

BERGRIVIER MUNICIPALITY



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

16 AUGUST 2022

TO: AUTHORISED OFFICIAL, PLANNING DIVISION

Manager: Planning and Environmental Management (W Wagener)

CONSIDERATION AND DETERMINATION OF CATEGORY 2 APPLICATIONS BY THE AUTHORISED OFFICIAL, PLANNING DIVISION

NOTICE IS HEREBY GIVEN THAT THE CONSIDERATION AND DETERMINATION OF CATEGORY 2 LAND USE PLANNING APPLICATIONS BY THE AUTHORISED OFFICIAL, PLANNING DIVISION WILL TAKE PLACE ON **TUESDAY, 16 AUGUST 2022 AT 15:30** AT THE MUNICIPAL OFFICES, CHURCH STREET, PIKETBERG.

per W Wagener

**ADV. H LINDE
MUNICIPAL MANAGER**

A G E N D A

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AOA001/08/2022

APPLICATION FOR CONSOLIDATION: ERVEN 135, 136, 137 & 138, REDELINGHUIS
RDH 135-138



MUNICIPALITEIT BERGRIVIER MUNICIPALITY T15

LAND USE PLANNING REPORT

APPLICATION FOR CONSOLIDATION: ERVEN 135, 136, 137 & 138, REDELINGHUIS

Reference number	RDH 135-138	Application submission date	12/05/2022	Date report finalised	15/08/2022
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PART A: AUTHOR DETAILS

First name(s)	Johannes				
Surname	Vermeulen				
Job title	Town and Regional Planner (West)				

PART B: APPLICANT DETAILS

First name(s)	Eldon				
Surname	Van Aswegen				
Company name	-				
SACPLAN registration number	-	Is the applicant authorised to submit this application	Y	N	
Registered owner(s)	Eldon van Aswegen				

PART C: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Erf 135, Redelinghuis, Erf 136, Redelinghuis, Erf 137, Redelinghuis, Erf 138, Redelinghuis					
Physical address	Church Street & De Villiers Street	Town/City	Redelinghuis			
Current zoning	Single Residential Zone 1	Extent (m2 /ha)	744m ² (Erf 135) 744m ² (Erf 136) 744m ² (Erf 137) 744m ² (Erf 138)	Are there existing buildings on the property?	Y	N
Current land use	Vacant			Title Deed number & date	T23429/2020 (Erven 135, 136, 138) T54276/2015 (Erf 137)	
Any restrictive title conditions applicable	Y	N	If Yes, list condition number(s)			
Any third party conditions applicable?	Y	N	If Yes, specify			
Any unauthorised land use/building work	Y	N	If Yes, explain			

PART D: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)

Has pre-application consultation been undertaken?	Y	N	If yes, provide a brief summary of the outcomes below.

PART E: LIST OF APPLICATIONS (TICK APPLICABLE)							
Rezoning	√	Permanent departure	√	Temporary departure	√	Subdivision	√
Extension of the validity period of an approval	√	Approval of an overlay zone	√	Consolidation	√	Removal, suspension or amendment of restrictive conditions	√
Permissions in terms of the zoning scheme	√	Amendment, deletion or imposition of conditions in respect of existing approval	√	Amendment or cancellation of an approved subdivision plan	√	Permission in terms of a condition of approval	√
Determination of zoning	√	Closure of public place	√	Consent use	√		
Disestablish a home owner's association	√	Rectify failure by home owner's association to meet its obligations	√	Permission for the reconstruction of an existing building that constitutes a non-conforming use	√		

PART F: APPLICATION DESCRIPTION

Application is made in terms of Section 15 of the Bergvriër Municipality: By-Law on Municipal Land Use Planning for consolidation of Erven 135, 136, 137 and 138, Redelinghuis in order to create one Single Residential Zone 1 property of 2976m² in extent.

PART G: BACKGROUND

The subject properties are located in the Eastern side of Redelinghuis adjacent to De Villiers and Church Street. All the subject properties are at present undeveloped, and zoned Single Residential Zone 1. The intention of this application is to consolidate the properties into one property in order to avoid having to pay service availability charges for four properties instead of one consolidated property. The locality plan is attached as **Annexure A** and the Consolidation plan is attached as **Annexure B**.

PART H: SUMMARY OF APPLICANTS MOTIVATION

"As discussed a few times I would like to consolidate the 4 properties - ERF 135, 136, 137, 138 –in Redelinghuys between De Villiers Straat and Kerk Straat.

The reason is that I am paying 4 times on all services for vacant land and would like to consolidate these costs accordingly without adding additional services to the 3 remaining plots."

PART I: SUMMARY OF PUBLIC PARTICIPATION

Methods of advertising				Date published	Closing date for comments
Press	Y	N	N/A		
Gazette	Y	N	N/A		
Notices	Y	N	N/A	25/05/2022	27/06/2022
Ward councillor	Y	N	N/A	25/05/2022	27/06/2022
Site notice	Y	N	N/A		
Community organisation(s)	Y	N	N/A		

Public meeting	Y	N	N/A		
Third parties	Y	N	N/A		
Other	Y	N	<i>If yes, specify</i>		
Total valid comments	0			Total comments and petitions refused	n/a
Valid petition(s)	Y	N	<i>If yes, number of signatures</i>		
Community organisation(s) response	Y	N	N/A	Ward councillor response (no comment received)	Y N N/A
Total letters of support	1				
Was public participation undertaken in accordance with section 45- 49 of the Bergrivier Municipality: By-Law on Municipal Land Use Planning					Y N
PART J: SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION					
Richard Jones (Erf 570, Redelinghuis): "I give my blessing and support."					
PART K: SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS					
Name	Date received	Summary of comments			Recommendation
R. Bothma - Head: Civil Engineering Services	25/05/2022	"Daar is nie enige beswaar vanaf siviël nie, daar is water beskikbaar vir die area, die pad is nog nie gebou nie, maar dit beïnvloed nie die aansoek nie."			Positive Negative Comment
PART L: SUMMARY OF APPLICANT'S REPLY TO COMMENTS					
Not applicable					
PART M: MUNICIPAL ASSESSMENT OF COMMENTS					
Not applicable					
PART N: MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)					
Was the application processed correctly (if no, elaborate below):					Y N
Is the proposal consistent with the principles referred to in chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)					Y N
<u>Application history</u>					
Application is made in terms of Section 15 of the Bergrivier Municipality: By-Law on Municipal Land Use Planning for consolidation of Erven 135, 136, 137 and 138, Redelinghuis in order to create one Single Residential Zone 1 property of 2976m ² in extent. The subject properties are located in a residential area on the Eastern side of Redelinghuis and are undeveloped.					

(In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The proposed development is within the urban edge of town and outside any natural or conservation areas. Services are already available to the subject properties. No additional properties will be created by this application and the existing land use will continue.

The application was processed in accordance with the planning legislative requirements and all relevant departments and interested or affected parties have been approached for their inputs. Decision-making on the application is guided by statutory land use planning systems.

The proposed consolidation will not limit the potential or future uses of the property.

Though the proposed application would not facilitate densification of the urban area, it will not result in urban sprawl either. The subject properties are located in an established residential area and the density character of the area will remain unaffected by this application.

(In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Refer to previous comments/discussion on consistency with SPLUMA (The development principles are similar to LUPA). The Desirability of the application and consistency with strategic documents (IDP, SDF) are discussed further in this report in separate paragraphs.

The criteria for consideration of applications in terms of section 65 of Bergrivier Municipality: By-Law on Municipal Land Use Planning are similar to the aforementioned.

In addition to the aforementioned, no heritage or tourism resources are located in the vicinity of the subject properties. The subject properties are located within the urban edge of Redelinghuis, and will not result in urban sprawl. The proposal will not result in additional pressure on infrastructure or adverse effects on the surrounding area.

(In)consistency with the IDP/Various levels of SDF's/Applicable policies

The Bergrivier Municipality Spatial Development Framework (2019-2024) does not earmark the subject properties for any new use, and therefore the existing zoning and land uses of the subject properties are considered desirable. According to the BMSDF land development should promote densification and redevelopment of brownfield sites to accommodate housing in well located areas of town, and avoid wherever possible extending settlement footprints. The proposed consolidation will not result in additional erven, or extension of the development footprint of Redelinghuis. Though the application does not facilitate densification, it will not alter the existing density character of the subject area or counter densification.

(In)consistency with guidelines prepared by the Provincial Minister

Not applicable

Impact on Municipal engineering services

The proposed consolidation will have no impact on the capacity of the existing services network.

Outcomes of investigations/applications i.t.o other legislation

Not applicable

Existing and proposed zoning comparisons and considerations

Not applicable

The desirability of the proposal

The proposed consolidation will afford the owner more developable space on the consolidated property. No additional municipal services would be required for the properties, as the properties are already serviced and no additional land unit will be created. Due to no new land use being introduced, no adverse impacts on the surrounding land owners are foreseen. Though the proposed consolidation will not facilitate a more compact and higher density township, the proposed consolidated property will remain consistent with the prevailing density character of the town.

By closing date for comment no objections were received. The application will not have a negative impact on the existing rights or welfare of surrounding property owners and residents.

PART O: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

Not applicable

PART P: RECOMMENDATION

That the application for consolidation of Erven 135, 136, 137 and 138, Redelinghuis in order to create one Single Residential Zone 1 property of ±2976m² in extent, **be approved**, in terms of section 60 of the Bergrivier Municipality: By-Law on Municipal Land Use Planning.

PART Q: REASONS FOR RECOMMENDATION

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.

PART R: ANNEXURES

Annexure A: Locality plan
Annexure B: Consolidation plan


PART S: SIGNATURES

Author name: Johannes Vermeulen

Author signature: 

Date: 16-08-2022

Registered planner name: Johannes Vermeulen

Registered planner signature: 

SACPLAN registration number: B/8245/2014

Date: 16-08-2022

Decision maker: Mr. Werner Wagener (Bergrivier Municipality's Authorized Official)


APPROVED

APPROVED CONDITIONALLY

APPROVED IN PART

REFUSED

Decision maker name: Werner Wagener

Decision maker signature: 

Date: 18/08/2022

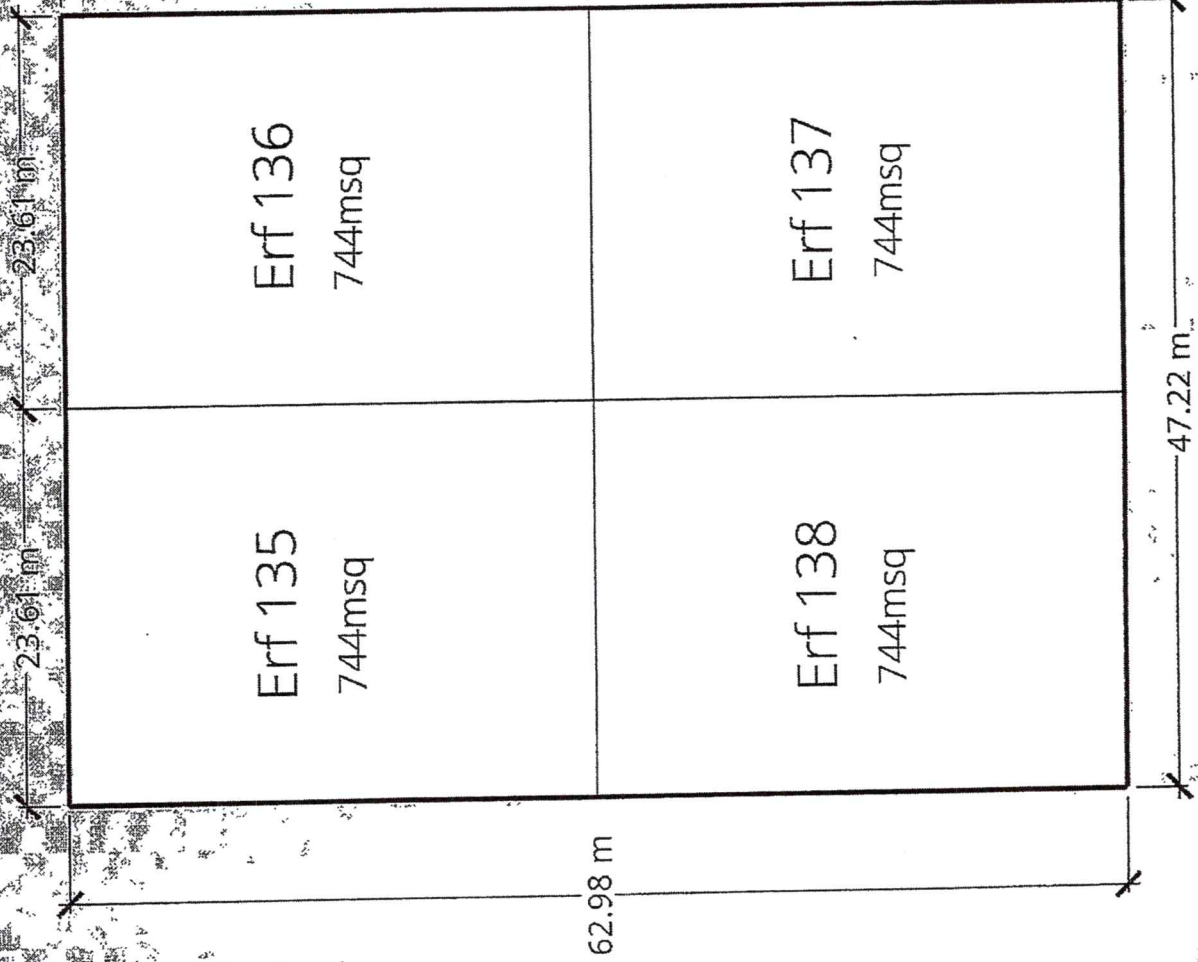
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Scale: 0, 0.02, 0.04, 0.08 km
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• Consolidation plan
for Erf 135, 136, 137
and 138
REDELINGHUIS

Kerk Straat



B

De Villiers Straat