



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON TUESDAY
20 OCTOBER 2020 AT 15:00 AT THE MUNICIPAL OFFICES, PIKETBERG**

PRESENT

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

ACTION

AON005/10/2020

**APPLICATION FOR REMOVAL OF RESTRICTIONS : ERF 1090, PIKETBERG
PB.1090**

RESOLUTION: APPROVED CONDITIONALLY

1. That the application received in terms of section 15 of Bergrivier Municipal By-Law Relating to Municipal Land Use Planning for removal of restrictive conditions as contained in deed of transfer T72441A/1995 namely: B.6 (a), (b), (c) and (d) in order to allow the erection of a second dwelling unit and verandah on Erf 1090, Piketberg, **be approved**; in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions;
 - 1.1. The second dwelling unit must be of corresponding architecture as the main dwelling house;
 - 1.2. The second dwelling unit may not exceed 60m² in extent, unless a consent use or land use approval has been granted therefore in terms of Bergrivier Municipality By-Law on Municipal Land Use Planning; and
 - 1.3. The second dwelling unit must connect to existing services available to the property.
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 By-Law 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).

Erf 1090, Piketberg is earmarked for residential purposes and the land use being applied for will not detract from the surrounding residential area. The zoning of the property remains the same, a second dwelling unit, not exceeding 60m², is also a primary right on the property. The application



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furthermore has a contribution to densification. The application is therefore consistent with Bergrivier Municipal Spatial Development Framework 2019-2024(BMSDF).

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 has no impact on municipal technical services as services are already available to the property. The structures must connect to existing municipal services available to the property.

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.

Development principle of Spatial Justice - Section 59 (1) (a) of the Land Use Planning Act, 2014 prescribes the following development principle "past spatial and other development imbalances should be redressed through improved access to, and utilisation of land"

Deed of Transfer No. T72441A/1995 contains several conditions of a general and public nature that have been imposed at the behest of the Administrator and the Municipality at the establishment of extension 8 of Piketberg during the early 1934's, with the purpose to protect the amenity and character of the specific extension. The zoning of the property is Single Residential Zone 1, with primary right for a dwelling house, which includes a second dwelling with a floor area not exceeding 60m², this is also applicable to surrounding single residential properties. The zoning scheme therefore introduces a densification approach by means of allowing second dwelling units to change certain historical patterns of Piketberg, within a predetermined norm which is regarded as generally acceptable. The application support aforementioned principle.

Development principle of Spatial Efficiency – Section 59 (3) (a) of the Land Use Planning Act, 2014 prescribe the following "land development should optimise the use of existing infrastructure..."

No objections were received from internal municipal departments, giving an indication that the proposed application is efficiently accommodated within available resources.

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 proposed application does not affect the zoning of the property. No objections were received from surrounding affected property owners. The current coverage of the property is 31.83% and no departure is required from other development parameters.



AON006/10/2020

**APPLICATION FOR PERMANENT DEPARTURE: ERF 4428, PIKETBERG
PB.4428**

RESOLUTION: APPROVED CONDITIONALLY

That the application for permanent departure of the street building line from 3meter to 1.5meter in order to allow the erection of a covered port/carport ($\pm 18.48\text{m}^2$) on Erf 4428 Piketberg, be approved, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the condition that no direct access be obtained from the street to the carport.

**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, including the Municipal Spatial Development Framework (MSDF). No spatial directive is given with regard to building line or coverage 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. The relaxing of the building lines 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.

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/covered port is generally associated with the primary use namely dwelling house. The proposed carport is in keeping with the residential character of the area. No objections were received 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.

AON007/10/2020

**APPLICATION FOR SUBDIVISION: ERF 2314 PORTERVILLE
PTV. 2314**

RESOLUTION: APPROVED CONDITIONALLY

That the application made in terms of section 15 of Bergrivier Municipal By-Law Relating to Land Use Planning for subdivision of Erf 2314 Porterville into five portions namely: Portions A ($\pm 1403\text{m}^2$ in extent), B ($\pm 1020\text{m}^2$ in extent), C ($\pm 1017\text{m}^2$ in extent), D ($\pm 1201\text{m}^2$ in extent) and remainder Erf 2314 Porterville ($\pm 4047\text{m}^2$ in extent) for single residential purposes as well as registration of a right of way servitude in favour of Portions A and D, **be approved**; in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions:

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

- a) The provision of the subdivided portions with separate water-, sewerage- and



electricity connections as well as access;

- b) Bulk Service Contributions, as predetermined in the Municipal Budget, be paid for each additional erf created by subdivision OR each additional unit created. In addition to this the developer will be responsible for the provision and upgrading of all service infrastructure required as a result of additional burden created by the development, as negotiated and agreed upon between the developer and the Municipality's Directorate: Technical Services by means of a Services Level Agreement (SLA);
- c) That sufficient signage and road markings be provided on the right of way servitude which is visible to passing vehicles in Voortrekker road to assure the free flow of traffic to the satisfaction of the municipal traffic department; and
- d) Compliance with the development parameters of the zoning scheme By-Law.

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.

One of the densification guidelines contained in the MSDF 2019-2024 states the following:

"Densification must be supported along main transport routes for purposes of public transport support."

The property is located along a main road (Voortrekker Street), densification of the property is therefore promoted. Erf 2314 Porterville is not utilized to its full potential, with more than half thereof being vacant. Allowing the subdivision has a contribution to densification which is consistent with the MSDF 2019-2024.

The zoning of the newly created land units will remain in line with surrounding properties earmarked for residential purposes in terms of Bergrivier Municipal Spatial Development Framework, 2019-2024.

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 proposed application has a minimal impact on existing services, subject to conditions imposed.

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. By subdividing the property into four additional portions for residential purposes, it makes some contribution to higher density in Porterville. Existing land that would have been excluded from development is made available to the market in line with spatial guidelines, creating a sustainable residential opportunity.

Densification leads to better and more economical use of existing infrastructure, optimization and use of urban resources i.e. connecting to existing civil and electrical infrastructure. The proposed subdivision is therefore efficiently accommodated within the existing built up area of Porterville.

Urban sprawl can be defined as the spreading of a city/town and its suburbs over rural land at the fringe of an urban area. Subdivision of land inside the urban edge is promoted in terms the MSDF, 2019 -2024 as a means to increase the densities of urban areas. Densification of urban areas assist in optimising the use of urban resources and



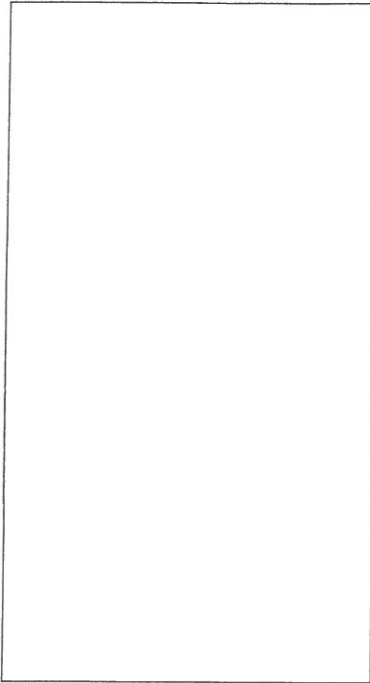
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infrastructure and protect high potential agricultural land from urban consumption. The proposed subdivision of Erf 2314 Porterville into five portions can be seen as a contribution to limit urban sprawl and is considered sustainable.

All municipal engineering services that have to be upgraded/connected as a result of a proposed subdivision will be for the account of the owners, and a condition is imposed to ensure this, to ensure that the application has no financial burden on the municipality or other rate payers.

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 proposed properties remain Single Residential which is compatible with the character of the surrounding residential area. The dimensions of the newly created land units are sufficient to comply with the development parameters for dwelling house as provided in the zoning scheme By-Law.

The application is determined desirable from a planning perspective taking into account aforesaid 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

21/10/2020
DATE