



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON MONDAY,
20 FEBRUARY 2023 AT 09:00 AT THE MUNICIPAL OFFICES, PIKETBERG**

PRESENT

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

ACTION

AON001/02/2023

**APPLICATION FOR REMOVAL OF RESTRICTIONS AND SUBDIVISION: ERF 287, VELDDRIF
V.287**

RESOLUTION: APPROVED CONDITIONALLY

That the application for removal of restrictive title conditions E. 6. (a) & (d) as contained in the deed of transfer T 7284/2022 and the subdivision of Erf 287, Velddrif into two portions namely Portion A ($\pm 640\text{m}^2$ in extent) and Remainder Erf 287, Velddrif ($\pm 816\text{m}^2$ in extent) in accordance with the subdivision plan referenced #12472 dated November 2022, **BE APPROVED**, in terms of section 60 of the Bergrivier Municipality By-Law on Municipal Land Use Planning, subject to:

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

1. A right of way servitude measuring $\pm 5.7\text{m}$ in width x $\pm 31.5\text{m}$ in length be registered over the panhandle of Portion A in favour of Remainder Erf 287, Velddrif,
2. The provision of the subdivided portions with separate water, electricity, access and a conservancy tanks. Electrical connections up to the erf boundaries must be done by an electrical contractor, for the cost of the applicant, 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 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.

REASONS FOR RESOLUTION

The application 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 Municipality By-Law on Municipal Land Use Planning.



AON002/02/2023
APPLICATION FOR PERMANENT DEPARTURE: ERF 2053, PORTERVILLE
PTV.2053

RESOLUTION: APPROVED CONDITIONALLY

That the application for permanent departure of the street building line from 3m to 1.1m, 1.7m and 2.5m respectively and side building line from 2m to 0m in order to allow extensions to the existing dwelling house as well as permanent departure from the 60% permeability for residential street boundary walls to allow a 1.5m high solid street boundary wall on Erf 2053, Porterville, **BE APPROVED**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to that building plans be submitted to this Municipality for consideration in terms of the National Building Regulations and Building Standards Act, 1977 as amended.

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

REASONS FOR RESOLUTION

Erf 2053, Porterville is earmarked for residential purposes. The application for permanent departures is to allow land uses in line with the primary use rights of the property, which is consistent with Bergrivier Municipal Spatial Development Framework 2019-2024(MSDF).

The proposal is efficiently established within available resources without impacting on municipal services or having a financial burden on the municipality. The relaxing of the building lines will help to alleviate some of the physical constraints build into the original planning design of the property, providing the owner some opportunity in the form of a larger developable area to efficiently accommodate the proposal thereby establishing a sustainably living environment.

No objections were received from surrounding property owners. Internal departments gave positive comment on the proposal.

The traffic department has no objection against the proposed application.

The application does not affect the zoning or land use of Erf 2053, Porterville and retains a residential character.

The applicant confirmed that if any structural damages occur to walls as a result of future pipe burst in Eland Street that they will not hold the Municipality reliable for structural repairs, as the matter was brought to their attention during the processing of the application.

The application is furthermore 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.



AON003/02/2023

APPLICATION FOR PERMANENT DEPARTURE: ERF 3484, PIKETBERG PB.3484

RESOLUTION: APPROVED CONDITIONALLY

1. That the application in terms of section 15 of Bergrivier Municipal By-Law on Municipal Land Use Planning for permanent departures of the side building line from 2m to 1m and street building line from 3m to 0m in order to allow a carport on Erf 3484, Piketberg, **BE APPROVED**, reasonably in accordance with the building plan submitted with the land use planning application in terms of section 60 of Bergrivier Municipal By-Law on Municipal Land Use Planning, subject to the following condition:
 - a) building plan be submitted to Bergrivier Municipality for consideration in terms of the National Building Regulations and Building Standards Act, 1977 as amended,
 - b) the sides of the carport encroaching the street building line, remain open for clear visibility, and
 - c) the entrance gate to the carport be a sliding gate or open to the inside in order to not create in obstruction to vehicular or pedestrian traffic.

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

REASON FOR RESOLUTION

The proposed departure of building lines, to allow a carport is reasonably connected with the primary residential rights, which do not give rise to circumstances inconsistent with the development principles of the Spatial Planning and Land Use Act, 2013.

The zoning of the property will remain the same, compatible with the surrounding residential land uses.

No objections were received from surrounding affected property owners during public participation.

The abutting neighbour gave written consent for encroachment of side building line to 1m for which no departure is required.

Traffic Services comment is imposed as conditions to address traffic concerns.

The property is already serviced and the proposal do not require additional municipal services that will have a financial burden on the municipality.



AON004/02/2023

APPLICATION FOR PERMANENT DEPARTURE: ERF 2127, PIKETBERG PB.2127

RESOLUTION: APPROVED CONDITIONALLY

That the application submitted in terms of section 15 of Bergrivier Municipal By-Law on Municipal Land Use Planning for permanent departures of the side building line from 2m to 0m and coverage from 50% to 65% in order to accommodate a verandah/covered stoep on Erf 2127, Piketberg, **BE APPROVED**, in terms of section 60 of Bergrivier Municipal By-Law on Municipal Land Use Planning, subject to the submission of Building plans to Bergrivier Municipality for consideration in terms of the National Building Regulations and Building Standards Act, 1977 as amended.

REASONS FOR RESOLUTION

The proposed departure of building lines, to allow a carport is reasonably connected with the primary residential rights, which do not give rise to circumstances inconsistent with the development principles of the Spatial Planning and Land Use Act, 2013.

The zoning of the property will remain the same, therefore compatible with the surrounding residential land uses.

Allowing the verandah/covered stoep is reasonably connected to the primary land use on the property.

No objections were received from surrounding affected property owners during public participation.

The property is already serviced and the proposal do not require additional municipal services that will have a financial burden on the municipality.

No Municipal engineering services is affected by the proposal, as indicated by the Technical Services Departments.

AON005/02/2023

APPLICATION FOR SUBDIVISION: ERF 1372, PIKETBERG PB.1372

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 1372 Piketberg into two portions namely: Portion A (±564m² in extent) and Remainder Erf 1372 Piketberg (±1093m² 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,

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

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



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

REASONS FOR RESOLUTION

Erf 1372 Piketberg is ±1657m² in extent, 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 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 1372 Piketberg.

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 contribute to restructuring Piketberg 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.

Densification lead 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 Piketberg.

The proposed subdivision of Erf 1372, Piketberg can be seen as a contribution to limit urban sprawl and is considered sustainable.





AON006/02/2023

APPLICATION FOR SUBDIVISION AND DEPARTURE: ERF 113, PIKETBERG PB.113

RESOLUTION: APPROVED CONDITIONALLY

1. That the application for subdivision of Erf 113, Piketberg into three portions namely Portion A ($\pm 667\text{m}^2$ in extent), Portion B ($\pm 688\text{m}^2$ in extent) and Remainder Erf 113, Piketberg ($\pm 717\text{m}^2$ in extent) for single residential purposes as well as for permanent departure from the 3m street building lines to 0.61m, 0.92m, 2.62m, 2.27m, 2.13m, 1.77m and 1.55m respectively in order to formalize the historical development parameters for the existing dwelling and outbuilding on the Remainder Erf 113, Piketberg, **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),
 - c) the private right of way servitude be registered in the deed of transfers of the Remainder and Portion B, in order to create street access in favour of Portion A and B from Sand Street,
 - d) that a services servitude also be registered over the private right of way servitude in favour of the Municipality, and
 - a) compliance with the development parameters of the zoning scheme by-law.

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

REASONS FOR RESOLUTION

Erf 113 Piketberg is $\pm 2027\text{m}^2$ in extent, 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 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 113 Piketberg.

Departures of building lines is to accommodate historical building footprints.

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 contribute to restructuring Piketberg 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.

Densification lead 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 Piketberg.

The proposed subdivision of Erf 113, Piketberg can be seen as a contribution to limit urban sprawl and is considered sustainable.

AON007/02/2023
APPLICATION FOR CONSOLIDATION ERVEN 451 TO 452, PIKETBERG
PB.451 & 452

RESOLUTION: APPROVED

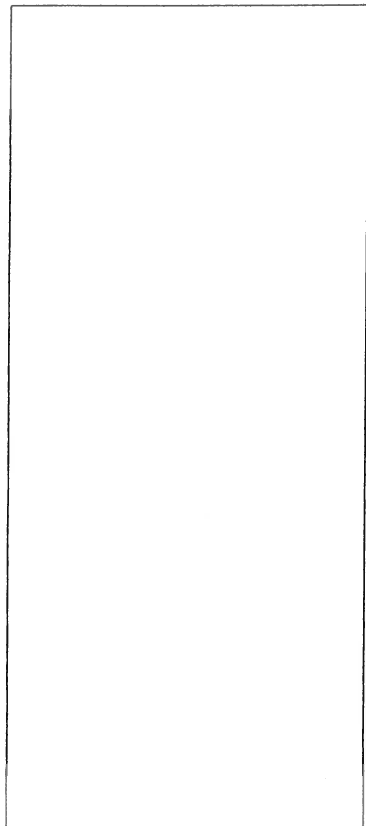
That the application for consolidation of Erf 451, Piketberg (1983m² in extent) and Erf 452, Piketberg (1983m² in extent), in order to create one land unit (±3966m² in extent) for industrial purposes in terms of section 15 of Bergrivier Municipality By-Law on Municipal Land Use Planning, **BE APPROVED**; in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning.

REASONS FOR RESOLUTION

The zoning of the property will remain as is and continue to be used as industry. The application is therefore considered compatible with the surrounding land uses and do not result in any change in character of the surrounding area. No objection was received against the proposed application during public participation.

The consolidation is regarded as an administrative matter to create a single industrial land unit as access to erf 452, Piketberg is restricted due to historical structures on site, rather than a land development application. The application does not give rise to circumstances inconsistent with the development principles of SPLUMA are therefore considered to be consistent.

The area is earmarked for industrial diversification through expansion in terms of Bergrivier Spatial Development Framework 2019-2024. The

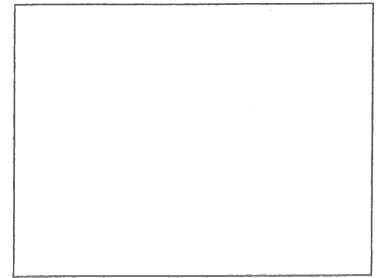


**TOWN AND REGIONAL
PLANNER: EAST
(KEENIN ABRAHAMS)**



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property is already used for industrial purposes consistent with the zoning of the properties and consolidation thereof will not give rise to circumstances that is in conflict with the Bergrivier Spatial Development Framework. The application for consolidation is regarded as an administrative to create one land unit, not resulting in any rezoning or change land use. The application is therefore not in conflict with the aims of the SDF.



EVALUATION COMPLETED AT 09:15

CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS



AUTHORISED OFFICIAL

20/02/2023
DATE