



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON THURSDAY 18 JUNE 2020 AT 9:00 AT THE MUNICIPAL OFFICES, PIKETBERG**

**PRESENT**

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

**ACTION**

**AON001/06/2020**  
**APPLICATION FOR CONSENT USE: ERF 4029, PIKETBERG**  
**PB. 4029**

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 a proposed structure on Erf 4029, Piketberg, **be conditionally approved** in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions:

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(KEENIN ABRAHAMS)**

1. the retail floor space of the house shop may not exceed 25% of the floor space of the dwelling house, as determined in the Zoning Scheme By-Law;
2. the house shop floor space must be reduced within 30 days from notification of this decision, to comply with the 25% floor space restriction refer to in condition 1;
3. if a site inspection reveals that condition 1 and 2 has not been complied with, this approval will be revoked;
4. all relevant certification must be obtained for the respective land uses i.e. business licence, certificate of acceptability from the Environmental Health Practitioner, Fire Safety Certificate etc. where applicable;
5. compliance with the limitations and requirements of Bergrivier Municipality Policy relating to House Shops; and
6. provision be made for on-site delivery/parking bay for clients in addition to the one parking bay required for the residential use.

**REASONS FOR RESOLUTION**

**MSDF 2019-2024**

The application does not change the zoning of the property and is consistent with the Municipal Spatial Development Framework, 2019-2024. The dominant use of the property remains residential and is consistent with the MSDF.



**Zoning Scheme By-Law**

The total floor space of the dwelling house is ±40m<sup>2</sup>. The total floor space of the proposed business land use will occupy ±12.5m<sup>2</sup>, which equal to 30% floor space of the dwelling house, inconsistent with the land use description of house shop provided in the zoning scheme By-Law, from which no departure may be granted.

The applicant stated that he is willing to bring (reduce) the floor space of the house shop in line with the 25% floor space requirement within 30days, should approval be granted. A condition is imposed to address this aspect.

**House shop policy**

The application complies with the distance requirements of the house shop policy, aspects of the house shop policy and conditions are imposed to address the other aspects concerned.

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 daily small scale grocery items where no major supermarket exists. 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 in Piketberg CBD. The proposal will contribute to address past spatial imbalances on account of aforesaid.

**No objections were received from surrounding property owners or general public.**

The proposed house shop will be operated from a proposed structure on site. No additional municipal engineering services are required as the property is already services. The application therefore has no financial burden on the municipality.

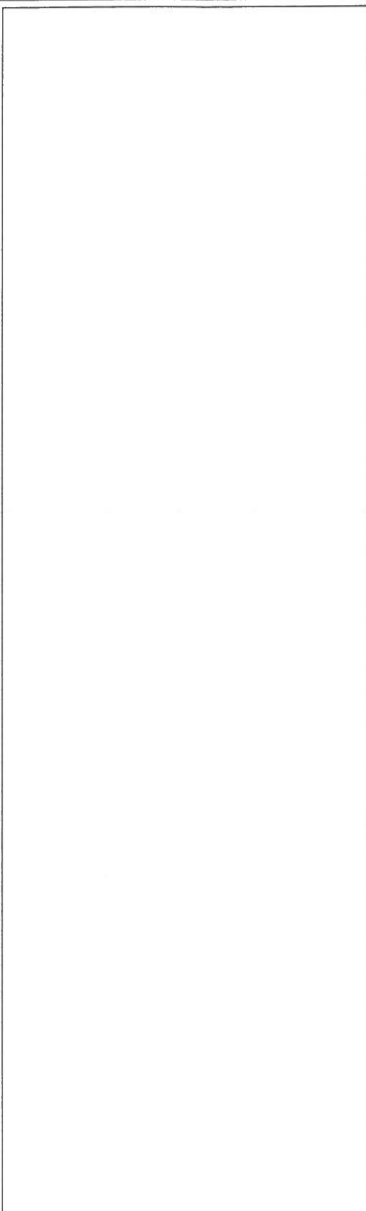
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**AON002/06/2020  
APPLICATION FOR PERMANENT DEPARTURE: ERF 2146, PORTERVILLE  
PTV. 2146**


The Authorised Official evaluated the abovementioned application.

**RESOLUTION: APPROVED CONDITIONALLY**

That the application made in terms of section 15 of Bergrivier Municipal By-Law Relating on Municipal Land Use Planning for permanent departure from the side building line from 2 meter to 1meter and street building line from 3 meter to 1.1 meter and 2.4 meter respectively in order to accommodate a carport/garage, braai area and extensions to the dwelling house as well as permanent departure from the 60% permeability for residential street boundary walls to erect a 1.8 meter solid boundary wall, **be conditionally approved**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the condition that, if a gate is installed at the



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vehicular entrance/exit to the property, it must be a motorised gate that does not open onto the sidewalk in order to ensure that no parking occurs on the sidewalk in front of the gate that may affect ease of pedestrian movement.

**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.

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

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

The proposal is efficiently established within available resources without impacting on municipal services or having a financial burden on the municipality. The relaxing of the building lines and coverage will help to alleviate some of the physical constraints built into the original planning design of the property, providing the owner some opportunity in the form of a larger developable area to efficiently accommodate the proposal thereby establishing a sustainable living environment.

The dwelling house is semi-detached, the relaxing of the building lines and coverage will help to alleviate some of the physical constraints built into the original planning design of the property, and allowing extension in its current form is considered more practical and suitable.

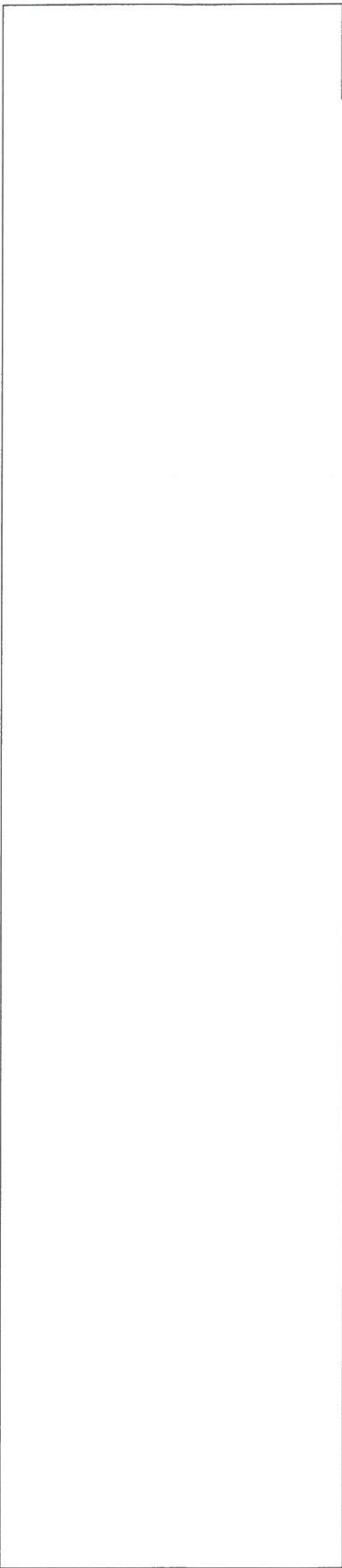
Section 65 (s) of the Bergrivier Municipal By-Law relating to Municipal Land Use Planning requires consideration of the provisions of the applicable zoning scheme.

The existing dwelling house, was not efficiently positioned on the property taking into account expansion thereto in the future, and therefore extension to the front and side of the property is limited without encroaching the relevant building lines. The application does not affect the zoning or land use of Erf 2146, Porterville and retains a residential character.

No objections were received against the application from surrounding property owners.

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.

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**AON003/06/2020**  
**APPLICATION FOR PERMANENT DEPARTURES: ERF 2910, PORTERVILLE**  
**PTV. 2910**

The Authorised Official evaluated the abovementioned application.

**RESOLUTION: APPROVED CONDITIONALLY**

1. That the application in terms of section 15 of Bergrivier Municipal By-Law Relating on Municipal Land Use Planning for permanent departures of the following respectively:

- 1.1. departure of the 3 meter street building line to 0 meter, 1 meter and 2 meter respectively as well as departure of the side building line from 2 meters to 0 meter and 1meter respectively in order to allow the erection of a carport and extensions to the dwelling house;
- 1.2. departure of the coverage from 50% to 72.68% in order to accommodate the aforesaid extensions;
- 1.3. departure of the window and door placement setback from 1.5 meter to 1 meter in order to erect a window on the 1meter side building line; and
- 1.4. departure from the maximum width allowed for a carport encroaching the side building line from 6.5 meters to 6.6 meter,

**be conditionally approved**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions:

- a) that a motorized/automatic garage door or a motorized gate that does not open onto the sidewalk be installed to ensure that no parking occurs on the sidewalk in front of the gate that may affect ease of pedestrian movement; and
- b) existing engineering services on-site must be moved or realigned by the owners engineering consultant to accommodate the new extensions and all costs will be for payment by the owner.

**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.

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

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

The proposal is efficiently established within available resources without impacting on municipal services or having a financial burden on the

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municipality. The relaxing of the building lines and coverage will help to alleviate some of the physical constraints built into the original planning design of the property, providing the owner some opportunity in the form of a larger developable area to efficiently accommodate the proposal thereby establishing a sustainable living environment.

Consideration of comment/objection and applicant's reply thereon.

No objections were received from surrounding property owners. Internal departments gave positive comments on the proposal.

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 application does not affect the zoning or land use of Erf 2910, Porterville and retains a residential character. Conditions are imposed to ensure that the street building line encroachment has no effect on vehicular traffic or pedestrian movement on sidewalks.

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.

**EVALUATION COMPLETED AT 09:00**

**CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**

  
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**AUTHORISED OFFICIAL**

18/06/2020  
**DATE**