



KANTOOR VAN DIE MUNISIPALE BESTUURDER
BERGRIVIER MUNISIPALITEIT
POSBUS 60
PIKETBERG
7320

**NOTULE VAN DIE MUNISIPALE BEPLANNINGSTRIBUNAAL VERGADERING GEHOU OP
DINSDAG 01 DESEMBER 2015 OM 15:00 IN DIE RAADSAAL, MUNISIPALE KANTORE,
PIKETBERG**

TEENWOORDIG

LEDE:

Munisipale Bestuurder (Adv H Linde: Voorsitter)
Direkteur Korporatiewe Dienste (V Kotzee: Ondervoorsitter)
Direkteur Finansiële Dienste (J Van Niekerk)
Direkteur Tegnieuse Dienste (H Kröhn)
Eksterne Lid (Me D Kotze)
Eksterne Lid (Me S Van der Merwe)

AMPTENARE:

Bestuurder: Beplanning en Ontwikkeling (W Wagener)
Hoof: Komitee en Sekretariële Dienste (N Scheepers)
Klerk: Komitee Dienste (Me J Rosenberg)

AKSIE

PTN001/12/2015

OPENING EN VERWELKOMING

Die Hoof: Komitee en Sekretariële Dienste open die vergadering met gebed, waarna die Voorsitter almal by die vergadering verwelkom.

Vervolgens meld die Voorsitter dat dit 'n geskiedkundige geleentheid vir Bergvliet Munisipaliteit is.

Hierna poseer die lede vir 'n fotosessie.

PTN002/12/2015

AANSOEKE OM VERLOF TOT AFWESIGHEID

3/3/1/4

Geen

PTN003/12/2015

**VERKLARING VAN BELANGE INGEVOLGE SKEDULE 1 VAN DIE VERORDENING BETREFFENDE
MUNISIPALE GRONDGEBRUIK BEPLANNING (GEDRAGSKODE VIR LEDE VAN DIE TRIBUNAAL)**

3/3/1/6

Alle Raadslede en Amptenare teenwoordig verklaar individueel dat hul geen persoonlike belange, by enige item op die agenda, het nie.



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GEHOU OP DINSDAG 01 DESEMBER 2015 OM 15:00 IN DIE RAADSAAL,
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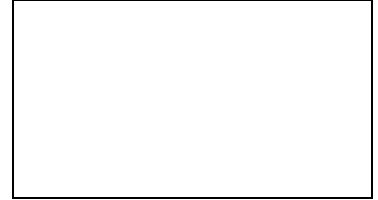
PTN004/12/2015

VERKLARINGS/MEDEDELINGS DEUR DIE VOORSITTER

3/3/1/6

Die volgende verklarings/mededelings word deur die Voorsitter gedoen:

Dat groot waardering en dank aan Mnr Keenin Abrahams deur die Bestuurder: Beplanning en Ontwikkeling oorgedra word vir uitstekende werk gelewer in die voorbereiding van die items in die nuwe formaat.

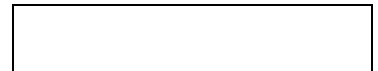


PTN005/12/2015

BEKRAGTIGING VAN NOTULE VAN VORIGE VERGADERING

3/3/2/2

Geen



PTN006/12/2015

BEKRAGTIGING/BEVESTIGING VAN REËLS VIR MUNISIPALE BEPLANNINGSTRIBUNAAL

9/1/2

Die Voorsitter gaan puntsgewys deur die Ordereëls vir die Munisipale Beplanning Tribunaal (Rules of Procedures for meetings of the Municipal Planning Tribunal).

Dat die Reëls vir die Munisipale Beplanningstribunaal soos voorgehou, deur die lede eenparig ondersteun word.



PTN007/12/2015

APPLICATION FOR REZONING AND DEPARTURE: ERF 4237 PIKETBERG

15/3/1, PB 1587

The Manager: Planning and Development gave a brief summary of the item under discussion.

The Chairperson opened the item for discussion and after in depth discussions, the following resolution was taken:

RESOLUTION: APPROVED CONDITIONALLY

That the application for Rezoning of Erf 4237, Piketberg (7 Lavender Street) from Special Residential Zone to Central Business Zone and permanent departure in order to operate a business premises as well as allow a flat (existing dwelling house) on groundfloor, **be approved**, in terms of section 60 of the Bergrivier Municipal By-Law relating to Land Use Planning, reasonably in accordance with the site development plan drawn by JA Truter Pr. Pln T1411/2011, submitted with this application, subject to the following conditions:

1. That parking is provided and clearly marked out on the premises in accordance with the applicable zoning scheme regulations;
2. That a business license is issued by this municipality before the commencement of the business premises;





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GEHOU OP DINSDAG 01 DESEMBER 2015 OM 15:00 IN DIE RAADSAAL,
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3. That all health regulations/legislation are complied with as required from the competent authority in this regard before the commencement of the business premises, including but not limited to, an acceptability certificate;
4. That a fire safety certificate is acquired from this municipality's Head: Disaster Management before the commencement of the business premises;
5. That the business premises are only operated from a structure approved by the municipality in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), as amended;
6. That proof with regard to the abovementioned conditions is provided, before any activity occurs;
7. That the business hours are between 6:00 and 21:00, or as determined by the business license, whatever is the most restrictive;
8. That the sale of alcoholic beverages is strictly prohibited on the premises;
9. That no entertainment of any kind is allowed on the premises i.e. video games, loud music etc.; and
10. That no activity that is a source of hinderance and disturbance occurs at the business premises.

**MANAGER: PLANNING
AND DEVELOPMENT**

REASONS FOR RESOLUTION

The proposed application for rezoning and permanent departure is consistent with the development principles of LUPA and SPLUMA. The proposed application furthermore is aligned with the guidelines of the Municipal IDP and in line with the proposed zoning scheme requirements. The application is furthermore determined desirable 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.

The guideline proposals contained in the Bergrivier Municipal Spatial Development Framework (BMROR) currently provide little guidance on spatial planning within this residential neighbourhood. The proposed type of development is neither discouraged or supported within BMSDF and is therefore regarded to be inconsistent.

The application is considered desirable because of the aforementioned, and the application can be supported because the application does not deviate from the Bergrivier Spatial Development Framework.



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PTN008/12/2015

APPLICATION FOR REZONING AND DEPARTURE: ERF 1314 PORTERVILLE

15/3/1, PTV 1314

The Manager: Planning and Development gave a brief summary of the item under discussion and displayed a map of Porterville so that the members could apply their minds.

The Chairperson open the item for discussion, after in depth discussions the following recommendation is decided on.

RESOLUTION: APPROVED CONDITIONALLY

1. That the application for the rezoning of Erf 1314, Porterville from Institutional Zone 1 to Residential Zone 4 and permanent departures of the following land use restrictions: Northern lateral building line from 4m to 1m; Southern lateral building line from 4m to 3m; Street building line from 8m to 2.8m and coverage from 40% to 46% in order to convert the existing building into three flats , **be approved**, in terms of section 60 of Bergrivier Municipal By-Law Relating to Land Use Planning, *reasonably in accordance with the ground floor layout plan dated MRT '15 with Project number 15/01/02* , subject to the following conditions:
 - 1.1 The flats will be subject to the Sectional Title Act, 1986 (Act 95 of 1986) and the condition applicable thereto, should the owner alienate the flats separately to individual persons/entities;
 - 1.2 That on-site parking be provided at 1.25 parking bays per flat;
 - 1.3 The parking bays must be clearly marked out on the premises;
 - 1.4 The property owner ensure that the architectural style, color, building material of all flats are uniform and similar to each other;
 - 1.5 The property is restricted to accommodate only three single bedroom flats;
 - 1.6 The height of the building remain single storey;
 - 1.7 Architectural guidelines and maintenance of the flats will be managed/responsibility of the property owner(s);
 - 1.8 All relevant health and safety measures applicable to legislation be adhered to;
 - 1.9 No activity that is source of nuisance or disturbance may occur on the premises;
 - 1.10 Fire safety certificate be acquired from this municipalities Head: Fire and Disaster Management;
 - 1.11 To apply to the conditions in the Act on Building Regulations;

**MANAGER: PLANNING
AND DEVELOPMENT**



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2. The objection not be upheld because:

- 2.1 The application is consistent with the development principles of the Western Cape Land Use Planning Act, 2014;
- 2.2 The application is in line with the strategic objectives of Bergrivier Municipal Spatial Development Framework; and
- 2.3 Sufficient engineering services is available to accommodate the propose use.

**MANAGER: PLANNING
AND DEVELOPMENT**

REASONS FOR RESOLUTION

The proposed application for rezoning and permanent departure is consistent with the development principles of LUPA and SPLUMA. The proposed application furthermore is consistent with the guidelines of Municipal Spatial Development Framework and in line with the proposed zoning scheme requirements. The application is furthermore determined desirable 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.

DIE VERGADERING VERDAAG OM 16:00

BEKRAGTIG AS 'N WARE WEERGAWE VAN DIE VERRIGTINGE

VOORSITTER

DATUM

NOTE:

A person whose rights are affected by a decision contemplated in subsection (1) of Section 79 of Bergrivier Municipal By-Law relating to Land Use Planning, may appeal in writing tot the Appeal Authority within 21 days of notification of the desicision. (from 11/12/2015 to 31/12/2015)