



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

**MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD  
ON THURSDAY 25 JANUARY 2018 AT 14:00 IN THE MUNICIPAL OFFICES, PIKETBERG  
PRESENT**

Authorised Official (Manager: Planning and Development: W Wagener)

ACTION

**AON003/01/2018**

**APPLICATION FOR REZONING, CONSENT USE AND DEPARTURE: ERF 938, LAAIPLEK  
15/3/3; 15/3/5, L. 938**

The Authorised Official evaluated the abovementioned application.

**RESOLUTION: APPROVED CONDITIONALLY**

That the application for Rezoning from Single Residential Zone 2 to Single Residential Zone 1 and Consent Use in order to allow a crèche on Erf 938, Laaiplek, **be approved**; in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions;

- a) The dominant use of the property must remain for the purpose of a dwelling house and the living accommodation of a single family;
- b) The proposed building to accommodate the crèche must comply with the requirements of the National Building Regulations and Standards Act (Act 103 of 1977) and SANS 10400-O;
- c) All certifications and licensing must be in place e.g. business license, health certificate (from the West Coast District Municipality), fire safety certificate, etc;
- d) Registration at the Department of Social Development is compulsory;
- e) The exterior of the dwelling-house and outbuildings is to remain intact and consistent with the character of the surrounding single residential properties (this includes colour scheme and outdoor artworks);
- f) The services provided must primarily be day care and educational, and not medical services;
- g) The services may not operate outside the hours 6:00 to 18:00, between Monday and Friday;
- h) 1 bay per 10 children, plus stop and drop facility be provided on site; and
- i) Proof of compliance with condition (b), (c) and (d) be submitted to this Municipality's Department Planning and Development within (90) days of this approval.

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PLANNER  
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That departure from the maximum number of children in the crèche from 20 to 30 children, **be refused**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning for the reasons provided in the reasons for recommendation.

That the application for Departure from the side and rear building lines from 2m to 1m, **be approved**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning.

**REASONS FOR RESOLUTION**

The application for consent use in order to allow a crèche from a portion of the dwelling house and outbuildings on Erf 938, Laaiplek is consistent with the development principles of the Land Use Planning Act, 2014 and Spatial Planning and Land Use Management Act, 2013.

The proposed application is not in conflict with the aims of Bergrivier Municipal Spatial Development Framework. 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, subject to conditions.

The Bergrivier Municipality: Integrated Zoning Scheme By-Law limits the number of children in a crèche to 20. In terms of Chapter 5, Section 16(1)(d) of the West Coast District Municipality By-Law on Municipal Health, a minimum of 2m<sup>2</sup> of indoor space must be available per baby (1-24 months) and 1.5m<sup>2</sup> per toddler (2-7 years) for child care facilities. According to the proposed site development plan, the portion of the outbuilding to be used as a crèche would have a floor area of 41m<sup>2</sup>. Accommodating 30 children in a 41m<sup>2</sup> space would result in each child having 1.36m<sup>2</sup> of indoor space, and would therefore not comply with the requirements of the West Coast District Municipality. If 20 children are allowed in the proposed crèche, approximately 2m<sup>2</sup> of space would be available for each child, and thus complies with the West Coast District Municipality By-Law on Municipal Health. The Bergrivier Municipality: Integrated Zoning Scheme By-Law also requires a minimum of 1 parking bay per 10 children in addition to a stop and drop facility and one parking bay for a dwelling house. A total of four parking bays plus a stop and drop facility would be required to accommodate 30 children in the crèche as well as the dwelling house. Insufficient space is available on the property to accommodate four parking bays and stop and drop facility. If only 20 children are allowed in the crèche, sufficient parking would be available on the site to satisfy the parking requirements of the zoning scheme by-law.

The Bergrivier Municipality: Integrated Zoning Scheme By-Law prescribes 2m side and rear building lines for Single Residential Zone 1 properties. The existing dwelling house on the property was erected 1m from the side boundary, and the proposed crèche would be in line with the existing dwelling house. No objections were received against the proposed departure from the building lines. In terms of the South African National Standards (SANS

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10400-O) regulation 4.2 and 4.3 the minimum distance of a window or door from a property boundary is 1m to allow for natural ventilation and lighting. The property is also enclosed with a boundary wall of approximately 1.8m in height, thus helping to preserve the privacy of surrounding residents. Ventilation and natural lighting requirements for the building will be evaluated according to SANS 10400-O with submission of building plans for approval in terms of the National Building Regulations and Standards Act (Act 103 of 1977).

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**EVALUATION COMPLETED AT 14:45  
CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS**

  
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**AUTHORISED OFFICIAL**

26/01/2018  
\_\_\_\_\_  
**DATE**

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