



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON THURSDAY, 23 FEBRUARY 2024 AT 11:00 AT THE MUNICIPAL OFFICES, PIKETBERG**

**PRESENT**

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

**ACTION**

**AON001/02/2024**

**APPLICATION FOR REMOVAL OF RESTRICTIONS, CONSENT USE AND DEPARTURE: ERF 1259, PIKETBERG**  
**PB. 1259**

**RESOLUTION: APPROVED**

- 1) Application made in terms of section 15 of Bergrivier Municipality By-law on Municipal Land Use Planning for consent use in order to allow a second dwelling unit of 75m<sup>2</sup>, permanent departure of the rear building line from 2m to 0.97m, side building lines from 2m to 1.64m & 0.51m respectively and departure of the coverage from 50% to 59% as well as removal of restrictions applicable to Deed of Transfer T116811/1997 namely conditions: E.6. (b), (c) and (d) in order to allow a second dwelling unit and outbuildings on Erf 1259, Piketberg, **BE APPROVED**; in terms of section 60 of Bergrivier Municipal By-Law on Municipal Land Use Planning, subject to the following conditions;
  - 1.1. All additional structures and alterations to existing structures must be of corresponding architecture;
  - 1.2. That an as built plan be submitted with building plan submission indicating all structures/walls correctly on the site development plan to verify compliance in terms of the zoning scheme by-law;
  - 1.3. Minor amendments are allowed to the second dwelling unit should the residential storage area be converted as part of second dwelling unit which do not materially affect this application or result in alternative land use applications;
  - 1.4. All other outbuildings may not be used as dwelling units or accommodation of a person(s); and
  - 1.5. The applicant can apply for separate electrical meter for the second dwelling unit through normal financial channels at own expense;
- 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 Municipality 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: EAST  
(KEENIN  
ABRAHAMS)**



**REASONS FOR RESOLUTION**

1. Section 65 (i) of Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the Integrated Development Plan (IDP), including the Municipal Spatial Development Framework (MSDF).

The application for removal of restrictions, consent use and permanent departure is to allow land uses generally associated with a residential area. The application is regarded consistent with Bergrivier Municipal Spatial Development Framework 2019-2024(BMSDF) in terms of the aforesaid.

2. Section 65 (d) consideration of comments on response to the notice of the application etc.

No objections were received against the proposed application. All internal comments were in support of the application subject to conditions imposed.

3. 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 application has limited impact on municipal technical services as services are already available to the property, a condition is imposed regarding provision of separate electrical meter at the second dwelling unit.

4. 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.

Section E.6(a) of the Deed of Transfer do not have to be removed as it already allows the primary land uses as provided in the zoning scheme by-law and will not negatively affect the application if not removed.

Deed of Transfer No. T116811/1997 contains several conditions of a general and public nature that have been imposed at the behest of the Administrator and the Municipality at the establishment of extension 14 of Piketberg during the early 1987's, with the purpose to protect the amenity and character of the specific extension. The zoning of the property is Single Residential zone 1, with primary right for a dwelling house which include a second dwelling with a floor area not exceeding 60m<sup>2</sup>, this is also applicable to surrounding single residential properties.

The zoning scheme introduce a densification approach by allowing additional dwelling units to change certain historical patterns of Piketberg, within a predetermined norm which is regarded as generally acceptable. The application supports aforementioned principle, but is customized according to specific need. Outbuilding are also ancillary land uses on properties zoned Single Residential Zone 1 and are general acceptable to be construction over building lines.

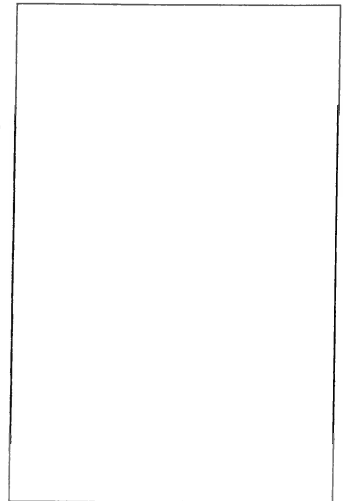
5. Section 65 (s) of the Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the provisions of the applicable zoning



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scheme.

The development parameters remain applicable to the property as prescribed in the zoning scheme by-law. The proposed application does not affect the zoning of the property. Approval of the structures which is ancillary to the primary land use will improve the visual appearance of the second dwelling unit and outbuilding with no window and doors facing property boundaries mitigating the potential impact on privacy of others. During site inspection on 24 July 2023, it was confirmed that not all structures/walls was correctly indicated on the submitted building site development plan, which is not a true reflection of what is on site, conditions is imposed to ensure compliance with the zoning scheme by-law.

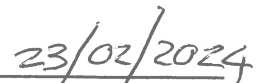


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**EVALUATION COMPLETED AT 11:30**

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

  
\_\_\_\_\_  
**AUTHORISED OFFICIAL**

  
\_\_\_\_\_  
**DATE**