



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

MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON WEDNESDAY 12 FEBRUARY 2020 AT 10:00 AT THE MUNICIPAL OFFICES, PIKETBERG

PRESENT

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

ACTION

AON001/02/2020

APPLICATION FOR SUBDIVISION AND REZONING: REMAINDER OF FARM KLIPHOEK NO. 1196, DIVISION MALMESBURY
Farm 1196

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for the subdivision of Remainder of Farm No. 1196, Division Malmesbury into two portions namely Portion A (\pm 48ha in extent) and Remainder (\pm 2118ha in extent), and Rezoning of Portion A from Agricultural Zone 1 to Industrial Zone 4 (Salt Mine) in order to accommodate the existing Salt Mine on a separate cadastral unit, be **approved**, in terms of section 60 of Bergervier Municipal By-Law Relating to Land Use Planning, subject to the following conditions:

- a) Until decommissioning of the Salt Mine takes place, Portion A (\pm 48ha in extent) may only be used for salt mining activities and none of the other uses provided for in terms of Industrial Zone 4 may take place on the property;
- b) Compliance with the mining right with reference no. WC 30/5/1/2/2/10079MR and the mining work programme with reference no. (WC)30/5/1/2/2/307MR;
- c) After decommissioning of the Salt Mine, Portion A (\pm 48ha in extent) must be rehabilitated, and
- d) Portion A (\pm 48ha in extent) must be rezoned to Open Space Zone 3 (nature conservation area) after decommissioning and rehabilitation of the Salt Mine at the cost of the Salt Mining Company and/or land owner.

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

REASONS FOR RESOLUTION

The application is consistent with the development principles of LUPA and SPLUMA and is desirable from a planning perspective taking into account the relevant factors of consideration as determined in terms of section 65 of Bergervier Municipal By-Law relating to land Use Planning.

Section 42(1)(b) of SPLUMA requires that decisions on applications be consistent with the norms and standards, measures to protect sustainable



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use of agricultural land, national and provincial government policies, and the municipal spatial development framework. The application represents an application to formalize a salt mine that has been in existence since 1986. The portion on which the salt mine is located has since the start of the salt mine not been used for agriculture and the application to subdivide the salt mine from the remaining agricultural land unit is supported by the National Department of Agriculture, Forestry and Fisheries. The National Department of Mineral Resources granted a renewed mining right in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002). The application is considered to be in line with the Western Cape Land Use Planning Guidelines for Rural Areas, 2019 and the Bergrivier Municipal Spatial Development Framework, 2019-2024 (BMSDF).

Section 42 (1)(c)(i) of SPLUMA requires that public interest be taken into account in decision making. The public participation process has been followed in accordance with section 45- 49 of the Bergrivier Municipality: By-Law Relating to Municipal Land Use Planning. No objections were received against the application. The application furthermore proposes to help secure employment opportunities for the local community.

Section 42 (1)(c)(iv) of SPLUMA requires that existing rights and obligations be taken into account in decision making. The salt mine has been in existence for more than 30 years and a mining right has been issued for the salt mine. The application is intended to formalise the existence of the salt mine in terms of zoning and by subdividing it from the remaining agricultural land.

AON002/02/2020
APPLICATION FOR PERMANENT DEPARTURE: ERF 1116, PORTERVILLE
PTV. 1116

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for permanent departure from the 3 meter street building line to 0 meter, applicable to Erf 1116, Porterville (20 Piet Retief Street), in order to accommodate a carport, be approved, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions:

- a) Direct access from Porter Street to the carport is not allowed;
- b) That the existing vehicular access in Porter Street be used to access the carport; and
- c) If the erection of the carport results in the relocation of existing engineering services it must be relocated at the owner's expense.

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



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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, including the Municipal Spatial Development Framework (MSDF). No spatial directive is given with regard to building line relaxations in Bergrivier Municipal Spatial Development Framework 2019-2024 (Bergrivier MSDF). The land use of the property remains the same and as such it is consistent with MSDF.

Relevant consideration was given to the development principles as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014. The proposed departure of building line does not affect municipal engineering services. The application can therefore be efficiently accommodated.

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 remains Single Residential. A carport is generally associated with the primary use namely dwelling house. The proposed carport is in keeping with the residential character of the area.

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 conditions.

**EVALUATION COMPLETED AT 10:30
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**



AUTHORISED OFFICIAL

12/02/2020

DATE

