

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

MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON WEDNESDAY, 22 JUNE 2022 AT 08:35 AT THE MUNICIPAL OFFICES, PIKETBERG

PRESENT

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

ACTION

AON001/06/2022

APPLICATION FOR TEMPORARY DEPARTURE: ERF 1887, PIKETBERG PB.1887

RESOLUTION: APPROVED CONDITIONALLY

That the application for temporary departure (**five years**) in order to allow the operation of a neighbourhood shop (take away food establishment: for off-consumption) from an existing approved garage ($\pm 18\text{m}^2$ in extent) on Erf 1887, Piketberg, **BE APPROVED**, in terms of section 60 of Bergrivier Municipality By-Law on Municipality Land Use Planning, subject to the following conditions.

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(KEENIN ABRAHAMS)**

1. No alcoholic beverages may be sold from the premises;
2. Business license certification must be obtained from Bergrivier Municipality prior to business operations;
3. All food premises must comply with regulations 638 of June 2018 as promulgated under Foodstuff, Cosmetics and Disinfectants Act, Number 54 of 1972 and a certificate of acceptability must be obtained from West Coast District Municipality Environmental Health Practitioner prior to operation of business;
4. The owner must annually apply for a flammable liquid certificate from the West Coast District Municipality;
5. The owners must ensure that appropriate measures is in place in the event pollution occurs;
6. Additional refuse generated by the fast food take away establishment must be stored on site in closed containers/bins and removal of this refuse will be removed in accordance with Council's approved tariffs, which will be for the account of the applicant;
7. The fast food take away establishment may only be operated from the existing approved garage;
8. No house shop may be operated from this premises;
9. Provision be made for on-site parking for clients, additional to the one



required for the residential use; and

10. Business trading hours of the fast food take away establishment may only take place from Monday to Saturdays between 08h00 and 21h00pm and Sundays between 08h00am to 14h00pm.

REASONS FOR RESOLUTION

No objections were received from surrounding affected property owners.

The Ward Committee: Ward 4 supports the application.

The neighbourhood shop (take away food establishment: for off-consumption) introduces business land use in a residential area at small scale, which contributes to the community being integrated from a socio-economic perspective saving them time to travel to take away food shops further in central business area. The application can therefore have a positive socio-economic impact on the property owner and surrounding neighbourhood.

The take away food establishment will be operated from an existing outbuilding and does not require additional municipal services, and therefore has no financial burden on the Municipality. The proposed take away food shop is efficiently located on a corner of Angelier and Viooltjie Streets.

The proposed retail floor space of the neighbourhood shop(take away food establishment) is 18m² in relation to the dominant residential use. The residential use dominates the business use on the property compatible with surrounding residential land uses. The proposed take away food shop is also conveniently located on a corner of the street.

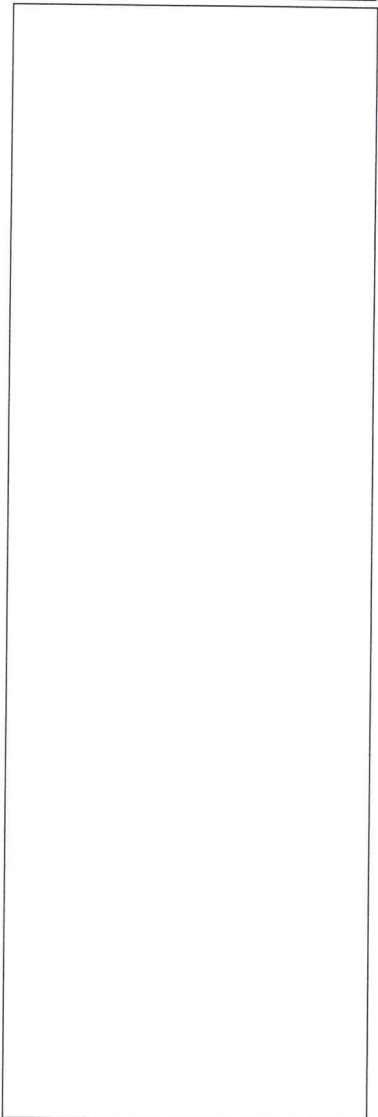
The application does not change the zoning of the property and the dominant use is still residential which is consistent with the Municipal Spatial Development Framework, 2019-2024.

AON002/06/2022

APPLICATION FOR SUBDIVISION: ERF 1080, PORTERVILLE PTV.1080

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 1080 Porterville into three portions namely: Portion A (±785m² in extent), Portion B (±785m² in extent) and Remainder Erf 1080 Porterville (±1282m² 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



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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

- c. Compliance with the development parameters of the zoning scheme by-law.

REASONS FOR RESOLUTION

Erf 1080 Porterville is located within a residential neighbourhood and the integration zone of town where densification should be promoted. Erf 1080 Porterville is ±2855m² in extent, lends itself to densification consistent with Bergvliet 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 possible for the proposed subdivision, and conditions are imposed to ensure that the application has 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 1080 Porterville.

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

The proposal contributes to restructuring Porterville's 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, access to support facilities, etc. The proposed subdivision is therefore efficiently accommodated within the existing built up area of Porterville.

The proposed subdivision of Erf 1080, Porterville can be seen as a contribution to limit urban sprawl and is considered sustainable.

AON003/06/2022

**APPLICATION FOR CONSENT USE : ERF 1139 PORTERVILLE
PTV.1139**

RESOLUTION: APPROVED CONDITIONALLY

1. That the application for consent use in order to allow the erection of a 25



meter freestanding telecommunication base station and associated infrastructure on a portion ($\pm 120\text{m}^2$ in extent) of Erf 1139, Porterville, **BE APPROVED**, in terms of section 60 of Bergrivier Municipality By-Law on Municipal Land Use Planning, subject to the following conditions:

- a. The mast must be tree type;
- b. The telecommunication base station and mast must allow for co-location of other service providers;
- c. If the current electrical supply is used, division of the electrical supply must be administered by the applicant/owner; and if additional electrical supply is required, upgrading of the Minisub on the Corner of Mark and Roos Street will be required at the owners/applicants own expense to the satisfaction of the Electrical Department of Bergrivier Municipality;
- d. The base station must be securely fenced off and access must be restricted;
- e. Should it be proven that there are negative health effects from the base station in accordance with acceptable standards, it must be rectified, or if it fails to comply, be decommissioned; and
- f. The structure and associated infrastructure be removed at developer's cost if it falls into disuse.

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REASONS FOR RESOLUTION

Section 59 (3) (a) of the Spatial Planning & Land Use Management Act, 2013 requires that land development should optimise the use of existing resources, infrastructure, land and facilities. The development would allow for co-location of other network operators using the same telecommunication base station site and mast and existing municipal resources thus reducing the need for additional base stations and masts in the area.

Section 59(3)(a) of the Land Use Planning Act, 2014 (Act 3 of 2014) requires consideration of Spatial Efficiency principle, whereby land development should optimise the use of existing resources, infrastructure, agriculture, land, minerals and facilities. The proposed site is located along a main road in the Central Business District of Porterville. The site and position of the proposed development are situated within a predominately business area which consists of municipal offices, banks, trading stalls, municipal market plain etc. The development would allow for co-location of other network operators using the same telecommunication base station site and mast, thus reducing the need for additional base stations and masts in the area.

Section 59(3)(b) of the Land Use Planning Act requires the promotion of a diverse combination of land uses and that social, economic, institutional and physical aspects of land development be integrated. The subject property is located in the central business district, Voortrekker Street where improved telecommunication coverage would be particularly convenient and beneficial.

No objection has been received during public participation from surrounding affected property owners or Ward Councillor.

South Africa's Department of Health has published Electro-Magnetic Fields exposure limit guidelines, endorsed by the International Commission on Non-Ionising Radiation Protection. Emissions from all existing and proposed base



stations are in compliance with these guidelines and international standards.

AON004/06/2022

**APPLICATION FOR CONSENT USE : ERF 3482, PIKETBERG
PB.3482**

RESOLUTION: APPROVED CONDITIONALLY

1. That the application made in terms of section 15 of Bergrivier Municipality By-Law on Municipal Land Use Planning for consent use in order to allow shipping containers to be used as rental storage units (warehouse) on a portion of Erf 3482, Piketberg ($\pm 68m^2$ in extent), **BE APPROVED**, in terms of section 60 of Bergrivier Municipality By-Law on Municipal Land Use Planning, subject to the following conditions:
 - a. No hazardous material, substances or liquids be stored in the rental storage units;
 - b. A solid 1.8m boundary wall be constructed for screening and safety purposes along the common boundary of Erf 2161, Piketberg where the storage units will be located;
 - c. The rental storage unit be colour coded the same as the existing building on site;
 - d. The rental storage units may not be used for habitable residential space;
 - e. No windows or doors be placed in the rental storage units that face onto the residential properties,
 - f. Compliance with all other development parameters provided in the zoning scheme by-law applicable to warehouse; and
 - g. Building plans be submitted for consideration in terms of the National Building Regulations and Building Standards Act, 1977 (as amended).

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REASONS FOR RESOLUTION

- The proposed application is for consent use in order to allow the rental storage units on a portion of Erf 3482, Piketberg, occupying only 2% of the property. The dominant use of the property will remain business, therefore not resulting in circumstances inconsistent with Bergrivier Municipal Spatial Development Framework 2019-2024.
- Existing road access will be used from Die Trek Street, and delivery of goods will occur on site. No Municipal engineering services is required for the proposed use.
- No objections were received against the application, from the surrounding property owners.
- The existing access to the property will be used to the rental storage units. The rental storage units will be accessible to the general public who is in need of such storage space, therefore not resulting in exclusion. The proposed rental storage units are considered spatiality efficient without requiring additional infrastructure or resources and are sustainably located within the central business district of Piketberg.
- Conditions are imposed to mitigate the visual impact, screening by



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means of boundary wall as provided in the zoning scheme by-law and aspects concerning storage of hazardous material/liquids.



EVALUATION COMPLETED AT 09:15

CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS



AUTHORISED OFFICIAL

22/06/2022
DATE