



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

MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON THURSDAY 21 JULY 2020 AT 11:00 AT THE MUNICIPAL OFFICES, PIKETBERG

PRESENT

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

ACTION

AON001/07/2020

APPLICATION FOR REMOVAL OF RESTRICTIONS: ERF 4420, PIKETBERG PB. 4420

RESOLUTION: APPROVED CONDITIONALLY

1. That the applications for Removal of restrictions contained in Deed of Transfer T46400/2019 namely condition. E applicable to Erf 4420 Piketberg, that reads as follows: "E. ONDERHEWIG AAN 'n 95 meter boubeperkingslyn ten opsigte van die gedeelte van die eiendom wat grens aan 'n grootpad, opgelê deur die Departement van Ekonomiese Sake, Landbou en Toerisme in terme van Artikel 11 (6) van Wet 21 van 1940.", BE APPROVED in terms of section 60 of Bergrivier Municipality By-law on Municipal Land Use Planning to enable development closer to the national road, subject to the following conditions:
 - 1.1 Compliance with the conditions stated in Department of Transport & Public Works, letter referenced TPW/CFS/RP/LUD/REZ/SUB-02/57 (Job 27598) dated 13 May 2020; and
 - 2.1 Compliance with the conditions stated in SANRAL letter referenced W11/4/3-7/3-9 dated 04 May 2020.
2. That the applicant at whose instance this restrictive title deed conditions are removed/amended must, after the publication of a notice contemplated in terms of section 33 (6) of Bergrivier Municipal Bylaw 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 title deed to reflect the removal/amendment of the restrictive conditions prior to any building plan approval.

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

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).

MSDF 2019-2024



*During the compilation of the Bergrivier Spatial Development Framework 2019 – 2024 Erf 4420 Piketberg was placed within the integration zone and a portion of the site is earmarked as strategic sites/mixed use opportunities as well as gateway precinct. The following directive for the built environment on page 99 of the SDF states the following for the integration zone among other: “Promote spatial integration through the development of strategic land parcels within the town centre for community and recreational uses - identified central Integration Zone as new “heart” and gateway into town; Prioritise vacant land parcels within town for development over land on the periphery to accommodate existing infrastructure capacities.” The following directive apply for socio-economic activities among other:” **Strengthen the local economy through consolidated commercial and retail node areas and activities in strategic locations.”***

The property is partially earmarked as strategic land site were mixed use activities should take place in accordance with the MSDF, to strengthen the local economy. The property is also identified as new gateway into town. The property is located within the urban edge and by removing the restrictive condition imposed will enable mixed use development where existing infrastructure is available. The proposed application is regarded consistent with various directives of the MSDF.

West Coast District Spatial Development Framework 2020 (WCDMSDF 2020)

The spatial directives in terms of Section 5:, the built environment subsection 5.1.3 provide the following spatial proposal:

*“ Align future development towards the N7 regional transport corridor nodes of Malmesbury, Moorreesburg and **Piketberg**”*

The removal of restriction will enable the proposed mixed use development on on the corner of the N7 and R44, this development is therefore aligned with the regional transport corridor node and is therefore consistent with the WCDMSDF 2020.

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

By closing date for comment no objections were received from surrounding affected property owners or general public. All road authorities provided positive comment on the application, and the Department of Transport and Public Works removed the 95m building restriction line applicable to the property.

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 has minimum impact on municipal technical services, as services are already available in the area, however, the developer will have to do upgrades as may be required as a result of proposed utilisation of land.

Relevant consideration were given to the development principles of Spatial



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Justice, Spatial efficiency and Spatial Sustainability as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014.

Development principle of Spatial Justice and Sustainability:

Spatial Justice

The removal of restrictions will enable business development in closer proximity to previously disadvantage community's (RDP high density housing area) providing job creation and opportunities in walking distance from their homes.

Spatial Efficiency and Sustainability

The removal of restriction will facilitate development on the corner of two major activity streets of Piketberg (N7 and R44), representing natural expansion on a strategically located site as earmarked by the MSDF as new gateway precinct to town, and will promote a more integrated and sustainable business node and town.

Bulk infrastructure are already in place in the nearby vicinity. However, the developer will have to do upgrades as may be required as a result of proposed utilisation of land.

Spatial resilience

Erf 4420 Piketberg has been used as camping site in the past, with most of the property being underutilised. The opportunity presented through redevelopment mixed land uses of Erf 4420 Piketberg promotes desirable spatial form and reflects the resilience of the property within a changing environment in line with current norms (MSDF).

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 removal of restriction application is a parallel application to the proposed rezoning application of the property where a zoning comparison will be considered. The condition referred to in the deed of transfer is a third party condition.

The application is therefore 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.

EVALUATION COMPLETED AT 11:30

CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS



AUTHORISED OFFICIAL

21/07/2020
DATE