



OFFICE OF THE MUNICIPAL MANAGER
BERGRIVIER MUNICIPALITY
P.O. BOX 60
PIKETBERG
7320

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD
ON MONDAY 04 DECEMBER 2017 AT 11:00 IN THE MUNICIPAL OFFICES, PIKETBERG**
PRESENT

Authorised Official (Manager: Planning and Development: W Wagener)

ACTION

AON001/12/2017

**APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE: ERF 2482, PORTERVILLE
15/3/5; 15/3/8, PTV. 2482**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for consent use in order to allow the operation of a guest house from the existing dwelling house and permanent departure in order to allow the owner of the guest house not to reside on Erf 2482, Porterville **be approved**; in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions;

- a) The manager of the guest house must put measures in place to ensure a safe environment and excise control on the property, to the satisfaction of this Municipality;
- b) The guest house utilise the existing electrical capacity available to the property;
- c) Compliance with the requirement of the Environmental Health Practitioner's (West Coast District Municipality) letter referenced 13/3/1/5 dated 03 October 2017;
- d) Alcoholic beverages may only be provided to resident guests for consumption on the premises with meals and that a liquor license be obtained from the Western Cape Liquor Authority prior to the provision thereof;
- e) No more than 6 rooms per land unit may be used for bedroom accommodation for paying guests or lodgers, and no more than 12 paying guests or lodgers may be supplied with lodging or meals at any time;
- f) Meals may only be supplied to guests or lodgers who have lodging on the property, employees, and the family residing in the dwelling;
- g) No advertising sign may be displayed other than a single un-illuminated sign or notice not projecting over a public street in accordance with the Municipality's policy or By-law on outdoor advertising and signage, and the sign may not exceed 1 m² in area;
- h) No activities may be carried out which constitute, or are likely to constitute, a source of public nuisance;

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- i) On-site parking must be provided at 1 parking per guest room;
- j) Registration with the local Tourism Board is compulsory; and
- k) Building plans for any structural alterations to the existing buildings must be submitted for consideration by Bergrivier Municipality in terms of the National Building Regulations and Building Standards Act, 1977, as amended.

REASONS FOR RESOLUTION

Section 65 (1)(a) to (s) & (2)(a) to (b) of Bergrivier Municipal By-law Relating to Municipal Land Use Planning prescribe the criteria for consideration of land use application, among other the following relevant criteria were considered:

Section 65 (i) of Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the integrated development plan, including the municipal spatial development framework. Bergrivier Municipal Spatial Development Framework 2012-2017 earmark Erf 2482, Porterville for business purposes, and inclusion in the central business district of Porterville. Application is only made to utilise the existing dwelling house/building as guest house, without affecting the zoning of the property.

Section 65 (d) consideration of comments on response to the notice of the application etc. No comments was received from surrounding affected property owners or general public by closing date for public participation and advertising.

Section 65 (h) of the Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the impact of the proposed development on municipal engineering services. Bergrivier Municipality Superintendent Electrical services indicated that the current electrical services must be utilised. The application has no further impact on municipal electrical services.

Relevant consideration were given to the development principles of Spatial efficiency and Spatial Sustainability as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014. The utilisation of the existing dwelling house/buildings as guest house and current available engineering services is considered spatially efficient within available resources that has no financial burden on the municipality. The property is located along the main activity street (Voortrekker Street) making it ideal by being accessible and visible from passing vehicular traffic including pedestrians. Erf 2482, Porterville is also located in walking proximity from the central business district of Porterville. The proposed application therefore is considered spatially sustainable on account of aforesaid contributing features.

Section 65 (s) of the Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the provisions of the applicable zoning scheme. The zoning of the property remain Single Residential Zone 1, which is compatible with the character of the surrounding area. No objections were received from surrounding affected property owners, affecting the

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proposed application. Condition is imposed to address the permanent departure granted and other provisions of the zoning scheme.

The application is determined desirable from a planning perspective taking into account aforesaid relevant factors of consideration as determined in terms of section 65 of Bergrivier Municipal By-Law relating to land Use Planning, subject to conditions.

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**AON002/12/2017
APPLICATION FOR SUBDIVISION: ERF 303, VELDDRIF
15/3/4, V.303**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for subdivision of Erf 303, Velldrif into two portions namely Portion A (± 784m² in extent) and Remainder (± 703m² in extent) for residential purposes, **be approved**, in terms of section 60 of the Bergrivier Municipal By-Law relating to Land Use Planning, subject to:

1. the provision of the subdivided portions with separate water and electricity connections, as well as conservancy tanks and access. Electrical connections up to the erf boundaries must be done by an electrical contractor, for the cost of the owner;
2. Bulk Service Contributions, as predetermined in the Municipal Budget, be paid for each additional erf created by subdivision OR each additional unit created. In addition to this the developer will be responsible for the provision and upgrading of all service infrastructure required as a result of additional burden created by the development, as negotiated and agreed upon between the developer and the Municipality's Directorate: Technical Services by means of a Services Level Agreement (SLA). The SLA will be drawn up by a municipal appointed attorney for the account of the developer.

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REASONS FOR RESOLUTION

The application for subdivision of Erf 303, Velldrif is considered consistent with the development principles of LUPA and SPLUMA. The proposed application furthermore is aligned with the guidelines of Municipal Spatial Development Framework, and is considered desirable from a planning perspective taking into account the relevant factors of consideration as determined in terms of section 65 of Bergrivier Municipal By-Law relating to land Use Planning.

**EVALUATION COMPLETED AT 12:00
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**



AUTHORISED OFFICIAL

04/12/2017

DATE
