



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON THURSDAY 25 JANUARY 2018 AT 10:00 IN THE MUNICIPAL OFFICES, PIKETBERG**

**PRESENT**

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

**ACTION**

**AON001/01/2018**

**APPLICATION FOR SUBDIVISION AND REMOVAL OF RESTRICTIONS: ERF 519, PIKETBERG 15/3/3; 15/3/2, PB. 519**

The Authorised Official evaluated the abovementioned application.

**RESOLUTION: APPROVED CONDITIONALLY**

That the application for subdivision of Erf 519, Piketberg into two portions namely: Portion A ( $\pm 826\text{m}^2$  in extent) and Remainder Erf 519, Piketberg ( $\pm 661\text{m}^2$  in extent) for single residential purposes as well as removal of restrictive title deed conditions; B.3. (a), (b), (c), (d) and C.1. applicable to Deed of Transfer No. T43694/2017 in order to allow the subdivision of the property **be approved**; in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions;

- a) The provision of the subdivided portion with separate water-, sewerage- and electricity connections as well as 4m panhandle access; and
- b) 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).
- c) That the applicant at whose instance this restrictive title deed conditions is removed must, after the publication of a notice contemplated in terms of section 33 (7) of Bergrivier Municipal By-law relating to Land Use Planning, in the Provincial Gazette, apply to the Registrar of Deeds to make the appropriate entries in, and endorsements on, any relevant register or deed of transfer to reflect the removal of the restrictive conditions.

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**REASONS FOR RESOLUTION**

Section 65 (i) of Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the Integrated Development Plan (IDP), including the Municipal Spatial Development Framework (MSDF).

Density Target (page 65 of BMSDF 2012-2017): Density target for Piketberg is 15du/hectare. The application contribute to achieving density targets, by subdivision and removing the restrictive titel conditions for single residential



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purposes. The application is regarded consistent with Bergrivier Municipal Spatial Development Framework 2012-2017(BMSDF) in terms of the aforesaid.

Section 65 (d) consideration of comments on response to the notice of the application etc.

No objections were received from surrounding affected property owners, affecting the proposed application.

Relevant consideration were given to the development principles of Spatial Justice, Spatial efficiency, Spatial Sustainability and rights and obligations of those affected as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014.

Bergrivier Municipality Technical Departments has no objection against the proposed subdivision and removal of restriction application as it can be accommodated within available municipal services, subject to conditions. The application therefore has no financial burden on the municipality, and is efficiently proposed within available resources of the municipality's service capacities.

Densification of urban areas assist in optimising the use of urban resources and infrastructure and protect sensitive ecological systems and high potential agricultural land from urban consumption. The propose subdivision of Erf 519, Piketberg into two portions namely: Portion A ( $\pm 826\text{m}^2$  in extent) and Remainder Erf 519, Piketberg ( $\pm 661\text{m}^2$  in extent) can be seen as a contribution to limit urban sprawl and is considered sustainable.

The application has been advertised and circulated via notices taking into account the public interest. By closing date for comment no objections were received. The application for subdivision and removal of restrictions, is only to subdivide the property into two portions for residential purposes. The use of the property will therefore be in line with the character of the surrounding residential neighbourhood and not have a negative impact on the surrounding property owners existing rights.

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.

No change in zoning is proposed, the land use restrictions applicable to single residential zone 1, will remain enforced for development of a dwelling house on the respective properties.

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

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**AON002/01/2018**

**APPLICATION FOR REZONING AND CONSENT USE: ERF 2576, PORTERVILLE  
15/3/3; 15/3/5, PTV. 2576**

The Authorised Official evaluated the abovementioned application.

**RESOLUTION: APPROVED CONDITIONALLY**

That the application for rezoning of Erf 2576, Porterville from Single Residential Zone 2 (dwelling house and shelter) to Single Residential Zone 1 (dwelling house) and consent use in order to allow the operation of a crèche from a portion of the dwelling house, **be approved**; in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions;

- a) Compliance with the West Coast District Municipality's Environmental Health Practitioner letter referenced 12/3/1/5 dated 22 November 2017;
- b) All certifications and licensing must be in place e.g. business license, health certificate (from the West Coast District Municipality), fire safety certificate, etc.
- c) Registration at the Department of Social Development is compulsory;
- d) The services provided must primarily be day care and educational, and not medical services;
- e) The services may not operate outside the hours 6:00 to 18:00, between Monday and Friday;
- f) Not more than 20 children may be registered at a time, or on the property at any time;
- g) 1 bay per 10 children, plus stop and drop facility be provided on site;
- h) Proof of compliance with conditions (a) , (b) and (c) be submitted to this Municipality's Department Planning and Development within 90 days of approval; and
- i) No structural changes be made to the dwelling house, without approval in terms of the National Building Regulations and Building Standards Act, 1977.

**REASONS FOR RESOLUTION**

Section 65 (i) of Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the Integrated Development Plan (IDP), including the Municipal Spatial Development Framework (MSDF).

The rezoning of the property from Single Residential Zone 2 (dwelling house/shelter) to Single Residential Zone 1 (dwelling house) provide the opportunity for consent use to operate a crèche without changing the residential rights of the property, as the current zoning of the property only allows the operation of a crèche with temporary departure approval. The existing residential rights will remain the same as the surrounding area and

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as such is consistent with the spatial guidelines. The proposed application will contribute to achieve goals and outcome of the IDP in order to improve the quality of education and long-term prospects of future generations as well as provide a job opportunity.

Section 65 (d) consideration of comments on response to the notice of the application etc.

No objections were received from surrounding affected property owners, affecting the proposed application.

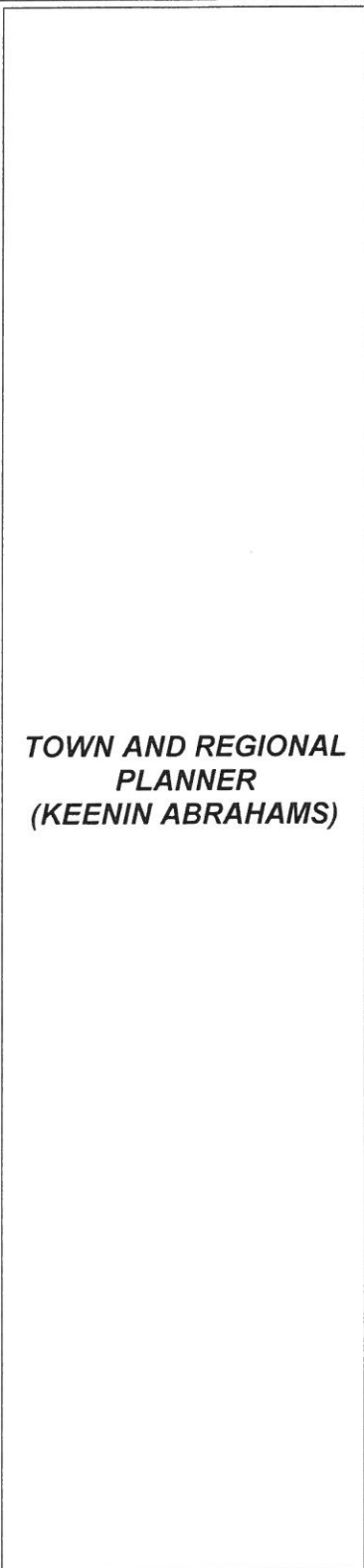
Relevant consideration were given to the development principles of Spatial Justice, Spatial efficiency as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014.

The crèche involves the internal conversion of a covered stoep of the existing approved dwelling house, without any structural changes to serve as educational facility and classrooms being efficiently accommodated within existing space. No additional engineering services are required as the property is already serviced, therefore the proposed rezoning and consent use has no financial burden on the municipality, resulting in the optimal use of existing resources and infrastructure as well as space efficiently accommodated within available resources. The proposed crèche can also help with social integration of children and parents from different backgrounds, contributing to address imbalances of the past.

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.

A zoning comparison revealed that the change in zoning do not affect the land use of the property or development parameters of the property, which remains enforced. The proposed consent use can also comply with the development parameters for crèche, and is imposed by means of conditions. No objections have been received from surrounding affected property owners which give an indication of acceptability of the proposed application. The proposed application is therefore not anticipated to detract from the character of the area.

The application is furthermore determined desirable from a planning perspective taking into account the abovementioned 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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**EVALUATION COMPLETED AT 11:30  
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**

  
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**AUTHORISED OFFICIAL**

25/01/2018  
\_\_\_\_\_  
**DATE**

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