



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON TUESDAY 07 JUNE 2016 AT 11:00 IN THE MUNICIPAL OFFICES, PIKETBERG**

**PRESENT**

Authorised Official (Manager: Planning and Development: W Wagener)

AKSIE

**AON001/06/2016**

**APPLICATION FOR CONSOLIDATION ERVEN 1, 439 AND 710, PIKETBERG 15/3/4; 1;439 & 710 PB**

The Authorised Official evaluated the abovementioned application.

**RESOLUTION: APPROVED**

That the application for the consolidation of erven 1, 439 and 710, Piketberg, in order to create one land unit, **be approved**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning.

**REASONS FOR RESOLUTION**

The proposed application is not in conflict with the aims of Bergrivier Municipal Spatial Development Framework. The application is furthermore determined 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.

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

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**AON002/06/2016**

**APPLICATION FOR REZONING: PORTION 8 (PORTION OF PORTION 7) OF THE FARM DE PONT NR.243, DIVISION PIKETBERG 15/3/3; Farm 243/8 PB**

The Authorised Official evaluated the abovementioned application.

**RESOLUTION: APPROVED CONDITIONALLY**

1. That the application for rezoning of Portion 8 (portion of portion 7) of farm De Pont no. 243, Division Piketberg from Agriculture Zone 1 to Authority Zone to permit the erection of a 10MVA 66/11kV substation with associated infrastructure, **be approved**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions;
  - a) Compliance with the requirements/conditions of the Environmental Authorization (Authorization register nr 14/12/16/3/3/1/620 and NEAS Reference nr DEA/EIA/0001306/2012 dated 10 June 2013)
  - b) Compliance with Cape Nature's conditions as stipulated in their letter referenced SSD14/2/6/1/8/5/243\_Eskom\_WolfkopSS&P\_, dated 05 May 2010;



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- c) Compliance with the Department of Water & Sanitation's conditions as stipulated in their letter referenced 16/2/7/G10H/A8, dated 11 January 2016;
- d) The substation site, buildings and equipment must comply with the relevant fire safety regulations, national standards and municipal fire safety by-laws, and
- (e) The substation and associated infrastructure be restricted to authorized persons only.

**REASONS FOR RESOLUTION**

The application for rezoning of Portion 8 (portion of portion 7) of farm De Pont no.243, Division Piketberg from Agriculture Zone 1 to Authority Zone to permit the erection of a 10MVA 66/11kV substation with associated infrastructure is consistent with the applicable development principles of LUPA and SPLUMA. The proposed application furthermore is consistent with the guidelines of Bergrivier Municipal Spatial Development Framework.

The application is also determined desirable from a planning perspective taking into account the relevant factors of consideration as determined in terms of section 65 of the Bergrivier Municipal By-Law relating to Land Use Planning, subject to conditions.

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**AON003/06/2016**

**APPLICATION FOR PERMANENT DEPARTURE (BUILDING LINE RELAXATIONS), ERF 1587,  
PIKETBERG**

**15/3/8; PB 1587**

The Authorised Official evaluated the abovementioned application.

**RESOLUTION: REFUSED**

1. That the application for permanent departure of the applicable side building line from 2m to 0m in order to allow the existing outbuilding (garage) that encroaching the applicable building line on Erf 1587, Piketberg, **be refused**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, because:
  - 1.1 The application is not a true reflection of the land use in operation from the garage;
  - 1.2 Outbuilding (garage) as defined in the applicable zoning scheme and does not include a house shop;
  - 1.3 The house shop in operation from the garage are in contravention with Mayoral Committee's conditional house shop approval (resolution number BKN013/10/2015 of 17 Nov 2015);

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- 1.4. Historical proof of non-compliance with legislation, may result in an unsafe and unsustainable environment; and
- 1.5 Allowing this application will result in a majority business use on a residential property, that will detract from the character of the surrounding area in conflict with the directive of Bergvliet Municipal Spatial Development Framework 2012-2017.
2. That the application for permanent departure of the applicable rear building line from 3m to 2m in order to allow the existing outbuilding (storeroom) on Erf 1587, Piketberg, be approved in terms of section 60 of Bergvliet Municipal By-Law relating to Municipal Land Use Planning; subject to the following condition:
- 2.1 The outbuilding for storage solely be used for storage purposes reasonably needed in connection with the primary structure (dwelling unit), and
- 2.2 That the activities on-site be brought in line with the zoning scheme and other approvals.

**REASONS FOR RESOLUTION**

A site inspection revealed that the buildings are used as a house shop in contravention with the house shop conditional approval. A house shop is not an outbuilding as defined in the applicable zoning scheme. The application is not a true reflection of the land uses in operation from the garage on site. Allowing this application will result in majority business use on a residential property, which will detract from the character of the surrounding area in conflict with the goals of Bergvliet Municipal Spatial Development Framework 2012-2017.

The application is not desirable from a planning perspective taking into account the relevant factors of consideration of the application.

The storeroom is used reasonably in accordance with the primary structure that is in line with the residential character of the surrounding area, and can be supported subject to condition(s).

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**AON004/06/2016**

**APPLICATION FOR REMOVAL OF RESTRICTION AND SUBDIVISION: ERF 298, VELDDRIF  
15/3/2; 15/3/4 VD 298**

The Authorised Official evaluated the abovementioned application.

**RESOLUTION: APPROVED CONDITIONALLY**

That the application for removal of restrictive condition E.6(a) as held in Title Deed No. T 61979/2015 pertaining to Erf 298, Velddrif and subdivision of the property into two portions, namely Portion A (±743m<sup>2</sup> in extent) for residential purposes, **be approved**, in terms of section 60 Bergvliet Municipal By-Law relating to Land Use Planning, subject to:

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1. The provision of the two created portions with separate septic tanks, water and electricity connections as well as accesses; and
2. Bulk Service Contributions, 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.

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**REASONS FOR RESOLUTION**

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

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**EVALUATION COMPLETED AT 11:30**

**CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**

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**CHAIRPERSON**

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**DATE**

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