



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD
ON FRIDAY 14 SEPTEMBER 2018 AT 15:00 IN THE MUNICIPAL OFFICES, PIKETBERG**
PRESENT

Authorised Official (Manager: Planning and Environment Management: W Wagener)

ACTION

AON001/09/2018

**APPLICATION FOR REMOVAL OF RESTRICTIONS AND DEPARTURE: ERF 1436, LAAIPEK
(L 1436)**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED

That the application for removal of restrictive conditions B(g), B(g)(i) and B(g)(ii) as held in Title Deed No. T 23828/2017 pertaining to Erf 1436, Laaiplek and departure from the 3m street building line to 0m to allow a carport, **be approved**, in terms of section 60 of the Bergrivier Municipal By-Law relating to Land Use Planning.

REASONS FOR RESOLUTION

The application is considered consistent with the development principles of LUPA and SPLUMA. The application is furthermore 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

**TOWN AND REGIONAL
PLANNER: WEST
(HANNES VERMEULEN)**

AON002/09/2018

**APPLICATION FOR CONSENT USE: ERF 3133, PIKETBERG
(PB. 3133)**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for consent use in order to allow the operation of a house shop from an existing outbuilding (garage ±18m²) on Erf 3133, Piketberg (35 Portland Street), **be approved** in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions.

1. All relevant certification must be obtained for the respective land uses i.e. business license, liquor license, and certificate of acceptability from the Environmental Health Practitioner, Fire Safety Certificate etc. where applicable; and
2. Compliance with the limitations and requirements of Bergrivier Municipality Policy relating to House Shops.

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



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REASONS FOR RESOLUTION

Section 65(d) of Bergrivier Municipality By-law on Municipal Land Use Planning required the consideration of the comments in response to the notice of the application, including comments received from organs of state, municipal departments and the Provincial Minister in terms of section 45 of the Land Use Planning Act;

No objections were received from surrounding affected property owners. Conditions are imposed to address safety and health factors. No objections were received from internal municipal departments, and SAPS Piketberg. The Ward Councillor provided comment that contributed meaningfully to the consideration of this application.

Section 65 of Bergrivier Municipality By-law on Bergrivier Municipal Land Use Planning requires the consideration of the applicable policies of the Municipality that guide decision making;

The house shop is operated by the primary resident residing in the dwelling house. No approved house shop is within a radius of 200m or in the same street within 500m. The application also complies with the signage requirement and can comply with other limitations and requirements of the policy.

Section 65 (s) of the Bergrivier Municipal By-law on Municipal Land Use Planning requires consideration of the provisions of the applicable zoning scheme.

The total floor space of the dwelling house is $\pm 101.80\text{m}^2$. The residential use of the dwelling house is $\pm 83.47\text{m}^2$. The house shop occupies a portion of $\pm 18.33\text{m}^2$. The total floor space of the proposed business land uses is occupied by $\pm 18\%$ floor space of the dwelling house, compliant with the land use description of house shop provided in the zoning scheme by-law.

Section 65 of Bergrivier Municipality By-law on Municipal Land Use Planning requires consideration of the development principles provided in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The business is proposed due to supply and demand. The proposed house shop will provide retail facilities within close walking proximity to the surrounding property owners to purchase their daily resources.

The application takes into account low income housing areas by bringing retail services at residential scale closer to this community, saving them time and money to travel to shops further away in Piketberg. The proposal will contribute to address past spatial imbalances on account of the aforesaid.

The proposed house shop does not require additional municipal services, and therefore has no financial burden on the municipality.

The application is desirable from a land use planning perspective taking into account all relevant factors of consideration as prescribed in Section 65 of Bergrivier Municipality By-law on Municipal Land Use Planning, subject to conditions.

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



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AON003/09/2018

**APPLICATION FOR CONSENT USE AND TEMPORARY DEPARTURE: ERF 3147, PIKETBERG
(PB. 3147)**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for consent use in order to allow the operation of a house shop and temporary departure in order allow the operation of a liquor store from portions of the existing dwelling house on Erf 3147, Piketberg, **be approved** in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions:

1. The temporary departure for a liquor store will be valid for 5 (five) years only;
2. All signage of the liquor store must comply with Bergrivier Municipality By-law on Signage and Advertising;
3. The colour scheme of the liquor store must be the same as the dwelling house;
4. The liquor store floor space is restricted to the area proposed on the site development plan submitted with the application;
5. All relevant certification must be obtained for the respective land uses i.e. business license, liquor license, and certificate of acceptability from the Environmental Health Practitioner, Fire Safety Certificate etc. where applicable; and
6. Compliance of the house shop with the limitations and requirements of Bergriveir Municipality Policy relating to House Shops.

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

REASONS FOR RESOLUTION

Section 65(d) of Bergrivier Municipality By-law on Municipal Land Use Planning required the consideration of the comments in response to the notice of the application, including comments received from organs of state, municipal departments and the Provincial Minister in terms of section 45 of the Land Use Planning Act;

No objections were received from surrounding affected property owners. Conditions are imposed to address safety and health factors. No objections were received from internal municipal departments, and SAPS Piketberg. The Ward Councillor provided comment that contributed meaningfully to consideration of this application.

Section 65 of Bergrivier Municipality By-law on Bergrivier Municipal Land Use Planning requires the consideration of the applicable policies of the Municipality that guide decision making;

The house shop is operated by the primary resident residing in the dwelling house. No approved house shop is within a radius of 200m or in the same street within 500m. The application also complies with the signage requirement and can comply with other limitations and requirements of the policy.

Section 65 (s) of the Bergrivier Municipal By-law on Municipal Land Use

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



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Planning requires consideration of the provisions of the applicable zoning scheme.

The total floor space of the dwelling house is ±73.74m². The residential use of the dwelling house is ±38.12 m². The liquor store occupies a portion of ±12,31m². The house shop retail space occupies a portion of ±11m² of the living room. The total floor space of the proposed business land uses is occupies ±31% floor space of the dwelling house. The house shop itself occupies approximately 14.9% floor space of the dwelling house and is therefore compliant with the land use restriction of dwelling house provided in the zoning scheme by-law.

Conditions are imposed to restrict the house shop retail use to not exceed 25% of the total floor area of the dwelling house.

Section 65 of Bergriver Municipality By-law on Municipal Land Use Planning requires consideration of the development principles provided in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The business are proposed due to supply and demand. The proposed house shop and liquor store will provide retail facilities within close walking proximity to the surrounding property owners to purchase their daily groceries and beverages in an area where there is no substantial retail outlets.

The application takes into account low income housing areas by bringing retail services at residential scale closer to this community, saving them time and money to travel to shops further away in Piketberg. The proposal will contribute to address past spatial imbalances on account of aforesaid.

The proposed house shop does not require additional municipal services, and therefore has no financial burden on the municipality. The proposed house shop and liquor store are therefore efficiently located.

Alcohol abuse is a reality in Piketberg which may affect the social well-being of the community if misused, but a legal liquor store can be monitored and enforced in terms of law as well as counter illegal shebeen/alcohol sale operations in the area, thereby having some positive effect on the community.

The application is desirable from a land use planning perspective taking into account all relevant factors of consideration as prescribed in Section 65 of Bergrivier Municipality By-law on Municipal Land Use Planning, subject to conditions.

AON004/09/2018
APPLICATION FOR DEPARTURE: ERF 1266, VELDDRIF
(V. 1266)

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for permanent departure from the 5m street building line applicable along AW Stevens Street to 0m in order to accommodate a carport and extensions to the dwelling unit on Erf 1266, Velddrif, **be approved in**

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

TOWN AND REGIONAL



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terms of section 15 of Bergrivier Municipality: By-Law Relating to Municipal Land Use Planning subject to the following conditions:

1. The carport must be covered with a charcoal colored mono pitch (lean to) roof with plastered and white painted columns to match the existing building on the property and to conform with the architectural style of the surrounding area;
2. No new vehicular access to the property may be created.

REASONS FOR RESOLUTION

The application is considered consistent with the development principles of LUPA and SPLUMA. The application is furthermore aligned with the guidelines of the 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.

The Velddrif Quays development and the surrounding Fisherman's Village development is characterised by mostly the traditional West Coast vernacular. This building style involves rough/bagged walls painted white, parapet walls and charcoal coloured pitched roofs with mono pitch (lean to) roofs often used for extensions and outbuildings. The building design manual of Velddrif Quays requires roofs to be covered by corrugated metal sheeting in black or dark grey (charcoal) colour and exterior walls to be masonry constructed, rough plastered and painted white. The proposed carport would be positioned onto a public collector road (AW Stevens) connecting the main road of Velddrif with the Bergrivier estuary. AW Stevens Street could be considered a scenic route along which the aesthetic character of the area surrounding it should be preserved. The proposal to have a shade net covered carport along on the street boundary with AW Stevens Street is considered incompatible with the aesthetic character of the area, and non-compliant with the building design manual of the Velddrif Quays development.

The sidewalk of AW Stevens Street is relatively wide ($\pm 3.5\text{m}$), helping to prevent obstruction of pedestrian movement and sight lines around the street corner. The property will also be accessible via an internal road, and not directly from AW Stevens Street, thereby also helping to prevent obstruction of vehicular movement along AW Stevens Street where higher traffic volumes is expected.

The existing dwelling house was developed up to 2m from the street building line adjacent to AW Stevens Street. The veranda extension to the dwelling house would be located approximately 8m from the nearest street corner. Extending the core structure of the dwelling house up to 1m from the street building lines is not foreseen to adversely affect the surrounding area or vehicular sight lines, and would help make more efficient use of the property while adding comfort and convenience to the owners.

No objection was received against the application and the proposed developments are not foreseen to negatively affect existing rights of the surrounding land owners, or the general safety and wellbeing of the

**PLANNER: WEST
(HANNES VERMEULEN)**

**TOWN AND REGIONAL
PLANNER: WEST
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community.



AON005/09/2018

**APPLICATION FOR REMOVAL OF RESTRICTIONS AND DEPARTURE: ERF 1177, LAAIPLEK
(L 1177)**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED

That the application for removal of restrictive conditions B(g), B(g)(i) and B(g)(ii) as held in Title Deed No. T 52340/2016 pertaining to Erf 1177, Laaiplek and departure from the 3m street building line to 1.5m to allow a carport, **be approved**, in terms of section 60 of the Bergrivier Municipal By-Law relating to Land Use Planning.

REASONS FOR RESOLUTION

The application is considered consistent with the development principles of LUPA and SPLUMA. The application is furthermore 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 15:45
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**



AUTHORISED OFFICIAL

17/09/2018

DATE
