



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON MONDAY,
3 OCTOBER 2022 AT 15:00 AT THE MUNICIPAL OFFICES, PIKETBERG**

PRESENT

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

ACTION

AON001/10/2022

**APPLICATION FOR SUBDIVISION, CONSOLIDATION AND REMOVAL OF RESTRICTIONS: ERVEN 1
AND 2, EENDEKUIL
E.1 & 2**

RESOLUTION: APPROVED CONDITIONALLY

1. That the application for removal of deed of transfer condition 1.D applicable to Deeds of Transfers T57467/2001 (Erf 1), removal of deed of transfer conditions D and E applicable to deed of transfer T14065/2015 (Erf 2) currently restricting the primary land use rights on the properties, and subdivision of Erf 2, Eendekuil into two portion namely: Portion A ($\pm 3526\text{m}^2$ in extent) and Remainder Erf 2, Eendekuil ($\pm 9042\text{m}^2$ in extent) and consolidation of the newly created Portion A ($\pm 3526\text{m}^2$ in extent) with Erf 1, Eendekuil ($\pm 17137\text{m}^2$ in extent) to create a new land unit Erf 478, Eendekuil ($\pm 20657\text{m}^2$ in extent) for industrial purposes, **BE APPROVED**; in terms of section 60 of Bergrivier Municipal By-Law on Municipal Land Use Planning, subject to the following conditions:

1.1. Compliance with the development parameters of the applicable zoning scheme; and

1.2. That the applicant at whose instance this restrictive title deed conditions are removed/amended must, after the publication of a notice contemplated in terms of section 33 (6) of Bergrivier Municipal By-Law on Municipal Land Use Planning, in the Provincial Gazette, apply to the Registrar of Deeds to make the appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal/amendment of the restrictive conditions prior to any building plan approval.

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

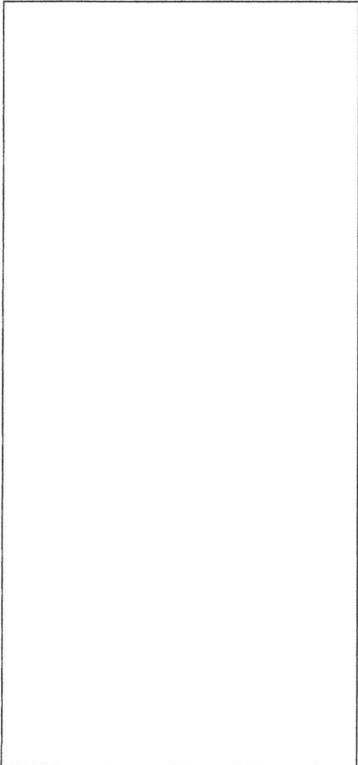
REASONS FOR RESOLUTION

- Erven 1 and 2 Eendekuil, are earmarked for industrial purposes/expansion. The application does not change the zoning of the properties that gives rise to circumstances inconsistent with The Bergrivier Municipal Spatial Development Framework 2019-2024(BMSDF).
- The proposed application is in an established area characterized by



industry/light industry compatible with the immediate vicinity.

- The Department of Transport and Public Works has no objection against the removal of restrictive conditions.
- No municipal engineering services or access to the properties is affected.
- Removing the restrictive conditions will enable the property owners to conduct business as prescribed in the zoning scheme by-law under industry, without restricting use thereof for certain individual business activities that impair economic potential of the properties. The proposed removal of title deed conditions will enable the property owner to exercise the rights given by the Zoning Scheme By-Law and establish a new residential property for housing purposes. The existing land use is already in operation and removing the restrictive condition will not change the status quo of the properties.
- Development parameters as provided in the zoning scheme by-law is still applicable to the properties.



AON002/10/2022

APPLICATION FOR PERMANENT DEPARTURE: ERF 488, PIKETBERG PB.488

RESOLUTION: APPROVED CONDITIONALLY

That the application in terms of section 15 of Bergrivier Municipal By-Law on Municipal Land Use Planning for permanent departure in order to allow access to eight direct on-site parking bays from Chruch Street and permanent departure of the maximum carriageway crossing width from 10m to 21.4m to accommodate eight on-site parking bays on Erf 488, Piketberg, **BE APPROVED**, in terms of section 60 of Bergrivier Municipal By-Law on Municipal Land Use Planning, subject to the following conditions:

TOWN AND REGIONAL PLANNER: WEST (KEENIN ABRAHAMS)

1. That the parking bays be clearly marked out on the premises as indicated on the site plan submitted with the application (site plan dated, 04 Jul 2022 drawn by GF Khun);and
2. Parking of vehicles on the property may not obstruct free pedestrian movement on sidewalk (must maintain approximately 2m between road and parked vehicles).

REASONS FOR RESOLUTION

- Increasing the maximum carriageway crossing width from 10m to 21.4m to accommodate eight direct on-site parking bays on Erf 488, Piketberg, will not impact on Municipal Engineering services. Allowing the application will enable the property to be used in line with its current business zoning, within the Central Business District of Piketberg, optimally. The application is therefore considered spatially



MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON MONDAY, 3 OCTOBER 2022 AT 15:00 AT THE MUNICIPAL OFFICES, PIKETBERG

efficient and sustainable within its current location.

- Similar direct parking has been provided in Hoof Street. There is no alternative to practically provide parking on site, other than the proposal submitted. The Municipal Traffic department has no objection against the proposal.
- Erf 488, Piketberg is earmarked for business purposes and zoned for business purposes. Allowing the application for permanent departures are to provide parking on site for the primary land use and on site. The application is consistent with Bergrivier Municipal Spatial Development Framework 2019-2024(MSDF).
- No objections were received from surrounding affected property owners during public participation.



**AON003/10/2022
APPLICATION FOR PERMANENT DEPARTURE: ERF 3948, PIKETBERG
PB.3948**

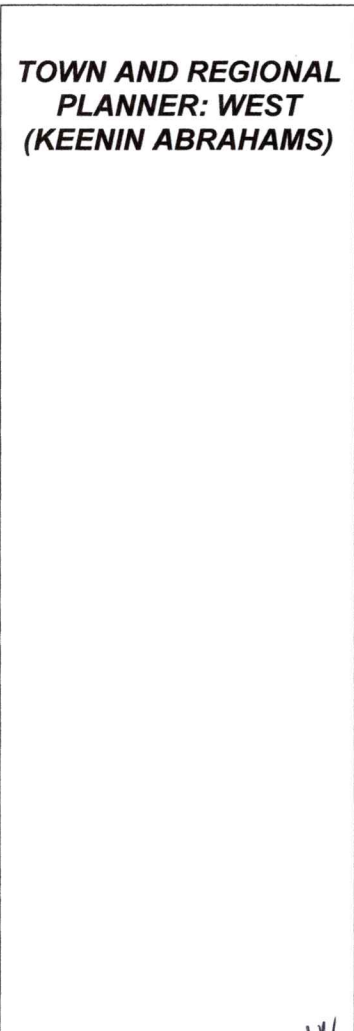
RESOLUTION: APPROVED CONDITIONALLY

1. That the application in terms of section 15 of Bergrivier Municipal By-Law on Municipal Land Use Planning for permanent departure of the street building line from 3m to 2m in order to allow extensions to the dwelling house on Erf 3948, 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 plans be submitted to Bergrivier Municipality for consideration in terms of the National Building Regulations and Building Standards Act, 1977 as amended.

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

REASONS FOR RESOLUTION

- The proposed departure of building lines, to allow existing kitchen and covered stoep, are reasonably connected with the primary residential rights, which does 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 property is already serviced and the proposal does not require additional municipal services that will have a financial burden on the





municipality.



AON004/10/2022
APPLICATION FOR SUBDIVISION: ERF 1277, PORTERVILLE
PTV.1277

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 1277 Porterville into two portions namely: Portion A (±782m² in extent) and Remainder Erf 1277 Porterville (±2055m² 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 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 gravel road providing access to the newly created portion will only be developed in the future when funding is made available by Council through budgetary processes, as agreed to by the property owner; and
 - d) Compliance with the development parameters of the zoning scheme by-law.

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

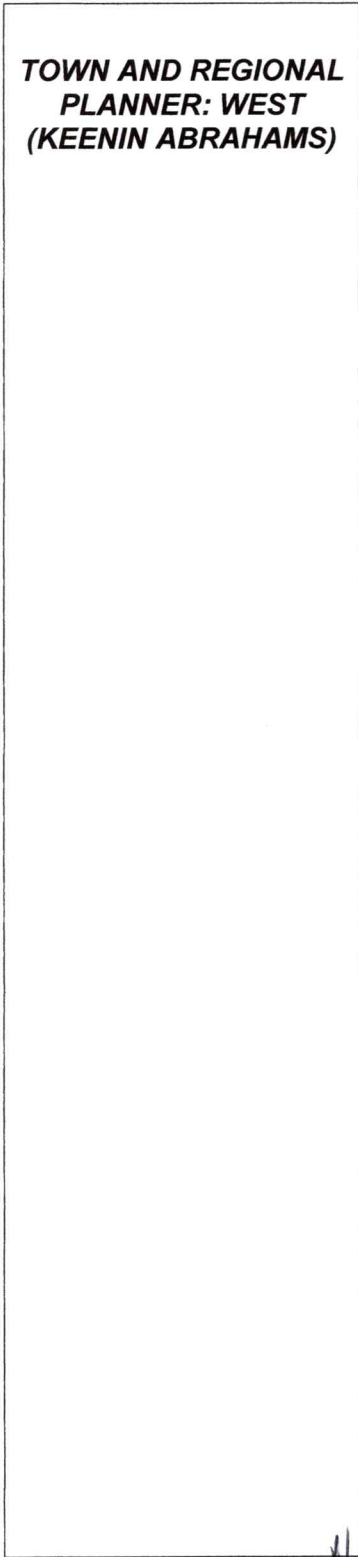
REASONS FOR RESOLUTION

Erf 1277 Porterville is ±2855m² 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 1277 Porterville.





MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON MONDAY, 3 OCTOBER 2022 AT 15:00 AT THE MUNICIPAL OFFICES, 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 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.

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 1277, Porterville can be seen as a contribution to limit urban sprawl and is considered sustainable.

The Civil services department confirmed in their comment on the application, that access to the newly created property is currently available by means of gravel road, which can only be developed in the future when funding is made available by Council through budgetary processes, as agreed to by the owner (applicant) in their response thereto. A condition has been imposed in this regard.

EVALUATION COMPLETED AT 15:15

CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS


AUTHORISED OFFICIAL

03/10/2022
DATE