



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD
ON WEDNESDAY 08 AUGUST 2018 AT 15:00 IN THE MUNICIPAL OFFICES, PIKETBERG**

PRESENT

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

ACTION

AOA001/08/2018

**APPLICATION FOR REZONING & DEPARTURE : ERF 2566, PORTERVILLE
(15/3/3, 15/3/8, PTV.2566)**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

1. That the application for rezoning of Erf 2566, Porterville from Single Residential Zone 2 to Community Zone 1 in order to allow a place of instruction and permanent departure from the rear and side building lines from 5 meter to 2.5 meters as well as permanent departure from the minimum required 0.5 bays per student plus one bay per classroom or office to 6 parking bays, **be approved**; in accordance with the site development plan submitted with the application dated February 2018, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions;

- 1.1. The place of instruction must primarily be educational and not medical services;
- 1.2. The property may not be used as rehabilitation center for substance abuse;
- 1.3. Any additional civil or electrical services required as a result of the utilization will be borne by the property owner, as negotiated and agreed upon between the owner and this Municipality's Technical Department;
- 1.4. Registration at the Department of Social Development is compulsory;
- 1.5. Compliance with the requirement provided in the letter of the Environment Health Practitioners (West Coast District Municipality) referenced 12/3/15, dated 13 April 2018;
- 1.6. The building be restricted to single storey;
- 1.7. Maximum 40 students is allowed on premises at a time or as determined by the Bergrivier Municipality Head Disaster Management & Fire Safety, whichever is the most restrictive;
- 1.8. Compliance with all other development parameters prescribed for the place of instruction in terms of the applicable zoning scheme by-law; and
- 1.9. Building plans be submitted at this Municipality for approval in terms of the National Building Regulations and Buildings Standards Act, 1977 as amended.

**TOWN AND REGIONAL
PLANNER
(KEENIN ABRAHAMS)**



**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION
HELD ON WEDNESDAY 08 AUGUST 2018 AT 15:00 IN THE MUNICIPAL
OFFICES, PIKETBERG**

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).

Bergrivier Municipal Spatial Development Framework provide the following strategies and objective applicable to the application:

- **Bulk Infrastructure and Services Objective (O17) and Strategy:** *to provide social facilities in accordance with planning norms and to provide accessible educational facilities for all age groups by mean of providing social infrastructure to ensure improved health and education service, to ensure improved quality of life and active community lifestyle for all residents.*
- **Urban restructuring Objective (O8) and Strategy (S16) :** *To ensure that residential areas are supported by adequate supporting social, commercial, recreational and public land uses to contribute to a well-functioning and sustainable living environment by mean of encouraging integrated settlement patterns in the urban areas.*

The proposed rezoning is not reflected in the spatial proposal map of Porterville (MSDF 2012-2017), but the application will contribute to the social well-being and well-functioning of the community by providing an essential educational support facility to the community, as provided in the MSDF 2012-2017 objectives and strategies for urban restructuring and bulk infrastructure as well as services. The application is thus consistent with the directives of MSDF 2012-2017 and IDP 2017 (community safety plan).

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

No objections were received against the proposed application.

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.

The application were circulated to this municipalities Civil and Electrical Engineering Department. Manager Electrical Services had no objection against the application. The application has no impact on municipal technical services as services is already available to the property. Conditions is imposed to ensure that any additional services required as a result of the utilization will be borne by the property owner, as negotiated and agreed upon between the owner and this Municipality's Technical Department, to ensure the application has no financial burden on the municipality.

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

Spatial justice:

The proposed property is located in a residential neighbourhood in close

**TOWN AND REGIONAL
PLANNER
(KEENIN ABRAHAMS)**



**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION
HELD ON WEDNESDAY 08 AUGUST 2018 AT 15:00 IN THE MUNICIPAL
OFFICES, PIKETBERG**

proximity to the community which reduce the need to walk/travel long distances to such facilities elsewhere in an area where no educational facilities of its kind exist. The location of the site in this previously disadvantaged area do contribute to spatial justice on account of aforesaid.

The proposed place of instruction is also efficiently located by utilising existing services available to the property, conditions is however imposed to ensure that any additional electrical services as a result of the proposed utilisation will be for the cost of the land owners or developer.

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.

Conditions are imposed to restrict attendance of students to maximum 40 at a time, considering the site restrictions. The proposed relaxation of side and rear building line to 2.5 meters is in keeping with the surrounding residential properties. The size of the facility also do not dramatically deviate from the scale of residential buildings in the area. No objection were received from surrounding affected property owners. Conditions is furthermore imposed to ensure compliance with all other development parameters prescribed in the zoning scheme by-law.

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

**AOA002/08/2018
APPLICATION FOR PERMANENT DEPARTURE: ERF 1854, PORTERVILLE
15/3/8, PTV. 1854**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for permanent departure of the applicable side building line from 2meter to 1.5meter in order to allow the proposed extensions to the dwelling house on Erf 1854, Porterville (8 Boom Street) in accordance with the site development plan (dated May 2017 drawn by E. Schreuder), **be approved**; in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following condition:

1. Building plans be submitted at this municipality for consideration in terms of the National Building Regulations and Building Standards Act, 1977 as amended.

REASONS FOR RESOLUTION

Section 65 (i) of Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the integrated development plan, including

**TOWN AND REGIONAL
PLANNER
(KEENIN ABRAHAMS)**



**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION
HELD ON WEDNESDAY 08 AUGUST 2018 AT 15:00 IN THE MUNICIPAL
OFFICES, PIKETBERG**

the municipal spatial development framework. The application does not affect the zoning or land use of Erf 1854, Porterville and retains a residential character that is consistent with the directives of Bergrivier Municipal Spatial Development Framework 2012-2017.

Relevant consideration were given to the development principles of Spatial Justice, Spatial efficiency and Spatial Sustainability as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014. The existing RDP dwelling house, was not efficiently positioned on the property taking into account expansion thereto in the future, and therefore extension to the side of the property is limited without encroaching the side building line. Relaxing the side building line from 2meter to 1.5meter for Erf 1854, Porterville enable some space for development, thereby resulting in more sensible liveable area, that will contribute to the social wellbeing of the family.

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. The electrical department has no objection against the proposed departure

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 which is compatible with the character of the surrounding residential area. The property furthermore only encroach the side building line due to past positioning of RDP dwelling house. Proposed extensions to the dwelling house still comply with the maximum coverage requirement of 50%, and does not extend beyond the scale for developments in the surrounding properties.

The application is 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.

**TOWN AND REGIONAL
PLANNER
(KEENIN ABRAHAMS)**

**EVALUATION COMPLETED AT 15:15
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**



AUTHORISED OFFICIAL

20/08/2018
DATE
