



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON MONDAY,
31 MARCH 2022 AT 10:50 AT THE MUNICIPAL OFFICES, PIKETBERG**

PRESENT

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

ACTION

AON006/03/2022

**APPLICATION FOR SUBDIVISION: ERF 1095, PORTERVILLE
PTV.1095**

RESOLUTION: APPROVED CONDITIONALLY

1. That the application made in terms of section 15 of Bergrivier Municipality By-Law on Municipal Land Use Planning for subdivision of Erf 1095 Porterville into four portions namely: Portion A ($\pm 729\text{m}^2$ in extent), Portion B ($\pm 670\text{m}^2$ in extent), Portion C ($\pm 731\text{m}^2$ in extent) and Remainder Erf 1095 Porterville ($\pm 861\text{m}^2$ in extent) for single residential purposes, **BE APPROVED**, in terms of section 60 of Bergrivier Municipality By-law on Municipal Land Use Planning, subject to the following conditions:

- a) The provision of the subdivided portions with separate water-, sewerage- and electricity connections as well as access, to the satisfaction of Bergrivier Municipality Technical Services Directorate;
- 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), and
- a) Compliance with the development parameters of the zoning scheme by-law.

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

REASONS FOR RESOLUTION

Erf 1095 Porterville is located within a residential neighbourhood and the integration zone of town where densification should be promoted. Erf 1095 Porterville is $\pm 3405\text{m}^2$ in extent, which lends itself to densification consistent with Bergrivier Municipality Spatial Development Framework 2019-2024 in terms of the aforesaid (MSDF 2019-2024, page 153).

The zoning of the newly created portions will remain single residential for the purposes of a dwelling house, that is compatible with the surrounding area.

Municipal engineering services connection is available to the proposed subdivision, and conditions are imposed to ensure that the application



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places no financial burden on the municipality or other rate payers.

No objections were received against the application and the ward councillor has no objection against the subdivision of Erf 1095 Porterville.

The size and dimensions of the properties after subdivision are sufficient to comply with the development parameters as prescribed in Bergrivier Municipality Integrated Zoning Scheme By-law.

The proposal contributes to restructuring Porterville lower density residential area, by promoting higher density residential development, which will provide housing opportunities to any person, through ownership of land or even rental opportunities once developed. The property is located within the integration zone as identified in the MSDF, where spatial transformation should occur, the proposed subdivision can contribute to integration by means of creating residential opportunities to a wider income group.

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.

The proposed subdivision of Erf 1095, Porterville can be seen as a contribution to limit urban sprawl and is considered sustainable.

AON007/03/2022

APPLICATION FOR PERMANENT DEPARTURE: ERF 2159, PIKETBERG PB.2159

RESOLUTION: APPROVED CONDITIONALLY

1. That the application made in terms of section 15 of Bergrivier Municipality By-Law on Municipal Land Use Planning for permanent departures (building line encroachments) as follows: street building line from 5m to 1.64m, 3.59m, 2.59m and 3.93m respectively and rear building line from 3m to 2.9m respectively in order to accommodate extensions (covered stoep, living room, flowerbox and bathroom) to the existing dwelling unit on Erf 2159, Piketberg, **BE APPROVED**, in terms of section 60 of Bergrivier Municipal By-Law on Municipal Land Use Planning, subject to the following condition:

- 1.1 Building plans to be submitted to Bergrivier Municipality for consideration in terms of the National Building Regulations and Building Standards Act, 1977 as amended.

REASONS FOR RESOLUTION

- The zoning of the property will remain the same, compatible with the surrounding residential land uses and will not have a negative effect on the aesthetical appearance of the surrounding area.
- The proposed departures will allow a more spatially compact land unit on a property with limited expansion potential taking into account its dimensions and position of the existing structures/buildings on the property.

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



- No objections were received from surrounding affected property owners, by closing date for public participation.
- The municipal traffic department has no objection against the street building line encroachments.
- 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 to create spatially compact land unit.
- The property is already serviced and the proposal does not require additional municipal services that will place a financial burden on the municipality.

AON008/03/2022

**APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION AND DEPARTURE:
ERVEN 971 AND 1396, VELDDRIF
V.971 & 1396**

RESOLUTION: APPROVED CONDITIONALLY

1. That the application for consolidation of Erf 971, Velddrif and Erf 1396, Velddrif **BE APPROVED** in terms of section 60 of the Bergrivier Municipality: By-Law on Municipal Land Use Planning;
2. That the application for rezoning of the consolidated property from Single Residential Zone 1 to Subdivisional area in order to allow for four (4) General Residential Zone 3 (Town housing) properties and one(1) Transport Zone 3 (Private Road) property, **BE APPROVED** in terms of section 60 of the Bergrivier Municipality: By-Law on Municipal Land Use Planning; and
3. That the application for subdivision of the consolidated property into 4 townhouse erven (ranging between $\pm 211\text{m}^2$ to $\pm 271\text{m}^2$ in extent each) and an internal private access road ($\pm 109\text{m}^2$ in extent) in accordance with the subdivision plan referenced 20033/003/R01, **BE APPROVED** in terms of section 60 of the Bergrivier Municipality: By-Law on Municipal Land Use Planning subject to:
 - 3.1 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). The SLA will be drawn up by a municipal appointed attorney for the account of the developer. Internal access road or servitude must be provided and maintained by the Home Owners Association;
 - 3.2 Vehicular access for the proposed development be restricted to the existing access from Smit Avenue, more than 10m from the intersection with Church Street, and in line with the existing access

**TOWN AND REGIONAL
PLANNER: WEST
(HANNES VERMEULEN)**



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of Erf 970, Velddrif;

3.3 Developer will be responsible for the relocation of the electrical midblock line graft pole and the stay wire; and

3.4 The provision of the subdivided portions with separate water meters, electricity meters, and conservancy tanks. Electrical connections up to the erf boundaries must be done by an electrical contractor, for the cost of the applicant.

4. That the application for departure from the side and rear building lines applicable along the perimeters of the General Residential Zone 3 properties from 3m to 2m, **BE APPROVED**, in terms of section 60 of the Bergrivier Municipality: By-Law on Municipal Land Use Planning.

5. That the Maison on Church Home Owners' Association constitution, as provided for in terms of Section 29 of the Bergrivier Municipality: By-law on Municipal Land Use Planning, **BE APPROVED**.

6. That the subdivision of Erven 971 and 1396, Velddrif is, in terms of Section 29 of the Bergrivier Municipality: By-law on Municipal Land Use Planning, subject to the compulsory establishment of an owners' association by the applicant/developer, which shall have as its members all the owners of the land units arising from the subdivision and their successors in title through a restrictive title condition, reasonably in accordance, with the following wording:

"SUBJECT to the following condition imposed by the Developer in favour of the Maison on Church Owners' Association, as required by the competent authority with subdivision of Erven 971 and 1396, Velddrif.

The owner(s) of this erf shall not transfer the property without the written consent of the Owners' Association, of which the said owner shall at all times be bound by the rules and regulations of the Owners' Association constitution while he/she is the owner of this property."

REASONS FOR RESOLUTION

The application is considered consistent with the development principles of LUPA and SPLUMA. The proposed application is furthermore 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.

EVALUATION COMPLETED AT 10:15

CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS


AUTHORISED OFFICIAL

31/03/2022
DATE
