



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

MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON THURSDAY, 7 NOVEMBER 2024 AT 09:00 AT THE MUNICIPAL OFFICES, PIKETBERG

PRESENT

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

ACTION

AON001/11/2024

APPLICATION FOR REZONING: ERF 2705, PIKETBERG
PB. 2705

RESOLUTION: APPROVED CONDITIONALLY

1) That That the application made in terms of section 15 of Bergrivier Municipality: By-Law on Municipal Land Use Planning for rezoning of Erf 2705, Piketberg from Industrial Zone 2 to Single Residential Zone 1 to allow the existing historical dwelling house and the proposed second dwelling unit of 60m² in extent on the property, **be approved** in terms of section 60 of Bergrivier Municipality By-law on Municipal Land Use Planning, subject to the following condition:

1.1) Compliance with the development parameters of the zoning scheme by-law.

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

REASONS FOR RESOLUTION

- Erf 2705 Piketberg is located in Zone C an industrial precinct and allows for limited industrial expansion. Erf 2705, Piketberg is not earmarked for industrial development or any other use. The southern part of Culemborg Street is an established residential neighbourhood where Erf 2705, Piketberg is located. The property is developed with an historic non-conforming dwelling house. Allowing the rezoning of Erf 2705, Piketberg for single residential purposes is regarded consistent with Bergrivier Municipal Spatial Development Framework 2024-2029.
- The property is already services and do not require additional municipal engineering services for the proposed construction of a second dwelling unit.
- The location of Erf 2705 Piketberg is considered compatible with the surrounding area, considering that similar established dwelling houses are in the southern part of Culemborg Street. Permitting the rezoning is in line with the character of the area.
- The proposal does not give rise to circumstance inconsistent with the development principles of The Spatial Planning & Land Use Management Act, 2013.
- The Ward Councillor supported the application, and no objections were received during public participation.
- A condition is imposed to ensure compliance with the provisions of the



applicable zoning scheme by-law.



AON002/11/2024

APPLICATION FOR CONSENT USE: PORTION 15 OF FARM GROOTE EYLANDS VALLEY NO.156, DIVISION PIKETBERG

F.156/15

RESOLUTION: APPROVED CONDITIONALLY

- 1) That the That the application made in terms of section 15 of Bergrivier Municipality: By-Law on Municipal Land Use Planning for consent use in order to allow the construction of an 54m high freestanding telecommunication base station and associated infrastructure as well as permanent departure (relaxation) of the common building line (North Western side building line) from 30m to 5m to allow the aforesaid structures on a portion (±100m² in extent) of Portion 15 of the Farm Groote Eylands Valley no. 156, division Piketberg **be approved** in accordance with the plans submitted with the application (Drawing number. STSW281, dated 18 April 2024) in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to:
 - a) The telecommunication mast must be limited to a maximum height not exceeding 54m;
 - b) The telecommunication base station and mast must allow for co-location of other service providers;
 - c) The base station must be securely fenced off and access must be restricted;
 - d) Should it be proven that there are negative health effects from the base station (in accordance with acceptable standards), it must be rectified, or if it fails to comply, be decommissioned.
 - e) Compliance with the conditions provided in ESKOM's letter of comment on the application dated 03 July 2024 (ESKOM ref:15120-24).
 - f) Building plan must be submitted at this municipality for consideration in terms of the National Building Regulations and Building Standards Act, 1977 as amended;
 - g) The structure and associated infrastructure be removed on developer's cost if it falls into disuse;
 - h) Construction may not encroach on the 5m water pipeline servitude of West Coast District Municipality;
 - i) This approval does not exempt the applicant from compliance with any other statutory requirements applicable to the undertaking of this development.

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

REASONS FOR RESOLUTION

Section 42(1)(c)(i) of the Spatial Planning and Land Use Management Act (SPLUMA) states that the public interest must be taken into account when considering and deciding on an application.



No objections were received against the proposed development during public participation and the ward councillor supports the application.

ENVIRONMENTAL CONSIDERATION

Section 40(7) of the Land Use Planning Act, Act 3 of 2014 (LUPA), states that a Municipality may not approve a land use application subject to a condition that approval in terms of other legislation is required. This decision is therefore not subject to the outcome of the Environmental Authorization application process underway in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), Environmental Impact Assessment Regulations, 2014.

The Draft Scoping Report and site sensitivity verification report as part thereof were evaluated from a town planning perspective and it is submitted that the proposed base station is located on a portion of the land which is less environmental and agricultural sensitive of the property and the location of the mast in a rural landscape approximately 1km from the N7 do mitigate the visual impact thereof. Department of Agriculture did not object against the proposal.

BERGRIVIER MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK 2024-2029

Rural and Regional Cross-Border Proposals as provided in Bergrivier Municipal Spatial Development Framework, 2024-2029, among other is as follow:

Landscapes, Historical areas, Scenic routes, Public Structured open spaces & networks

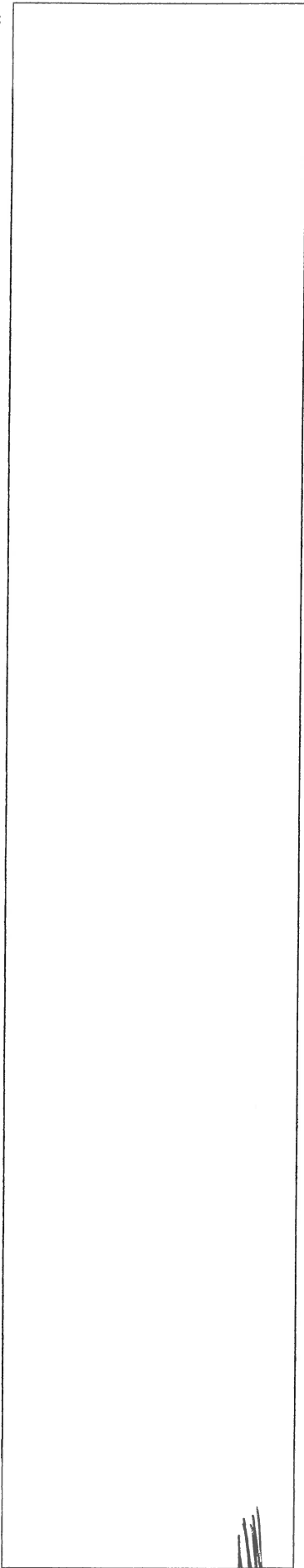
Public Utilities:

- Promote communication corridors and zones through:
 - Improved communication networks.
 - Promote access to information & technology.
 - Including access to internet prioritizing rural areas.
- Advocate for the establishment and careful placement of communication network facilities, data centres, and telecommunication towers in rural areas and on agricultural land, considering environmental and community sensitivities.
- Provide for adequate bulk infrastructure and the location thereof.

The proposed freestanding telecommunication base station do promote communication corridors by improving communication networks to internet in the rural area. The base station is placed on a portion of the agricultural land that is not used for primary agriculture or environmental sensitive land (as referred to in the Draft Basic Environmental Assessment Report) and its location from the N7 will mitigate the potential visual impact of the telecommunication base station from the N7. The proposed application is consistent with aforesaid directive as provided in Bergrivier Municipal Spatial Development Framework 2024-2029.

DEVELOPMENT PRINCIPLES OF THE SPATIAL PLANNING AND LAND USE MANEGEMENT ACT, 2013

With the introduction of new technology (smartphones, tablets and other handheld devices etc) telecommunication infrastructure is needed, due to the





increasing demand to strengthen the mobility and economic links, to promote communication corridors and zones to strengthen communication networks, in accordance with Bergrivier Municipal Spatial Development Framework.

The proposed infrastructure should help ensure improved access to telecommunication coverage for a larger group of residents in the rural area. The proposed base station will still allow the remaining extent of the property to be developed in future. The proposal is located in close proximity to available electrical services in an ESKOM electricity supply area without affected municipal services infrastructure.

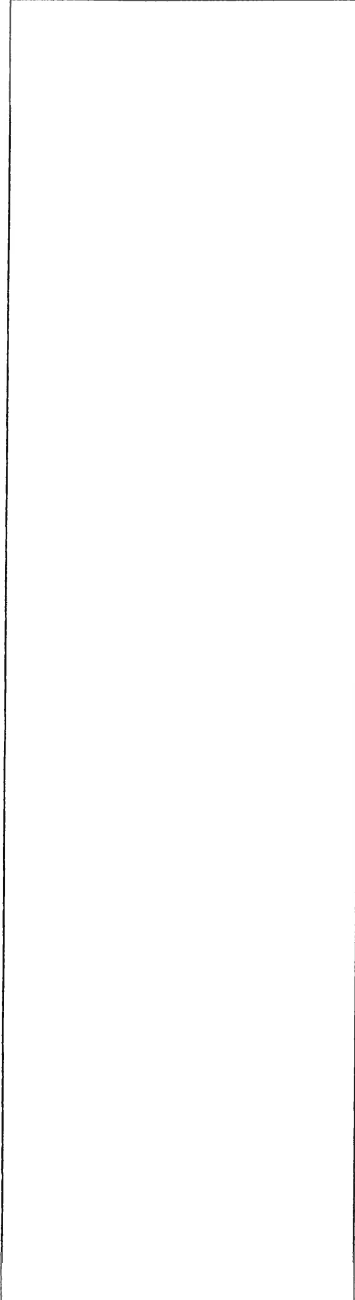
The position of the proposed development is considered spatially efficient as it would address the need for improved telecommunication coverage in the surrounding rural areas where limited network services exist. Spatial integration is also addressed by helping ensure better telecommunication coverage in the rural area where limited communication infrastructure exist at present.

BERGRIVIER MUNICIPALITY INTEGRATED ZONING SCHEME BY-LAW

Development parameters is as determined by the municipality as provided in the zoning scheme by-law, therefore approval of this application will establish the development parameters.

HEALTH CONSIDERATION

In a statement letter made by the Department of Health dated 8 September 2020 on the Health Effects of base stations states the following: In June 2005 the international electromagnetic field Project hosted a workshop that was aimed at considering the possible health consequences of the emissions from cellular base stations and wireless networks. The summary of this workshop was summarised in a two page fact sheet. The following is an extract from this fact sheet which is still considered by WHO as the summary of the findings to date i.e. **‘considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF Signals from base stations and wireless networks cause adverse health effects.’**A large number of studies have been performed over the last two decades to assess whether mobile phones pose a potential health risk. To date, no adverse health effects have been established as being caused by mobile phone use.”



EVALUATION COMPLETED AT 09:54

CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS



AUTHORISED OFFICIAL

07/11/2024
DATE