9: Superimposition: Lattice Mast (2021:24)
- Figure 10: Superimposition: Tree Mast (2021:24)
- Figure 11: Superimposition: Preferred Pole Mast (2021:23)

### LIST OF IMAGES

- Image 1: Site photo: intersection between the main road, Dirkie Uys Street and Jimmy Smith Street on which the entrance to the proposed site is located.  
*Source: A de Beer*
- Image 2: Site photo: Entrance to the proposed site from Jimmy Smith Street. Currently there is a temporary TT and connectivity mast in place on this site.  
*Source: A de Beer*
- Image 3: Site photo: Temporary TT from the Main Road looking east towards the proposed site.  
*Source: A de Beer*
- Image 4: Site photo: View from the Main Road looking south east to the temporary TT and proposed site.  
*Source: A de Beer*
- Image 5: Embedded within a residential area the temporary TT can be seen from a distance but is hardly noticeable.  
*Source: A de Beer*
- Image 6: A closer visual of the temporary TT and what would be the development site shows that the tower blends in with the context and is not visually obtrusive.  
*Source: A de Beer*
- Image 7: The temporary TT is located behind the Town Hall and is the proposed site for the permanent development. It is intermittently visible from the Main Road however; given the angle of the homes in the retirement village, no significant visual obstruction is expected from the development.

- Image 8: *Source: A de Beer*  
Temporary TT viewed from the Main Road. There is the opportunity for improved screening along the fence line.  
*Source: A de Beer*
- Image 9: *Source: A de Beer*  
A newly constructed religious building located north of Erf 2820.  
*Source: A de Beer*

## **ADDENDA**

- Addendum A: Curriculum Vitae: Antoinette de Beer  
Addendum B: Criteria used for the Assessment of Impacts

## 1.0 INTRODUCTION

### 1.1 General

This Visual Impact Assessment (VIA) concerns the development of a proposed Transmission Tower (TT). The site is located on Erf 2820, Sandbaai, on the corner of Main Road and Jimmy Smith Street. Access to Erf 2820, where the Sandbaai Town Hall is located, is currently obtained from Jimmy Smith Street. An existing temporary TT is currently located where the proposed TT is to be located. The remainder of the erf, excluding the town hall and associated parking area, is covered with lawn.

### 1.2 Level of Assessment

The DEA+DP 'Guideline for Involving Visual and Aesthetic Specialists in EIA Processes' notes that 'low-key recreation / resort / residential type development, small-scale agriculture / nurseries, narrow roads and small-scale infrastructure' would be considered a category 2 development where a minimal visual impact could be expected depending upon the degree of scenic, cultural or historical significance in the area. We recommend a Level 2 assessment, necessitating the following:

- A site visit and fieldwork, a concise description of the receiving environment and the proposed project.
- Establishment of the view catchment area and identification of sensitive receptors.
- Brief indication of potential visual impacts, and possible mitigation measures.

### 1.3 Personnel

The visual statement was compiled by Antoinette de Beer, Landscape Architect and an independent Visual Impact Assessment practitioner whose detailed CV and Experience is set out in Addendum A. Antoinette was assisted by Katy Rennie and Rafael Bloch, both Candidate Landscape Architects.

#### 1.4 Declaration of Interest

A de Beer has expertise in conducting the specialist report including knowledge of regulations and any guidelines that have relevance to the proposed activity. A de Beer acts as the independent specialist and will perform the work in an objective manner, even if this results in views and findings that are not favourable to the client.

A de Beer will comply with the Act, regulations and all other applicable legislation and undertakes to disclose to the client and the competent authority all material information in her possession that reasonably has or may have the potential of influencing any decision to be taken with respect to the property by the competent authority, and the objectivity of any report, plan or document to be prepared by her for submission to the competent authority.

*A de Beer*

10/08/2022



Figure 1: Location of the Proposed (and existing) Transmission Tower on Erf 2820  
 Source: Local Authority Consent Use Application to Permit a Transmission Tower (WPP: 2021:7)

Antoinette Raimond Landscape Architectural Consulting  
 August 2022

## 2.0 SPECIALIST REPORT CONTENT AND METHODOLOGY

### 2.1 General

This visual statement provides an overview of the landscape character of the locality and assesses the degree to which the transmission tower (TT) would be visually appropriate.

### 2.2 Methodology

#### 2.2.1 The sequence of work employed in this Study

A desktop survey using Google Earth, and CapeFarmMapper was undertaken. Subsequently the probable extent of the potential visual impact of a TT of this nature on this site was established. Following the desktop information gathering process, a site visit was undertaken to test the conclusions of the terrain analysis, to identify receptors and appraise the local landscape.

#### 2.2.2 Written and Drawn Material was made available:

- Local Authority Consent Use Application to Permit a Transmission Tower dated March 2021 prepared by WPP.
- Drawing: Locality Map for Proposed new Vodacom 10m telecommunication mast with 3.8m x 3.8m base station dated 03/03/2020 prepared by WPP.
- Drawing: Site Plan for Proposed new Vodacom 10m telecommunication mast with 3.8m x 3.8m base station dated 03/03/2020 prepared by WPP.
- Drawing: Top View for Proposed new Vodacom 10m telecommunication mast with 3.8m x 3.8m base station dated 03/03/2020 prepared by WPP.
- Drawing: Elevation for Proposed new Vodacom 10m telecommunication mast with 3.8m x 3.8m base station dated 03/03/2020 prepared by WPP.
- Drawing: Surrounding Base Stations for Proposed new Vodacom 10m telecommunication mast with 3.8m x 3.8m base station dated 03/03/2020 prepared by WPP.
- Drawing: Public Safety Zone Map for Proposed new Vodacom 10m telecommunication mast with 3.8m x 3.8m base station dated 03/03/2020 prepared by WPP.
- Drawing: Public Safety Zone Elevation for Proposed new Vodacom 10m telecommunication mast with 3.8m x 3.8m base station dated 03/03/2020 prepared by WPP.
- Drawing: Artist Impression for Proposed new Vodacom 10m telecommunication mast with 3.8m x 3.8m base station dated 03/03/2020 prepared by WPP.

And other drawn and written information received in emails and on site.

#### 2.2.3 Receiving Site

The receiving site was assessed, and areas of the locality from where the TT appeared to be visible, adjacent lands, and local roads. The site visit was conducted during 22 June 2022. The weather on the day of the site visit was overcast and open. A photographic survey of the site and surrounding areas was carried out by Antoinette de Beer.

The visual assessment was undertaken using standard criteria such as geographic view-sheds and viewing distances as well as qualitative criteria such as compatibility with the existing landscape character and settlement pattern; referring to 'Guideline for involving Visual and Aesthetic Specialists in EIA Processes, Provincial Government of the Western Cape, DEA+DP, Edition 1, June 2005'.

Antoinette Raimond Landscape Architectural Consulting  
August 2022

### 2.3 Assumptions and Limitations

The information and deductions in this report are based on information received from the client, research and fieldwork by the specialist.

### 3.0 SITE AND SETTING

#### 3.1 Site Description

As per the motivation document supplied by Warren Petterson Planning, the proposed site is located on Erf 2820 - RE and is zoned as Community Zone 1 where the property is owned by the Overstrand Municipality. The site is accessible by driving south down main road from the R43 and left into Jimmy Smith Street where the entrance to the town hall will be on the first left. The land has already been disturbed from previous construction of the Sandbaai Town Hall (2021:8).



Figure 2: Illustrated above is the site location in red with the four proposed options for the TT development. The site is located on the Sandbaai Town Hall property within a residential area with surrounding landmarks and access routes indicated. Option 3 is the chosen site for development.  
Source: Google Earth with adaptations



Image 1: Site photo: intersection between the main road, Dirkie Uys Street and Jimmy Smith Street on which the entrance to the proposed site is located.  
*Source: A de Beer*



Image 2: Site photo: Entrance to the proposed site from Jimmy Smith Street. Currently there is a temporary TT and connectivity mast in place on this site.  
*Source: A de Beer*



Image 3: Site photo: Temporary TT from the Main Road looking east towards the proposed site.  
*Source: A de Beer*



Image 4: Site photo: View from the Main Road looking south east to the temporary TT and proposed site.  
*Source: A de Beer*

### 3.2 Land Use and Landform in the wider landscape

The site is situated in an urban setting in the centre of the small, residential seaside town of Sandbaai. It sits at approximately 15m above sea level on flat land. It is located east of Main Road, the central axis of the town that runs from the R43 to the coastline. The site is zoned Community Zone 1 and the existing Sandbaai Town Hall is located on the erf. Almost the entire block is zoned Community Zone 1 and contains other community buildings along Main Road creating a precinct with community facilities.

### 3.3 Protected Landscapes and the Bio Region

The site is set on transformed land and is not mapped as an ecological support area. It lies within the historical extent of Overberg Sandstone Fynbos, however due to the sites disturbed nature this has little relevance to the site.

### 3.4 Landscape Character

The site relates spatially to the adjacent community buildings. The landscape character of the site is suburban and enclosed due to the surrounding buildings and trees. The site is intermittently visible from Main Road and from specific angles from Jimmy Smith Street and Long Street.

### 3.5 Sense of Place

A dominant physical feature in the landscape of the entire area is the views of the Kleinrivier Mountains and the Onrusberge. The site has a quiet, small-town sense of place due to the surrounding small local businesses, residential properties and mountain views.



Image 5: Embedded within a residential area the temporary TT can be seen from a distance but is hardly noticeable.  
*Source: A de Beer*



Image 6: A closer visual of the temporary TT and what would be the development site shows that the tower blends in with the context and is not visually obtrusive.  
*Source: A de Beer*



Image 7: The temporary TT is located behind the Town Hall and is the proposed site for the permanent development. It is intermittently visible from the Main Road however; given the angle of the homes in the retirement village, no significant visual obstruction is expected from the development.  
*Source: A de Beer*



Image 8: Temporary TT viewed from the Main Road. There is the opportunity for improved screening along the fence line.  
*Source: A de Beer*



Image 9: A newly constructed religious building located north of Erf 2820.  
*Source: A de Beer*





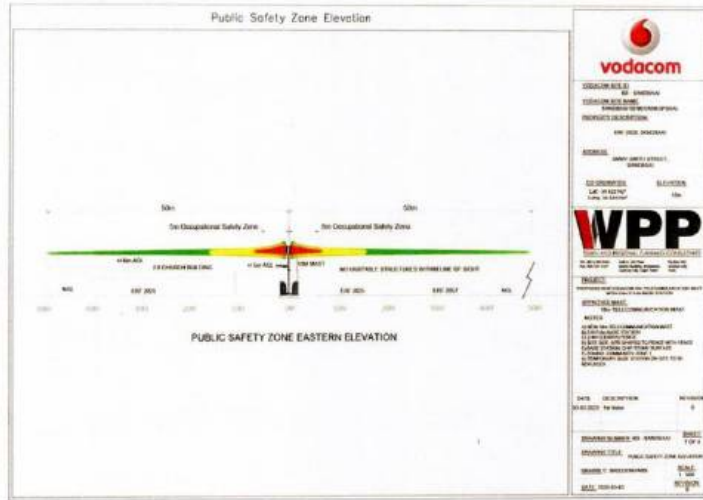


Figure 6: Elevation: Public Safety Zone  
Source: Warren Petterson Planning

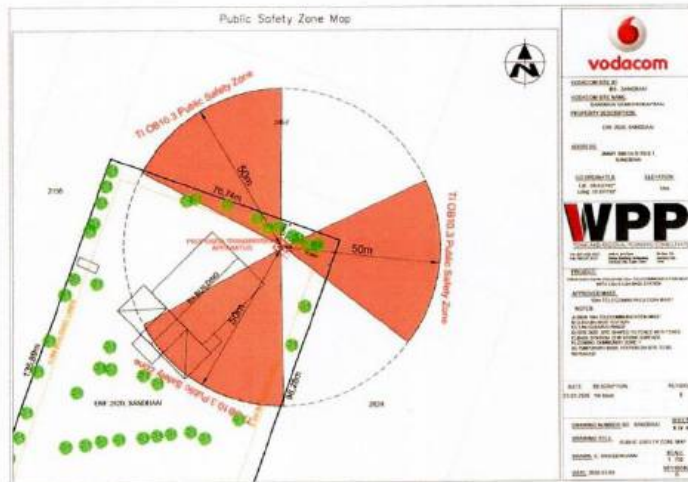


Figure 7: Plan: Public Safety Zone Map  
Source: Warren Petterson Planning

Antoinette Raimond Landscape Architectural Consulting  
August 2022

## 5.0 VISUAL ANALYSIS

### 5.1 Extent of the Impact

The extent of the Visual Impact was assessed and rated as noticeable to the viewer up to 500m distance and was rated as local (limited to the immediate surroundings); this was based on the nature of the proposed development, (its height and bulk), the nature of its setting, and the experience of the specialist. The extent of the impact would be based on:

- the site character which won't change significantly with the new TT,
- the proposed TT will replace the existing temporary TT in the same position,
- the proposed TT is largely screened by the Sandbaai Town Hall building and the trees planted within Erf 2820 and along Main Road.

### 5.2 Visual Exposure

The site is visually enclosed due to the architectural elements within the vicinity; the visual envelope has been assessed as extending to less than 200m as illustrated below. This is due to the flat topography of the area and the foreground objects intermittently obscuring the views of the site. It is rated as **low** for receptors (Sandbaai residents and tourists, business owners in the adjacent local business areas).



Figure 8: The area around the site delineated by a broken yellow line of visual impact. This is restricted to less than 200m from the site  
*Source: Google Earth with adaptations*

### 5.3 Zones of Visibility

The zones of visibility are contained primarily by buildings / infrastructure and stands or lines of trees. Due to the enclosed nature of the site, the development would be mostly visible to the north east to south east.

Sensitive receptors include:

- Sandbaai Residents,
- Sandbaai Town Hall & surrounding community & commercial buildings,
- Users of Main Road, Jimmy Smith Street & Long Street

#### 5.3.1 Sandbaai Residents

Residential properties are regarded as highly sensitive receptors (2005:27). The closest residential receptors are 80m away from the site, across Main Road. Due to the height of the TT and the proximity of these residents to the site, they will be visually impacted by the tower. Most of the units within this residential development however, are oriented in a north-south orientation and therefore do not have direct views onto the site that is situated to their east thus reducing the direct visual impact.

It is therefore anticipated that the visual impact prior to mitigation would be **moderate-low**.

#### 5.3.2 Sandbaai Town Hall & Surrounding Community & Commercial Buildings

Sporting or recreational areas and places of work are regarded as moderately sensitive receptors. The commercial properties along Main Road, Jimmy Smith and Long Street as well as the Jukskei Club (Sandbaai Visarende) east of the site are regarded as moderately sensitive receptors. Due to only intermittent views from these receptors the anticipated visual impact prior to mitigation would be **low**.

#### 5.3.1 Road Users

View corridors can be regarded as highly sensitive receptors however, Main Road, Jimmy Smith and Long Streets do not have a particular special character that could be negatively impacted upon by the proposed TT they are regarded as moderately sensitive.

Users of the surrounding roads will be aware of the proposed TT, however due to it being located behind a building and substantially offset from the road, it will not be an obvious intrusion. In addition, the TT will only be intermittently visible from these corridors. The anticipated visual impact prior to mitigation would therefore be **moderate-low**.

#### 5.4 Compatibility of the Development

The compatibility of the proposed development and land usage with existing land character is assessed as **compatible**; the development would fit into the enclosed suburban landscape.

#### 5.5 Intensity or Magnitude, of Visual Impact

The intensity or the degree to which the proposed development will impact views and scenic or cultural resources will be **low**: where visual and scenic resources will not be affected.

#### 5.6 Duration of Visual Impact

The duration of the impact upon its surroundings of the development is assessed as **long term**: e.g. lifespan of the project.

#### 5.7 Significance of the Visual Impact

The significance rating is assessed as a **low significance**. This is based on a combination of the criteria above and considers the development as having a **local** impact with **low** intensity over the **long term**.

#### 5.8 Mitigation of the Impacts

The most significant aspect of the visual impact results from the addition of a 10m high TT to replace the existing temporary TT. The needs of the sensitive receptors outlined particularly in paragraph 5.3 must be addressed. The proposed development would relate spatially and physically to the existing suburban landscape, but remains intermittently visible from the surrounding residential areas and view corridors.

Therefore, this development is judged to be appropriate, the development is compatible in terms of function, but can blend in more with care. The negative visual impacts need to be managed by the implementation of mitigation measures as follows.

##### 5.8.1 Residential Receptors

The sense of place of the surrounding suburban landscape should not be compromised and the visual impact upon them should be managed. Additional tree planting on either side of Main Road and along Jimmy Smith Street should be considered. In addition, tree planting should also be encouraged along the eastern boundary between the Town Hall and the Jukskei Club.

NOTE: trees should not be planted in close proximity or parallel to the TT or its associated infrastructure as this would highlight the proposed development. The aim should be the opposite i.e. to lessen or reduce the visual impact of the proposed development.

##### 5.8.2 Commercial, Institutional & Recreational Receptors

The focus with regards to these spaces should be on the public space and how visual impact on them can be reduced. Besides tree planting as mentioned above (5.8.1) little can be done to mitigate the impact on the tower itself, however, efforts can be made to reduce the visibility of the tower base and associated infrastructure.

Use muted, matt finishes for all parts of the proposed development i.e. infrastructure whenever possible. This would include:

- A 10m Pole Mast (TT)
- 3 x 1 - sector antennas attached to the mast,
- Microwave dishes attached to the mast, and
- 1 x Equipment container, which will be locked at all times (2021:9), as well as
- the fencing securing the proposed infrastructure.

Fencing must be visually permeable. No precast concrete walls should be allowed but rather visually transparent fencing; e.g. welded mesh (e.g. 'ClearVu' or similar), but not steel palisade. Darker colours are visually recessive and therefore colours such as dark grey or black should be considered.

### 5.8.3 View Corridors

Refer to tree planting as per 5.8.1, paragraph 1. Appropriate indigenous trees that are water wise and hardy should be considered.

### 5.8.4 Lighting

Preferably no lights, including along the proposed infrastructure fence line, should be installed with the proposed infrastructure. This is not applicable to the property boundary line. Should any lighting be required, effective light management needs to be incorporated to ensure that the visual impact is limited without jeopardising user safety and security.

- Aim lights down. Full cut-off shielded fixtures that keep light from going uselessly up or sideways. Full cut-off fixtures produce minimum glare. They create a pleasant looking environment. They increase safety because one sees illuminated people, cars, and terrain, not glaring bulbs.
- Install fixtures carefully to maximize their effectiveness on the targeted area and minimise their impact elsewhere. Proper aiming of fixtures is crucial. They can illuminate a target with a low wattage bulb just as well as a wasteful light does with a high-wattage bulb.
- If colour discrimination is not important, choose energy- efficient fixtures utilising yellowish high pressure sodium (HPS) bulbs. If "white" light is needed, fixtures using compact fluorescent or metal halide (MH) bulbs are more energy-efficient than those using incandescent, halogen, or mercury vapour bulbs.
- Neon or unshielded bright security lights may not be used.

### 5.8.5 Mast Alternatives

The two mast alternatives presented namely the Lattice Mast and the Tree Mast, as opposed to the pole mast, was assessed. It was concluded that neither of these options reduce the visual impact of the proposal and on the contrary would increase it. The Tree mast would be a considerably larger than the pole mast and would thus create a more dominant visual intrusion on the skyline. Considering there are few large coniferous trees in the area the tree mast would be an obvious anomaly. Though the Lattice mast may be visually lighter it would require a larger base footprint and has a more utilitarian aesthetic than the pole mast which deems it less suitable to the context.



Figure 9:  
Superimposition:  
Lattice Mast (2021:24)



Figure 10:  
Superimposition:  
Tree Mast (2021:24)



Figure 11:  
Superimposition:  
Preferred Pole Mast (2021:23)

**5.8.6 Construction period**

The construction period should be kept to a minimum, and with due care to local residents, businesses and road users. There should preferably be no out-of-normal-hours working due to the proximity of the before mentioned. The site vehicle entrance should have adequate traffic control measures, signage, and dust control measures. The use of heavy machinery should be minimised to prevent scarring and erosion of the site.

Controls on the location of materials storage, etc, should be enforced to ensure that they are contained within the actual development area boundaries. In addition, no fires are to be allowed and no litter or contaminants are to be allowed to enter the environment. Excess materials and all waste to be removed from the construction areas.

No information is at hand at the time of writing about the anticipated programme from commencement to completion. Finite dates should be imposed to ensure that the timeframe is not so open-ended that the visual impact of construction extends unreasonably.

**5.8.7 Operational Period**

The site should at all times be neat and tidy and have no impact whatsoever beyond its fence line / boundary.

## 6.0 CONCLUSIONS and RECOMMENDATIONS

This Visual Impact Assessment concerns the development of a proposed TT in Sandbaai on Erf 2820. The site is located on the Sandbaai Town Hall property east of the Main Road. Access is currently obtained via Jimmy Smith Street.

The potential ability of the receiving environment to visually absorb this development is assessed as moderate due to existing development and vegetation. The visual impact of the proposed development would primarily affect the local area which would include the users of the Main Road, Jimmy Smith Street, residents at Golden Harvest Retirement Village commercial and recreational facilities within the vicinity.

The mast alternatives put forward, namely the Lattice Mast or Tree Mast has been assessed as not a viable alternative. This is due to the fact that both would require a larger base than the pole mast as well as due to its utilitarian nature (lattice mast) and due to the fact that very few large coniferous trees within the vicinity.

The proposed development / infrastructure is seen as **compatible** with the receiving environment. The intensity or the degree to which the proposed development will impact views and scenic or cultural resources will be **low**: where visual and scenic resources will not be affected. The duration of the impact upon its surroundings of the development is assessed as **long term**. The significance rating is assessed as a **low significance**.

Proposed mitigation measures include:

- Additional tree planting on either side of Main Road and along Jimmy Smith Street should be considered. In addition, tree planting should also be encouraged along the eastern boundary between the Town Hall and the Jukskei Club.
- The use of muted, matt finishes for all parts of the proposed development / infrastructure to be used whenever possible.
- Fencing must be visually permeable e.g. welded mesh (e.g. 'ClearVu' or similar), but not steel palisade. Darker colours are visually recessive and therefore colours such as dark grey, etc. should be considered.
- Preferably no lights, including along the infrastructure fence line, should be installed with the proposed infrastructure.

Any development will cause a visual change within the landscape however; this proposed mast will replace an existing temporary mast and although at an increased height will not cause a significant or unfamiliar change. The visual impact significance rating is assessed as moderate-low and low if all mitigation measures are implemented.

From a visual perspective, the development should be endorsed, for this will cause a low visual impact, on the condition that the visual impact is mitigated as per the mitigation measures and recommendations set out in this document.

---

**REFERENCES**

---

Mucina, L. and Rutherford, M.C. (Eds) 2006. *The vegetation of South Africa, Lesotho and Swaziland*. Pretoria: Strelitzia 19, South African National Biodiversity Institute.

Oberholzer, B. 2005. *Guideline for involving Visual & Aesthetic Specialists in EIA processes*. 1<sup>st</sup> Ed1. CSIR Report No ENV-S-C 2005 053 F. Republic of South Africa, Provincial Government of the Western Cape, Department of Environmental Affairs & Development Planning, Cape Town.

Oberholzer, B. 2011. *Reading the Landscape*. 2<sup>nd</sup> Ed. Landscape Notebooks.

---

## Addendum A

---

### CURRICULUM VITAE: ANTOINETTE DE BEER

Antoinette de Beer graduated as a landscape architect from UCT in 2010 and started her own business, ARLA Consulting, in 2012. She aims to design integrated, multi-functional, resilient yet stimulating SPACES for PEOPLE that capture the expression of culture within a community and that celebrate its CONTEXT. To this end she regularly collaborates with, and is inspired by, other professionals, specialists and NPO's. She often teaches on a part-time basis at the Cape Peninsula University of Technology and enjoys mentoring students.

She is a registered professional landscape architect with the South African Council for the Landscape Architectural Profession (SACLAP) and has fifteen (15) years of landscape architectural experience (of which 10-years post-registration experience). She has been a member of the Institute for Landscape Architecture in South Africa (ILASA) from 2010 and elected the president of the institute from 2013 – 2015. During her term as president she represented the institute at the 2nd International Federation of Landscape Architects (IFLA) Africa Symposium in Abuja, Nigeria. She has been a member of the Society for Architects, Planners, Engineers and Surveyors+ (APES+) since 2012 and enjoys the collaborative nature of the association.

### PROFESSIONAL QUALIFICATIONS

Certificate Fundamentals of Project Management (UCT), 2011  
 Master of Landscape Architecture (UCT), 2010  
 Certificate Architectural & Urban Conservation (UCT), 2010  
 BL(Hons) Landscape Architecture (UP), 2004  
 BTech Environmental Management (CPUT), 2003

### REGISTRATION

(SACLAP) South African Council for the Landscape Architectural Profession  
 Professional Landscape Architect: No. 20218 (Registration Year: 2012)


### EXPERIENCE

2012 – PRESENT Director:  
 ARLA Consulting Pty (Ltd): private landscape architectural and environmental planning practice  
 2011 -2012  
 Candidate Landscape Architect: EPLA Consulting CC: sub-consultant to a landscape architectural and environmental planning practice  
 2007 – 2010  
 Senior Landscape Architectural Technologist at OvP Associates CC: Architects, Landscape Architects & Environmental Planners  
 2005 Junior Landscape Architectural Technologist at De Villiers Turner CC: Landscape Architects

### MEMBERSHIP

- Immediate Past President of the ILASA (2015 - 2016)
- President of the ILASA (2013 - 2015) – NEC Chair
- ILASA 2014 Conference LOC Chair – Organising the Bi-annual National Conference (2013 – 2014)
- ILASA President Designate (2012-2013) – NEC Vice-chair
- ILASA Treasurer (2011-2013) - ILASA Financial Management

Antoinette Raimond Landscape Architectural Consulting  
 August 2022



- International Federation of Landscape Architects 2012 World Congress LOC member (2009-2012) – International Liaison
- Member of APES (Architects, Planners, Engineers & Surveyors Society; 2012 - current)
- Member of ILASA (2010 – current)

**TEACHING & EXTERNAL EXAMINATION:**

Part-time Lecturing at Cape Peninsula University of Technology (CPUT):

External Examiner:	various subjects (1st year to 4th year) from 2014- current.
Second Semester 2018:	Draughting Software and Construction Detailing 2 <sup>nd</sup> year
Second Semester 2017:	Integrated Design Studio 1 <sup>st</sup> year
First Semester 2016:	Landscape Technology & Plant Material Studies 3 <sup>rd</sup> year
Second Semester 2015:	Applied Mathematics & Introduction to Design Foundation Year AutoCAD and Construction Detailing 2 <sup>nd</sup> year

Mentorship of several 4<sup>th</sup> year students during the design development stages of their mini-thesis.

**Part-time Lecturing at University of Cape Town (UCT):**

Second Semester 2013: Teaching Landscape Design to Landscape Architecture Conversion year students.

Guest Landscape Architect for MLA Presentations at University of Cape Town (UCT):

Second Semester 2019: Guest landscape architect for review of MLA work prior to final hand-in.

**OTHER:**

Assurance Reviews: Part of panel that reviews tender documents prepared by the City of Cape Town to ascertain if they are compliant with all legal aspects and professional standards (2020- current)

Regional Judge for the 2020, 2021 & 2022 SALI Awards of Excellence  
Evaluate and adjudicate entries for the annual SALI Awards of Excellence (November 2019, 2020 & 2021).

Adjudicator for the 2017 ILASA Awards of Excellence

Adjudicate entries and select winners for the bi-annual ILASA Awards of Excellence (June 2017).

Adjudicator for the 2016 Concrete Manufacturers Association Awards of Excellence

Adjudicate entries and select winners for the bi-annual Concrete Manufacturers Association's Awards of Excellence (November 2015).

Adjudicator at CPUT: CPUT Landscape Technology Vertical Garden Challenge February 2014

CPUT Landscape Technology Recycled Bench Challenge February 2013

CPUT-Corobrik Landscape Technology Construction Week July 2013

Antoinette Raimond Landscape Architectural Consulting  
August 2022

**Cape Town World Design Capital: Co-design Workshops:**

- 7 November 2014: Participated in workshop as lead designer for the Dunoon cul-de-sacs (Developing a Tree Planting and Infiltration Strategy for the Dunoon cul-de-sacs). Presentation available on request.
- 14 May 2014: Participated in workshop at Rylands Civic Centre as designer. Re-visioning the Gatesville CBD.
- 23 April 2014: Participated in workshop as designer for the Bonteheuwel Civic Precinct Upgrade (as part of the Mayoral Urban Regeneration Programme (MURP).
- 13 November 2013: Participated in workshop as designer for the Upgrade of Public Open Space at Doordekraal Dam in Welgemoed.

**Recent Visual Impact Assessments****VIA's for Mixed-use Developments:**

- VIA for Proposed Mixed Use Development on Remainder of Cape Farms No. 1529 (Imhoff's Gift), Kommetjie
- Confidential VIA for Proposed Mixed Use Development, Durbanville
- VIA for the Proposed Mixed Use Sence de Lieu Development on a portion of Farm No. 845/3, Paarl
- VIA for Proposed De Fortuijn Housing Development and Associated Infrastructure, Somerset West

**VIA's for Waste Services:**

- VIA for Proposed Amendment of the Worcester WDF Waste Management Permit, Worcester
- VIA for Proposed Amendment to Waste Management License, Vissershok WMF
- VIA for Proposed Amendment to Waste Management License, Tulbagh WDF
- VIA for Proposed Caledon Waste Transfer Station, Caledon
- VIA for Proposed Waste Recovery, Beneficiation and Energy Project, Wellington
- VIA for the Proposed Residential Development on Waterval Farm, Franschhoek

**VIA's for Residential Developments:**

- VIA for the Proposed Die Eike Residential Development on Erf 3476, Franschhoek
- VIA for the Proposed Medium Density Drakenzicht Residential Development, Paarl South
- VIA for Proposed Kanonberg Residential Development, Oude Westhof

**VIA's for Renewable Energy Projects:**

- VIA for Proposed Klipfontein Solar Farm & Energy Storage Facility, Hopefield
- VIA for Proposed Zoutekloof Solar Farm, Hopefield

**Other:**

- VIA for Proposed Petroport, Wolseley
- VIA for Proposed Van Wyks River Business Park, Paarl

---

## Addendum B

---

### Criteria used for the Assessment of Impacts

The assessment of impacts is based on a synthesis of the following assessment criteria (2005:28):

#### **Nature of the impact –**

An appraisal of the visual effect the activity would have on the receiving environment. This description should include visual and scenic resources that are affected, and the manner in which they are affected, (both positive and negative effects).

#### **Extent –** the spatial or geographic area of influence of the visual impact, i.e.:

- *site-related*: extending only as far as the activity;
- *local*: limited to the immediate surroundings;
- *regional*: affecting a larger metropolitan or regional area;
- *national*: affecting large parts of the country;
- *international*: affecting areas across international boundaries.

#### **Duration -** the predicted life-span of the visual impact:

- *short term*, (e.g. duration of the construction phase);
- *medium term*, (e.g. duration for screening vegetation to mature);
- *long term*, (e.g. lifespan of the project);
- *permanent*, where time will not mitigate the visual impact.

#### **Intensity –** the magnitude of the impact on views, scenic or cultural resources.

- *low*, where visual and scenic resources are not affected;
- *medium*, where visual and scenic resources are affected to a limited extent;
- *high*, where scenic and cultural resources are significantly affected.

#### **Probability –** the degree of possibility of the visual impact occurring:

- *improbable*, where the possibility of the impact occurring is very low;
- *probable*, where there is a distinct possibility that the impact will occur;
- *highly probable*, where it is most likely that the impact will occur; or
- *definite*, where the impact will occur regardless of any prevention measures.

#### **Significance –** The significance of impacts can be determined through a synthesis of the aspects produced in terms of their nature, duration, intensity, extent and probability, and be described as:

- *low*, where it will not have an influence on the decision;
- *medium*, where it should have an influence on the decision unless it is mitigated; or
- *high*, where it would influence the decision regardless of any possible mitigation.

## HUUROORENKOMS

Memorandum van ooreenkoms aangegaan deur en tussen :

**SANDBAISAALBESTUURSKOMITEE**

*(hierna genoem die VERHUURDER)*

En

**VODACOM EDMS BPK**

Hierin verteenwoordig deur (Nico Fourie) (EHOD: Technology: Western Region)  
*(hierna genoem die HUURDER)*

1 **EIENDOM**

- 1.1 Die eiendom bekend as Sandbaaisaal, H/v Main en Jimmy Smithstrate, Sandbaai, Hermanus (hierna verwys as die "verhuurde eiendom").
- 1.2 Die VERHUURDER verhuur hiermee aan die HUURDER die verhuurde eiendom wat dit in huur aanneem op die voorwaardes soos hierna uiteengesit.

2 **HUURTERMYN**

Die huurtermyn strek vir die periode van 6 maande vanaf 1 Mei 2018 tot 30 April 2019.

3 **HUURGELD**

- 3.1 Die huurgeld beloop R 3 200.00 per maand (BTW Uitgesluit) en R 3 200.00 per maand (BTW Uitgesluit) vir elektrisiteitsverbruik. Totaal R 6 400.00 PM.

4 **TOESTAND VAN HUURSAAK**

- 4.1 Die VERHUURDER verhuur hierby en die HUURDER huur hierby die verhuurde eiendom voetstoots en die HUURDER stem hierby toe dat :
  - 4.1.1 hy die eiendom met enige gebreke daarin, hetsy sigbaar of verborge, op sy eie risiko huur, en die VERHUURDER onder geen omstandighede verantwoordelik is vir enige skade wat die HUURDER as gevolg van sodanige gebreke ly, of vir enige verlies of skade aan enige goedere of artikels in die verhuurde eiendom om watter rede ook al nie;



5. **VRYWARING**

Die HURDER onderneem hierby om die VERHURDER te vrywaar en gevrywaar te hou teen alle dinge, stappe, eise en vorderings, koste, skadevergoeding en uitgawes wat gehel, gebring of gemaak mag word teen die VERHURDER of wat die VERHURDER mag bepaal, opdoen of aangaan as gevolg van enige nalatige handeling aan die kant van die HURDER, sy werknemers of persone wat onder sy beheer handel.

Dat Vodacom nie die Verhuurder sal hou vir enige beserings wat mag voortspruit uit die tydelike sellulêre toring nie end at Vodacom 'n veiligheidsraam soos aangedui op die sketsplan rondom die toring moet oprig.

ALDUS GEDOEN EN GETEKEN te SANDBAAI op die 5de dag van JULIE 2018 in die teenwoordigheid van ondergetekende getuies.

**AS GETUIES**

- 1. [Handwritten Signature]
- 2. [Handwritten Signature: Beukes]

[Handwritten Signature]  
 GJ Beukes VERHURDER  
 Voorsitter: Sandbaaisaalbestuurskomitee

ALDUS GEDOEN EN GETEKEN te ..... op die ..... dag van ..... 2018 in die teenwoordigheid van ondergetekende getuies.

**AS GETUIES**

- 1. ....
- 2. ....

.....  
HUURDER

[Handwritten Signature]

SKEDULE VAN HUUROOREENKOMS			
TERREIN INFORMATIE			
PERSEELIDENTIFIKASIONOMMER	BS 112865		
PERSEELIDENTIFIKASINAAM	SANDBAAI TEMP MOBILE		
STREEK: (WES, SENTRAAL, OOS, KWA-ZULU NATAL, SUID-TRANSVAAL, NOORD-TRANSVAAL)	WES		
PERSEEL ADRES	SANDBAAISAAL HV MAIN EN JIMMY SMITHSTRATE SANDBAAI, HERMANUS		
VIERKANTE METER VAN HUURPERSEEL	± 10m <sup>2</sup>		
ERFNUMMER ("EIENDOM")	NVT		
ROETE	N2		
TERREIN TPE: (VDC/MTN, MTN/VDC, TELKOM, PRIVAAT, ANDER)	PRIVAAT		
NETWERK: (GSM/C450)	GSM		
EIENAAR- EN BETALINGSBESONDERHEDE			
NAAM VAN PERSEEL EIENAAR	106 PIET RETIEF CRESCENT		
PERSEEL EIENAAR SE DOMICILIUM EXECUTANDI	SANDBAAI 7200		
POSADRES	POSBUS 20 HERMANUS 7200		
KONTAKNAAM #1	DEON BEUKES	KONTAKNAAM #2	<i>PIERRE LE ROUX</i>
TELEFOONNUMMER	028 316 3892	TELEFOONNUMMER	<i>028 316 6966</i>
E-POS	Deon.beukes@mweb.co.za	FAKSNOMMER	
SELLULERENOMMER	082 554 8781	SELLULERENOMMER	<i>082 602 5069</i>
NAAM VAN TJEKTRERKER	SANDBAAISAALBESTUURSKOMITEE		
POSADRES	POSBUS 20 HERMANUS 7200		
BANKNAAM	ABSABANK		
TAKNAAM	HERMANUS		
TAKKODE	832005		
REKENINGTIPE	TJEK		
REKENINGNUMMER	406 881 9996		

ELEKTRISITEITSVOORSIENER					
VOORSIENER			VERHUURDER		
NAAM VAN TREKKER			VERHUURDER		
OOREENKOMSTUELE BESONDERHEDE					
OOREENKOMSAANVANGSDATUM			1 MEI 2018		
OOREENKOMSVRYSTRYKINGSDATUM			30 APRIL 2019		
OOREENKOMSPERIODE			12 MAANDE		
OPSIE PERIODE			NVT		
PRYSVERHOOGINGSMETODE			NVT		
GEREELDHEID VAN PRYSVERHOOGINGS			NVT		
PRYSVERHOOGINGSAANVANGSDATUM			NVT		
PRYSVERHOOGINGSPERSENTASIE			NVT		
TOEGANGSURE VIR KONSTRUKSIE- EN ONDERHOUDDOELEINDES					
NORMALE URE			24 UUR		
NA-URE			24 UUR		
NAWEKE			24 UUR		
MAANDELIKSE HUURBEDRAE (BTW UITGESLUIT)					
	VODACOM	ANDER	TOTAAL	PERIODE (Herhaling van betaling: Jaarliks of Maandeliks)	METODE
PERSEELHUUR	R 3 200.00 P/M		R 3 200.00 P/M	EENMALIG	EFT
ELEKTRISITEIT	R 3 200.00 P/M		R 3 200.00 P/M	EENMALIG	EFT
TOTAAL	R 6 400.00 P/M		R 6 400.00 P/M	EENMALIG	EFT
BTW BETAALBAAR: (JA OF NEE)		NVT			
BTW REGISTRASIENOMMER		N	V	T	
SEELREG					
BETAALBAAR DEUR VODACOM			NVT		
EIGENAAR VERGOED WORD DEUR VODACOM			NVT		
UITGESLUIT			NVT		
NOTAS					

Council may specify the minimum size of a subdivisional area in terms of an overlay zone and/or policy and may prescribe the minimum size of subdivided portions to be achieved in such zone.

(b) Maximum density

Council may specify a maximum density for a land unit in terms of an overlay zone

**Transmission Apparatus:**

16.10.23 Applications for the installation of Transmission Apparatus (TA) shall, to the satisfaction of the Municipality, incorporate the following:

- (a) Site Development Plan which clearly illustrates the proposal in the context of the existing landscape and receiving environment, with reference to application guidelines as may be incorporated in the application form;
- (b) Transmission Apparatus Infrastructure Plan (indicating but not limited to the following, namely dimensioned plans showing detail of TA, graphic illustration of the proposed facility, elevation details, proposed materials and colours, screening or fencing);
- (c) Site Development Plan and Transmission Apparatus Infrastructure Plan to be accompanied by a report detailing the motivation for the selected site, how the siting and design of the facility responds to the SDP;
- (d) Motivation report to be accompanied by relevant proof pertaining to need and desirability (demand & technical requirements);
- (e) Application to satisfactorily demonstrate to the AO / MPT that all alternatives to the site itself have been explored within a 1km radius of the subject property;
- (f) Minimum of two alternative sites and design options to be considered;

- (g) Zoning and land use map to accompany application, that shall also indicate all areas of heritage or environmental significance, if applicable;
- (h) Visual Impact Assessment prepared by a suitably qualified professional, if required by the municipality, that shall incorporate mitigation measures limiting visual impact;
- (i) Landscaping plan to accompany application, if required by the municipality, and
- (j) Statement demonstrating that the installation complies with the applicable health and safety standards.



25 March 2022

To whom it may concern

**VODACOM TEMPORARY BASE STATION VALUE FOR SANDBAAI COMMUNITY HALL, CNR OF MAIN AND JIMMY SMIT STREETS, SANDBAAI**

This communication serves as written confirmation for the value of the Vodacom Telecommunications infrastructure situated at abovementioned address.

The value specified herewith is an estimate to give guidance and an indication of value in terms of the current Rand (ZAR) in today's terms.  
GUMI POLE and Equipment: R 150 000.00

Should you require further information, please do not hesitate to contact Frikkie Steyn on 082 780 1503.

Yours sincerely

A handwritten signature in black ink, appearing to read "Frikkie Steyn".

Frikkie Steyn  
Vodacom Western Region  
Property Specialist