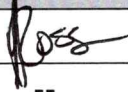


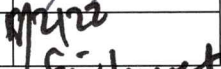


Proeflees

Aard van dokument: ~~Notule~~ | ~~Agenda~~ | ~~Brief~~ | ~~Memo~~ | Verslag MPT 17/2/22

	Naam	Handtekening	Datum
Skrywer	A van Rossum		18-02-22
Hoof / Toesighouer	--	--	--
Bestuurder	W Wagener		18/02/2022
Direkteur	JWA Kotzee		 18/2/22

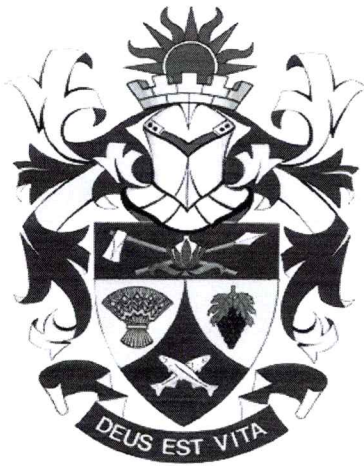
BERGRIVIER MUNISIPALITEIT / MUNICIPALITY

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, 17 FEBRUARY 2022 AT 11:00 ON ELECTRONIC PLATFORM

PRESENT

MEMBERS

Director Corporate Services (Mr JWA Kotzee: Vice Chairperson)
Director Community Services (Mr D Josephus)
Manager Civil Engineering Services (Mr JJ Breunissen)
External Member (Ms D Kotze)
External Member (Mr J de Jongh)

OFFICIALS

Manager: Town Planning & Environmental Management (W Wagener)
Town & Regional Planner (West) (H Vermeulen)
Compliance Officer (A van Rossum)

ACTION

PTN001/02/2022

OPENING AND WELCOME

The Chairperson opened and welcomed everyone to the meeting.

PTN002/02/2022

REQUEST FOR LEAVE OF ABSENCE

3/3/1/4

Municipal Manager (Adv. H Linde: Chairperson) - previous municipal
engagement
Town Planner (East) (K Abrahams) – no items on agenda for consideration by
MPT

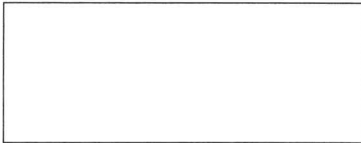


PTN003/02/2022

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

3/3/1/6

All members of the Municipal Planning Tribunal present declared that they have no personal interest with regards to the items on the agenda in terms of Schedule 1 of the Code of Conduct of Tribunal Members.



PTN004/02/2022

COMMUNICATION BY THE CHAIRPERSON

3/3/1/6

None



PTN005/02/2022

CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING: THURSDAY 20 JANUARY 2022

3/3/2/2

That the minutes of the Municipal Planning Tribunal meeting held on Thursday, 20 January 2022 be confirmed.

COMPLIANCE OFFICER

PTN006/02/2022

APPLICATION FOR SUBDIVISION: ERF 279, AURORA AU. 279

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

A correction is made to the Town Planner's report on p11 & p16. The size of portion C should read: "(2180m² in extent)"

TOWN PLANNER (WEST)

RESOLUTION: APPROVED

That the application for subdivision of Erf 279, Aurora into four portions namely Portion A, Portion B, Portion C and Remainder for residential purposes, **BE APPROVED**, in terms of section 60 of the Bergrivier Municipal By-Law relating to Land Use Planning, subject to:

- 1 That the subdivision line between Portions A –C and the Remainder be made a straight line to create three equal sized portions of ±2180m² in extent each and the Remainder (±12132m² in extent), and that a revised subdivision plan be submitted for endorsement.
- 2 The provision of the subdivided portions with separate water and electricity connections as well as separate conservancy tanks and accesses. The owner will be responsible for the provision of electricity connections up to the property boundaries; and
- 3 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



MINUTES OF THE MUNICIPAL PLANNING TRIBUNAL HELD ON THURSDAY, 17 FEBRUARY 2022 AT 11:00 ON ELECTRONIC PLATFORM

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). The SLA will be drawn up by a municipal appointed attorney for the account of the developer.

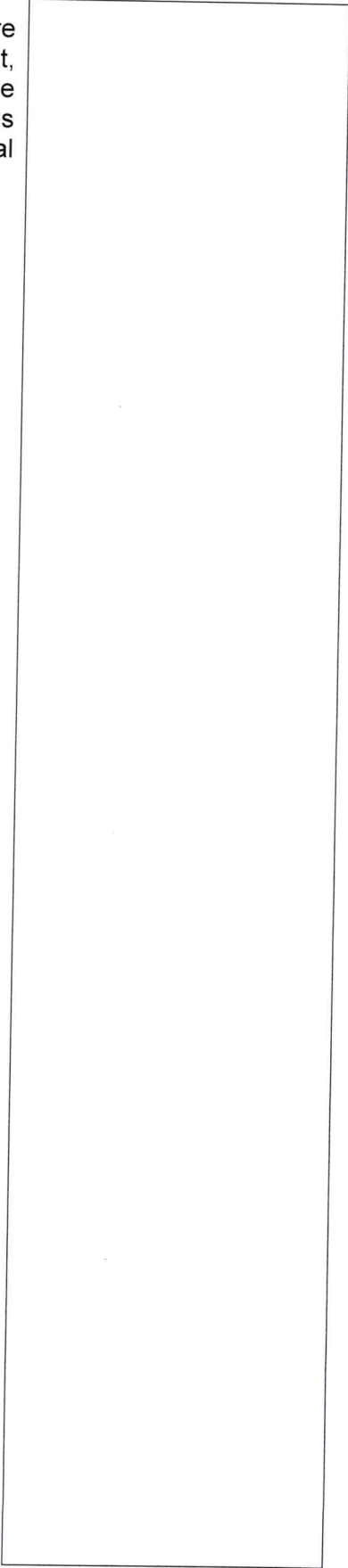
REASONS FOR RESOLUTION

The Bergrivier Municipal Spatial Development Framework (BMSDF) 2019-2024 supports the Western Cape Spatial Development Framework's principle of densification within the existing urban areas. Densification not only limits uncontrolled urban expansion, but also supports and promotes the more optimal use of land within the urban context. The BMSDF earmarks the subject property of residential infill. Infill development, by the subdivision of existing larger plots into smaller units within the existing urban areas, is one of the proposed ways that densification in the urban areas can take place. The proposed subdivision supports the densification strategies of the Municipality and will help promote integration and more sustainable use of land and infrastructure. The proposed subdivision would therefore facilitate densification of the urban area, with the resulting density still consistent with the prevailing density of the surrounding area.

Section 59 (1) (g) of the Land Use Planning Act, Act 3 of 2014 (LUPA), states that the right of owners to develop land in accordance with current use rights should be recognized. Erf 279, Aurora is currently zoned as Single Residential Zone 1 in terms of the Bergrivier Municipality Integrated Zoning Scheme By-Law. This application does not involve a change in the zoning of the property.

Section 59(1)(a) of the Land Use Planning Act, Act 3 of 2014 (LUPA) requires that past spatial and other imbalances should be redressed through improved access to, and utilisation of, land, to facilitate spatial justice. Section 59(2)(a) of the Land Use Planning Act, Act 3 of 2014 (LUPA) requires that land use planning should promote land development that is spatially compact, resource frugal and is within the fiscal, institutional and administrative means of the relevant authority to facilitate spatial sustainability. The proposed subdivision creates access to more residential land in Aurora and enable densification of the urban area, thereby aiding to address spatial justice and the spatial sustainability of the town. The subdivision of the property will help achieve a more integrated, resource efficient town without changing the current zoning (Single Residential Zone 1) or development parameters of the proposed properties.

The application for subdivision of Erf 279, Aurora is considered consistent with the development principles of LUPA and SPLUMA. The proposed application furthermore is aligned with the guidelines of Municipal Spatial Development Framework, and is considered desirable from a planning perspective taking into account the relevant factors of consideration as determined in terms of section 65 of Bergrivier Municipal By-Law relating to land Use Planning.





PTN007/02/2022

APPLICATION FOR REMOVAL OF RESTRICTIONS, SUBDIVISION, CONSENT USE AND PERMANENT DEPARTURE: ERF 49, LAAIPLEK

L. 49

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

A correction is made to the Town Planner's report on p60. The last paragraph before PART R should read: "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 Service Level Agreement (SLA). The SLA will be drawn up by a municipal appointed attorney for the account of the developer."

**TOWN PLANNER
(WEST)**

RESOLUTION: REFERRED BACK

Members of the Municipal Planning Tribunal requested that:

1. the application be referred back to the Town & Regional Planner (West) in order to provide further clarity regarding:
 - the density/ functionality of the units on the property;
 - sizes of the structures;
 - the building lines; and
2. a revised report including the additional information requested to be presented to the panel at a next Municipal Planning Tribunal.

PTN008/02/2022

DATE OF NEXT MEETING

The next Municipal Planning Tribunal meeting will be held on **Thursday, 17 March 2022 at 14:00** on an Electronic Platform.

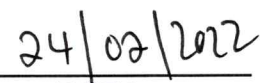
**COMPLIANCE
OFFICER**

NOTED

**THE MEETING ADJOURNED AT 12:15
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**



CHAIRPERSON



DATE
