

BERGRIVIER MUNISIPALITEIT / MUNICIPALITY

VISIE:

Bergrivier: 'n vooruitstrewende gemeenskap waar almal wil leef, werk, leer en speel op 'n menswaardige manier.

VISION:

Bergrivier: a prosperous community where all want to live, work, learn and play in



KERN WAARDES / CORE VALUES

We are all part of Bergrivier Municipality.
We render good services to ensure dignified living to all.
We are unashamedly pro-poor.
We believe in close innovative partnerships.
We believe in social and economic development of our area.
We care about our work and our colleagues.
We are disciplined.
We believe in good relationships.
We serve with pride.

MINUTES OF THE MUNICIPAL PLANNING TRIBUNAL HELD ON THURSDAY 8 OCTOBER 2020 AT 11:30 ON ELECTRONIC PLATFORM

PRESENT

MEMBERS

Director Corporate Services (Mr Vivian Kotzee Kotzee: Acting Chairperson)
Director Community Services (Mr D Josephus)
Manager Civil Engineering Services (Mr JJ Breunissen)
External Member (Ms S van der Merwe)
External Member (Ms D Kotze)

OFFICIALS

Manager: Planning and Environmental Management (W Wagener)
Compliance Officer (A van Rossum)

ACTION

PTN001/10/2020

OPENING AND WELCOME

The Chairperson welcomed everyone to the virtual meeting.

PTN002/10/2020

REQUEST FOR LEAVE OF ABSENCE

3/3/1/4

Municipal Manager (Adv H Linde: Chairperson) – DCF & DCFTech meetings

PTN003/10/2020

DECLARATION OF INTEREST IN ACCORDANCE WITH SCHEDULE 1: CODE OF CONDUCT FOR MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL

3/3/1/6

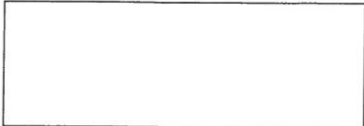
No member of the Municipal Planning Tribunal present declared to have any personal interest with regards to the item on the agenda in terms of Schedule 1 of the Code of Conduct of Tribunal Members.



PTN004/10/2020
COMMUNICATION BY THE CHAIRPERSON

3/3/1/6

None



PTN005/10/2020
CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING: THURSDAY 20 AUGUST 2020
 3/3/2/2

That the minutes of the Municipal Planning Tribunal meeting held on Thursday 20 August 2020 be confirmed.

COMPLIANCE OFFICER

PTN006/10/2020
APPLICATION FOR SUBDIVISION: ERF 1023 PORTERVILLE
PTV. 1023

The Manager: Planning & Environmental Management gave a brief summary to the item under discussion.

RESOLUTION: APPROVED CONDITIONALLY

That the application made in terms of section 15 of Bergrivier Municipal By-Law Relating on Municipal Land Use Planning for subdivision of Erf 1023 Porterville into two portions namely: Portion A ($\pm 1255\text{m}^2$ in extent) and Remainder Erf 1023 Porterville ($\pm 1600\text{m}^2$ in extent) for industrial purposes, **be approved** in terms of section 60 of Bergrivier Municipality By-Law on Municipal Land Use Planning subject to the following conditions:

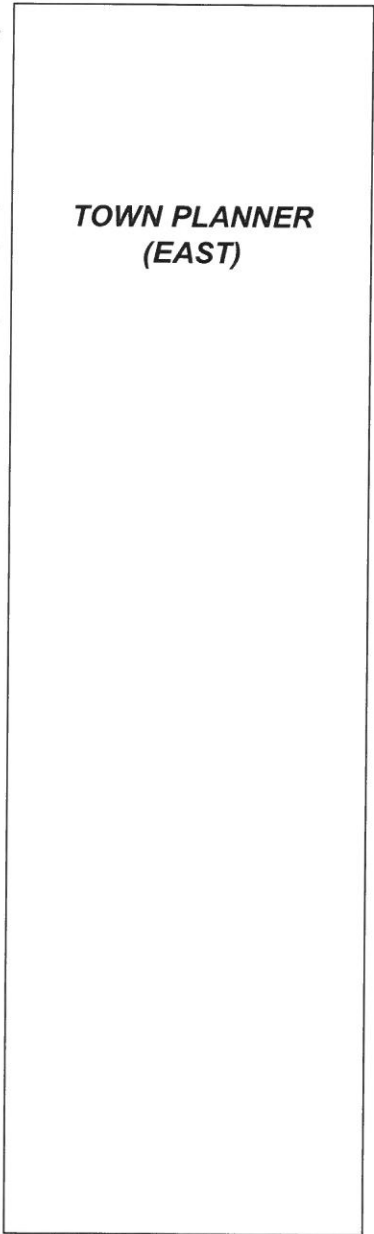
TOWN PLANNER (EAST)

1. The subdivided land units must be provided with separate water-electricity, sewerage as well as access;
2. The required municipal services that may arise as a result of the proposed utilization, will be for the account of the developer and/or further owner(s). In addition to this the owner(s)/developer will be responsible for the provision and upgrading of all service infrastructure required as a result of additional burden created by the proposed utilization, as negotiated and agreed upon between the developer and the Municipality's Directorate: Technical Services; and
3. Compliance with the development parameters of the zoning scheme By-Law.

REASONS FOR RESOLUTION

The Spatial Planning and Land Use Management Act (SPLUMA), Act 13 of 2013 provides specific development principles for spatial planning, namely: the principle of (a) spatial justice, (b) spatial sustainability, (c) efficiency, (d) spatial resilience, and (e) good administration.

The provision of industrial land can provide economic opportunities for the community of Porterville and surrounding areas by means of additional job





creation. The proposed subdivision will therefore promote access to services/facilities and growth in areas with economic potential, that can promote the efficient functioning of the existing industrial area. The existing industrial area of Porterville is also in close walking proximity from the residential areas as well as main transport routes, namely R44 making it easily accessible for the transport of industrial goods thereby contributing to spatial justice.

Section 65 (h) of Bergrivier Municipal By-Law relating to Municipal Land Use Planning requires consideration of the impact of the proposed land development on municipal engineering services.

The provision of civil and electrical services are available in the Vlei Street, conditions are imposed to ensure that the application has no financial burden on the municipality.

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

The zoning of the property remains the same, the subdivision is only to provide an additional industrial opportunity (within the existing industrial area) to the local economy. The application is therefore consistent with the MSDF 2019-2024.

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 and section 65.(d) and (e) of Bergrivier Municipal By-Law on Municipal Land Use Planning, requires the consideration of comments/objections obtained during the public participation process.

The dimensions of the proposed land units are considered sufficient to accommodate a future industry within the development parameters of the applicable zoning scheme By-Law.

No objections were received against the application from surrounding property owners or the general public. The comments from the internal department and ward councillor contributed meaningfully in considering this application.

The application is consistent with the directives of the Bergrivier Spatial Development Framework 2012-2017. The application is determined desirable from a land use planning perspective and can therefore be supported, subject to conditions.

PTN007/10/2020

APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE: ERF 2762, PORTERVILLE PTV. 2762

The Manager: Planning & Environmental Management gave a brief summary to the item under discussion.



RESOLUTION: APPROVED

1. That the application made in terms of section 15 of Bergrivier Municipal By-Law Relating to Municipal Land Use Planning for consent use in order to allow the operation of a house shop from a proposed extension to the dwelling house (±14m²) Erf 2762, Porterville, **be approved** in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, for the reason provided in the reason for recommendation.
2. That the departure of the street building line from 3meter to 2.6meter in order to accommodate the proposed extension on Erf 2762, Porterville, **be approved** in terms of section 60 of Bergrivier Municipality By-law Relating to Municipal Land Use Planning, subject to the following condition:
 - 2.1. The proposed extension may only be used in accordance with the primary land use right of the property as prescribed in the zoning scheme by-law.

**TOWN PLANNER
(EAST)**

REASONS FOR RESOLUTION

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;

In accordance with section 5. (3) of the Bergrivier Municipality: Policy Relating to House Shops "a house shop will only be allowed every 500m of street and not within a 200m radius from another house shop". However, Erf 2762, Porterville is only partially located within a 200m radius from another house shop and no objections have been received.

**PTN008/10/2020
DATE OF NEXT MEETING**

The next Municipal Planning Tribunal meeting will be held on **Thursday 5 November 2020 at 11:00** on Electronic Platform.

NOTED

**COMPLIANCE
OFFICER**

**THE MEETING ADJOURNED AT 12:10
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**



CHAIRPERSON



DATE