



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD
ON THURSDAY 12 MARCH 2020 AT 7:30 AT THE MUNICIPAL OFFICES, PIKETBERG
PRESENT**

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

ACTION

AON001/03/2020

**APPLICATION FOR SUBDIVISION, CLOSURE OF PUBLIC ROAD (UNBUILT), CLOSURE OF PUBLIC
OPEN SPACE, CONSOLIDATION, CANCELLATION OF PART OF A SUBDIVISION PLAN, REZONING
AND PERMANENT DEPARTURE: ERVEN 1428, 2183, 2184 TO 2202 & ERVEN 2207 TO 2214
PIKETBERG**

PB.1429,2183,2184-2202 & 2207-2214

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

1. That the land use applications submitted in terms of section 15 of Bergrivier Municipality By-law relating Municipal Land Use Planning for the following:
 - 1.1. Subdivision of Erf 2183 Piketberg into two portions namely Portion A ($\pm 210\text{m}^2$ in extent) and Remainder Erf 2183 Piketberg ($\pm 5200\text{m}^2$ in extent);
 - 1.2. Closure of Portion A of Erf 2183 Piketberg as Public Open Space;
 - 1.3. Closure of Public Road Erf 1428 Piketberg (unbuilt road);
 - 1.4. Consolidation of Portion A of Erf 2183, Erf 1428, Erven 2184 to 2202 and Erven 2207 to 2214 Piketberg to create the application area;
 - 1.5. Cancellation of part of a subdivision plan, in order to cancel a portion of an existing servitude depicted as ab on General Plan 11963 over Erf 2198 Piketberg;
 - 1.6. Rezoning of the consolidation application area from Single Residential Zone 1, Transport Zone 2 and Open Space Zone 1 to sub-divisional area to create the following erven: Single Residential, Private Open Space, Private Road and Refuse Room; and
 - 1.7. Subdivision of the consolidation application area to create the following: twelve Single Residential Zone 1 erven namely: Portion 1 to 8 ($\pm 560\text{m}^2$ each), Portion 9 (± 0.75 hectre), Portion 10 (± 0.67 hectre), Portion 11 (± 0.58 hectre) and Portion 12 (± 0.49 hectre); to create one Open Space Zone 2 erf ($\pm 2224\text{m}^2$) and to create two Transport Zone 3 (Private Road $\pm 1707\text{m}^2$ & Refuse room $\pm 25\text{m}^2$) erven; and Permanent departure from the common boundary building

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



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lines applicable to the proposed Portion 1 to 8 from 2meter to 1meter; **BE APPROVED** in terms of section 65 of Bergrivier Municipal By-Law Relating to Land Use Planning **subject to the following conditions;**

- a) The provision of the subdivided residential portions with separate sewerage, water-, and electricity connections as well as access;
- 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) A home owners association (HOA) constitution must be submitted for approval by this municipality; and
- d) The private road be named Bo Piquet Street and indicated on the registered surveyor diagrams.

REASONS FOR RESOLUTION

Section 65 (i) of Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the integrated development plan, including the municipal spatial development framework.

One of the directives in the MSDF 2019-2024 for Piketberg is as follow:

"Promote densification and redevelopment of brownfield sites to accommodate housing in well located areas."

The proposed reconfiguration of existing single residential land parcels in Piketberg presents an opportunity for additional ownership of land adjacent to existing residential area within the urban edge of the town through redevelopment, of land that has been underutilized/vacant since 1985. Allowing the proposed reconfiguration of existing approved development in line with current needs within the existing township instead of accommodating new opportunities through urban expansion, is consistent with the MSDF 2019-2024.

The zoning of the newly created land unit will remain in line with surrounding properties earmarked for residential purposes in terms of Bergrivier Municipal Spatial Development Framework, 2019-2024

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 proposed application has a minimal impact on existing services, which can be managed by means of conditions imposed.

Relevant consideration was given to the development principles of Spatial



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Justice, Spatial efficiency and Spatial Sustainability as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014. Urban sprawl can be defined as the spreading of a city/town and its suburbs over rural land at the fringe of an urban area. Subdivision of underutilised vacant land inside the urban edge is promoted in terms the MSDF, 2019 -2024 to contribute to urban renewal (Reconfiguration of existing cadastral boundaries in line with current needs).

Urban redevelopment of underutilised vacant urban areas assist in optimising the use of urban resources and infrastructure and protects high potential agricultural land from urban consumption. The proposed residential development is within the urban edge of town. The proposed reconfiguration of existing land parcels, supports development that promotes spatial compactness and limits sprawl through the optimal utilization of existing vacant land and municipal services within the urban periphery.

The technical services department has no objection to the proposed reconfiguration of existing land parcels, subject thereto that a service level agreement be entered into between the municipality and the developer to ensure that any additional demand/upgrading in engineering services, as a result of the proposed utilisation of land be for the account of the developer/owners.

The open space adjacent to the development (Erf 2183 Piketberg) will still be accessible to the public and will not result in historical imbalances or exclusion.

Section 65 (s) of the Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the provisions of the applicable zoning scheme. Single Residential Portion 1 to 8 is consistent with the residential character of properties to the eastern side of town. A private open space of 6m acts as buffer between these proposed erven and existing residential units in Simon Van Der Stel Street. Allowing a departure from the common boundary building line will not impact on the privacy or existing residential rights of existing property owners to the eastern side. Portion 1 to 8 can still comply with all other developmental parameters of the zoning. No departure of a side building line is further required if the abutting neighbour gives written consent, in this instance the properties are under the ownership of one owner.

The development will also consist of four larger single residential land units. The sizes are more than sufficient to comply with development parameters.

Allowing the rezoning of public road to private will have no negative affect on the public in terms of exclusion from public services/businesses/facilities, as this is a residential development. A portion of $\pm 210\text{m}^2$ of the existing public open space (Erf 2183 Piketberg) will be used to create Portion 12, without preventing access to the remaining public open space.

The application is furthermore determined desirable from a planning perspective taking into account aforesaid relevant factors of consideration as determined in terms of section 65 of Bergrivier Municipal By-Law relating to



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land Use Planning.

AON002/03/2020

**APPLICATION FOR PERMANENT DEPARTURE: ERF 2052, PORTERVILLE
PTV. 2052**

The Authorised Official evaluated the abovementioned application.

RESOLUTION: APPROVED CONDITIONALLY

That the application for departure of the side building line from 2meter to 0meter and 1meter respectively; rear building line from 2meter to 0meter and 1meter respectively in order to allow erection of outbuildings (carport, garage, braai area) as well as departure from the 50% coverage to 75.25% in order to accommodate the mentioned extensions on Erf 2052 Porterville, **be approved**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following condition:

1. The structures must comply with Bergrivier Municipality fire safety requirements.

REASONS FOR RESOLUTION

Section 65 (i) of Bergrivier Municipal By-law relating to Municipal Land Use Planning requires consideration of the integrated development plan, including the municipal spatial development framework.

No spatial directive is given with regard to building line relaxations and coverage in Bergrivier Municipal Spatial Development Framework 2019-2024 (BMSDF). The land use of the property remains the same and as such it is consistent with MSDF.

Relevant consideration was given to the development principles of Spatial Sustainability and Spatial efficiency as prescribed in terms of Chapter VI of the Land Use Planning Act, 2014.

The proposal is efficiently established within available resources without impacting on municipal services or placing a financial burden on the municipality. The relaxing of the building lines and coverage will help to alleviate some of the physical constraints build into the original planning design of the property, providing the owner some opportunity in the form of a larger developable area to efficiently accommodate the proposal thereby establishing a sustainably living environment.

Consideration of comment/objection and applicant reply thereon.

No objections were received from surrounding property owners. Internal departments gave positive comment on the proposal.

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

The application does not affect the zoning or land use of Erf 2052, Porterville

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and retains a residential character. The proposed departures do not encroach the street building line and therefore has no effect on vehicular traffic or pedestrian movement on sidewalks.

The application is furthermore determined desirable from a planning perspective taking into account the abovementioned relevant factors of consideration as determined in terms of section 65 of Bergrivier Municipal By-Law relating to land Use Planning, subject to condition.

**EVALUATION COMPLETED AT 07:45
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**



AUTHORISED OFFICIAL

12/03/2020

DATE