

MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION, EVALUATION HELD ON THURSDAY, 14 NOVEMBER 2024 AT 14:30 AT THE MUNICIPAL OFFICES, PIKETBERG.

PRESENT

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

ACTION

AON001/11/2024

APPLICATION FOR REZONING, CLOSURE OF PUBLIC PLACE (STREET/ROAD), AMENDMENT OF APPROVED CONSOLIDATION PLAN, CONSOLIDATION, DELETION OF CONDITIONS OF APPROVAL AND PERMANENT DEPARTURE: REMAINDER ERF 373, ERVEN 365, 573, 1362 & UNREGISTERED ERVEN 4477 AND 4479, PIKETBERG
PB. 373, 365, 573, 1362, 4477 & 4479

RESOLUTION: APPROVED CONDITIONALLY

1. That the application made in terms of section 15 of the Bergvriër Municipality By-Law on Municipal Land Use Planning for the following:
 - **Deletion of conditions** in respect of an existing approval (Municipal Ref: PB 1362, 4452 & Unregistered Erf 4477) in terms of Section 15(2)(h) to delete condition 3.(c) & 3.(d):
 - ~~(c) That the parking area on Erf 4452, Piketberg be link to the consolidated land unit by means of notarial deed;~~
 - ~~(d) The mature trees on the boundary between Erf 4452, Piketberg and Erf 604, Piketberg be retained;~~
 - **Amendment** of an approved (Municipal Ref: PB 1362, 4452 & 4477 Piketberg) consolidation plan in terms of Section 15(2)(k) to include Erf 365, Previously Registered Remainder Erf 373 Piketberg, 573, 1362, Unregistered Erf 4477 (Consolidation of Erven 4357 & 4476 Piketberg) and Part of Unregistered Erf 4479 (Consolidation of Erven 4478 & 4452 Piketberg), Piketberg;
 - **Rezoning** of Erven 573 and Previously Registered Remainder Erf 373 Piketberg from Transport Zone II (Erf 573) & Authority Zone (Unregistered Erf 373) to Business Zone I in terms of Section 15(2)(a);
 - **Closure of a public place**, in terms of Section 15(2)(n), to close Erf 573 Piketberg and Unregistered Erf 373 (Part of Erf 370 Piketberg);
 - **Consolidation** of Erven 365, Previously Registered Remainder Erf 373 Piketberg, 573, 1362, Unregistered Erf 4477 (Consolidation of Erven 4357 & 4476 Piketberg) and Part of Unregistered Erf 4479 (Consolidation of Erven 4478 & 4452 Piketberg), Piketberg in terms of Section 15(2)(e) to create a newly created land unit of ± 2,27hectare (±22700m²);
 - **Permanent Departure** in terms of Section 15(2)(b) for a parking departure to provide 361 off-street (on-site) parking bays in lieu of the

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



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required 388;

- **Permanent Departure** in terms of Section 15(2)(b) for a parking departure to provide 7 loading bays in lieu of the required 12 loading bays;
- **Permanent Departure** in terms of Section 15(2)(b) for a parking departure to provide 5 disabled parking bays in lieu of the required 6 parking bays;

BE APPROVED in terms of section 60 of Bergrivier Municipality By-Law on Municipal Land Use Planning reasonable in accordance with the site development (Drawn by Gass Architects , project number ACC prop TO2, drawing number P100-100 and P101-100, dated 17/07/2024), subject to the following conditions:

- 1.1 The owner(s)/applicant/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, for his/her/their own account, as negotiated and agreed upon with the Municipality's Directorate: Technical Services by means of a Services Level Agreement (SLA);
- 1.2 The proposed utilization of land must comply with Bergrivier Municipality Fire safety requirements;
- 1.3 Signage and advertising must comply with Bergrivier Municipality Advertising & Signage By-law;
- 1.4 Off-street parking bays must be clearly marked out on the premises;
- 1.5 Lighting orientation from this development must face inwards towards the business premises or on the business premises, and not adjacent residential properties;
- 1.6 The developer / owners must construct a terraforce retaining wall system to compensate for the height difference on the western boundary of residential properties with a (e.g. vibracrete or similar) wall ($\pm 2.1\text{m}$) on top to mitigate any visual impacts;
- 1.7 The turning circle and loading bay near the western common boundary must be enclosed by roof and wall to the satisfaction of the Municipality's Town Planning Department;
- 1.8 The area earmarked for staff off-street parking bays and delivery vehicles must only be used for aforesaid purposes and must be controlled by security on-site at the access/entrance gates thereto;
- 1.9 The proposed developments must provide sufficient public ablutions facilities throughout the facility as prescribed in terms of the National Building Regulations and Building Standards Act 1977, as amended which must be accessible to the disabled;
- 1.10 The business premises must be monitored by cameras and noise investigation/acted on as part of normal security and monitoring measures; and
- 1.11 That trees or shrubs must be planted in accordance with the site development plan, which must encourage low maintenance and be waterwise.



REASONS FOR RESOLUTION

- 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 properties are located within Zone D in terms of Bergrivier Municipality Spatial Development Framework 2024-2029 (BMSDF 2024-2029), which is identified as the town's CBD and allows for future business expansion. By allowing further business land uses on the subject properties will strengthen the area as the business core of the town along the main road (Lang Street) of town, which is regarded consistent with the BMSDF 2024-2029. The BMSDF is also clear to intensify the CBD by promoting further business expansion at PIK19 on the Spatial Proposal Map 2 for Piketberg, which this development intends to achieve.

Unregistered Erf 4479, Piketberg is not earmarked for business purposes, but the current zoning already permits a business premises, which does not give rise to circumstances inconsistent with BMSDF 2024-2029.

Wiid Street (Erf 573, Piketberg) already forms part of the existing Piquetberg Mall, which is used as access/entrance from activity street (Die Trek), it is therefore submitted that allowing the rezoning, closure of public street and consolidation of Wiid Street with the other properties will continue to be used as entrance/access to the expanded business premises, which will not deviate from the provisions of the BMSDF 2024-2029.

Piketberg Gateway and Central Integration Zone Precinct Plan include the property within the integration zone where additional services/business should ideally be located. Allowing variety of business uses caters for a wider consumer choice especially the local community, thereby facilitating the integration of communities within the integration zone of town.

The application is consistent with Bergrivier Municipal Spatial Development Framework 2024-2029 and Piketberg Gateway and Central Integration Zone Precinct Plan in terms of the aforesaid.

- Section 65 (d) consideration of comments on response to the notice of the application etc, and section (e) the response by the applicant, if any, to the comments referred to in paragraph (d);

Evaluation of the comments received, and responses thereto contributed meaningfully in evaluating this application. Aspects of concern from the Municipality to mitigate potential disturbance to residents on the western common boundary and those which were agreed to by the applicant in their response to comments received are imposed conditions.

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



The municipal internal electrical & civil services departments did not object to the proposal, subject to condition imposed.

- Relevant consideration was given to the development principles of Spatial Justice, Spatial efficiency and Spatial Sustainability as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014.

- Spatial Justice

Allowing the expansion of Piquetberg Mall proposal will further expand business opportunities, consumer choice, economic growth and job opportunities, thereby facilitating integration between communities since it is located within the established Central Business District of Piketberg. The business premises is also located in walking proximity to residential areas and easily accessible to all.

- Spatial Efficiency & Spatial Sustainability

The property is located within the central business district of Piketberg where a variety of land uses are found. The development would result in the efficient use of land that was previously underdeveloped within the Central Business District of Town. The development is in a vicinity where Municipal engineering services exist and is available for connection, subject to aspects being agreed upon in a Service Level Agreement, to the satisfaction of the Municipality. The development proposal is accessible via an activity/main roads and existing road networks within the established Central Business District which is regarded sustainable. By allowing the proposed land use planning application will expand business opportunities, job opportunities and promote support services within central Piketberg.

- Good administration

The application went through a public consultation process and all stakeholders and departments involved had the opportunity to comment. Acceptable norms and standards have been established in terms of the Bergrivier Municipality Integrated Zoning Scheme By-law and the Bergrivier Municipality Spatial Development Framework 2024-2029 for the property, which have been subject to public participation and thoroughly deliberated.

- Desirability

- Compatibility with surrounding area

The proposed development is located within the Central Business District of Piketberg along activity street and the Main Road. The application is an expansion of the existing Piquetberg Mall (business premises) which is mostly surrounding by business premises to the North and Eastern side. The area on the eastern and southern side is mostly medium density residential development. Allowing the expansion of the business premises at this position is regarded consistent with current norms and standards as provided in spatial policy.



• Social and economic consideration.

The property ones developed can generate an income to the property owner, provide additional consumer choice and create additional job opportunities thereby improving people’s social well-being in town. The Municipality will also gain a long term income through property tax and service contribution payment.

• Impact on municipal engineering services.

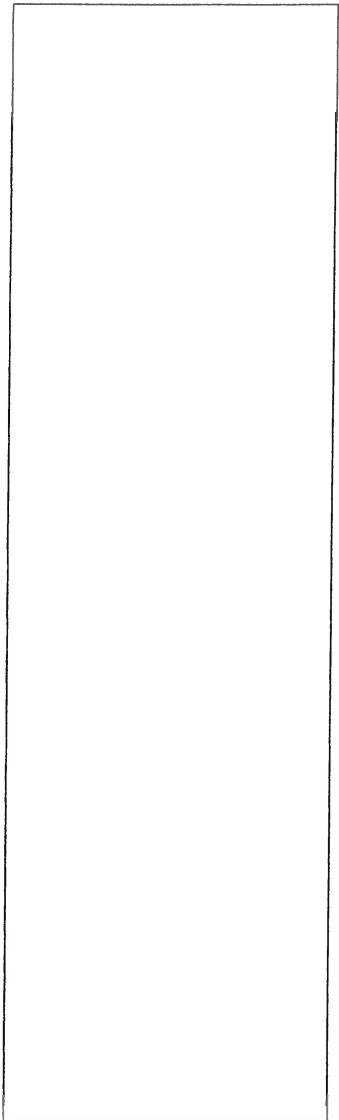
The municipal internal electrical & civil services departments did not object to the proposal, however any additional cost/upgrading required as a result of the proposed utilisation of land should be for the account of the developer as negotiated and agreed in a services level agreement to the satisfaction of Bergrivier Municipality Technical Services Department.

• Heritage considerations

Heritage Western Cape provided authorisation for demolition of the heritage building on Erf 365, Piketberg.

• Traffic and parking considerations.

A Traffic Impact Assessment (TIA) conducted confirmed that the current road network can accommodate the proposed development, and recommended that the proposed development be accommodated from a transport engineering point of view. The Department of Transport Infrastructure and Bergrivier Municipality Traffic Services Department had opportunity to scrutinise and evaluate the full application (including traffic impact statement) and provided no objection to the proposed development.



EVALUATION COMPLETED AT 15:20

CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS



AUTHORISED OFFICIAL

14/11/2024
DATE