



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

MINUTES OF THE AUTHORISED OFFICIAL, PLANNING DIVISION EVALUATION HELD ON FRIDAY 4 SEPTEMBER 2020 AT 09:00 AT THE MUNICIPAL OFFICES, PIKETBERG

PRESENT

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

ACTION

AON001/09/2020

APPLICATION FOR CONSENT USE: ERF 711, REDELINGHUYS RDH.711

RESOLUTION: APPROVED CONDITIONALLY

That the application for consent use in order to allow the operation of a house shop from a proposed structure on Erf 711, Redelinghuys, **be approved** in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions:

1. That the house shop activity only commence after the proposed structure has been completed;
2. All relevant certification must be obtained for the respective land uses i.e. business license, certificate of acceptability from the Environmental Health Practitioner, Fire Safety Certificate etc. where applicable;
3. The retail floor space of the house shop may not exceed 25% of the total floor space of the dwelling house together with the additional dwelling unit and must be reflected as such on the building plans submitted;
4. Compliance with the limitations and requirements of Bergrivier Municipality Policy relating to House Shops; and
5. Provision be made for on-site delivery/parking bay for clients additional to the two parking bays required for the residential uses.

REASONS FOR RESOLUTION

MSDF 2019-2024

The application will not affect the zoning of the property and will remain consistent with the Municipal Spatial Development Framework, 2019-2024. The size of the proposed house shop in relation to the floor space of residential uses is 25%. The dominant use of the property will therefore remain residential and is consistent with the MSDF.

Zoning Scheme By-law

The combined total floor space of the existing dwelling house and additional dwelling is $\pm 60\text{m}^2$. The total floor space of the proposed business land use will occupy $\pm 15\text{m}^2$, which is equal to 25% floor space of the dwelling house and additional dwelling unit, consistent with the land use description of house shop provided in the zoning scheme by-law. The site development plan

**TOWN AND REGIONAL
PLANNER: WEST
(HANNES VERMEULEN)**



indicates a 3m setback for the proposed house shop from the street boundary and a 1.5m setback from the side boundary. A space of approximately 4m wide and 10m deep is proposed next to the proposed house shop which could be used as parking. Sufficient space is therefore available on the property to accommodate three on-site parking bays, two for the residential uses and one for the proposed business use.

House shop policy

The proposed house will be located outside a 200m radius from the nearest existing licenced house shops. Furthermore, no other licenced house shop is located in the same area or street as the proposed house shop. The proposed house shop will be able to comply with the house shop policy of Bergrivier Municipality.

Consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

The business is proposed due to supply and demand. The proposed house shop will provide retail facilities within close walking proximity to the surrounding property owners to purchase daily small scale grocery items where no major supermarket exists. The application takes into account low income housing areas by bringing retail services at residential scale closer to this community, saving them time and money to travel to shops further away in Redelinghuys. The proposal will contribute to address past spatial imbalances on account of aforesaid.

The proposed house shop will be operated from a proposed structure on site and no additional municipal engineering services is required as the property is already services. The application therefore has no financial burden on the municipality.

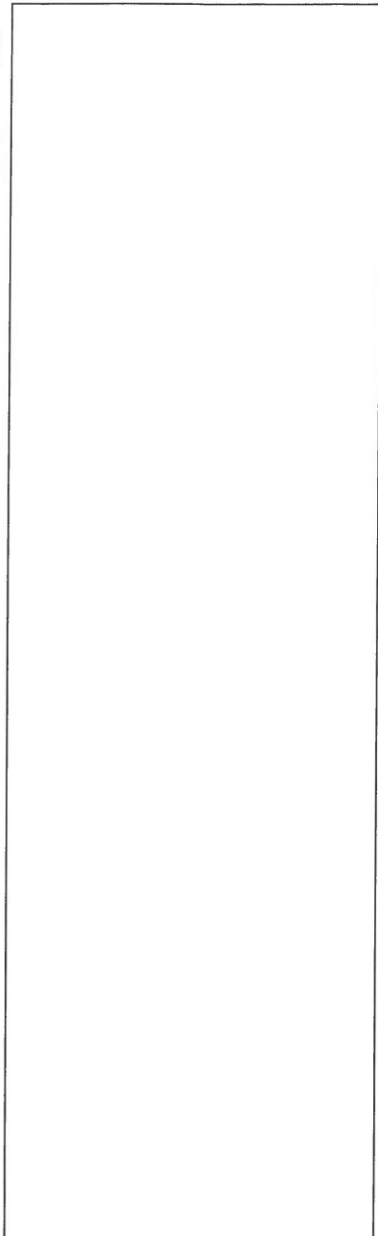
The application is desirable from a land use planning perspective taking into account all relevant factors of consideration as prescribed in Section 65 of Bergrivier Municipality By-law on Municipal Land Use Planning, subject to conditions.

**AON002/09/2020
APPLICATION FOR PERMANENT DEPARTURE: ERF 2050, PORTERVILLE
PB.2050**

RESOLUTION: APPROVED CONDITIONALLY

That the application made in terms of section 15 of Bergrivier Municipal By-Law Relating on Municipal Land Use Planning for permanent departure from street building line from 3meter to 1.1meter and 1.7meter respectively in order to accommodate extensions to the dwelling house and the erection of a garage on Erf 2050 Porterville, **be approved**, in terms of section 60 of Bergrivier Municipal By-Law relating to Land Use Planning, subject to the following conditions:

1. That a motorised sliding gate be used at the vehicular entrance/exit to the property, to ensure that no parking occurs on the sidewalk in front of the gate to effect ease of pedestrian movement; and
2. Existing engineering services on-site must be moved or realigned (should



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



the need arise) by the owner's engineering consultant to accommodate the new extensions and all costs will be for payment by the owner.

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 were 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 having a financial burden on the municipality. The relaxing of the street building line will help to alleviate some of the physical constraints built 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 sustainable living environment.

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 existing dwelling house, was not efficiently positioned on the property taking into account expansion thereto in the future, and therefore extension to the front and side of the property is limited without encroaching the relevant building lines. The application does not affect the zoning or land use of Erf 2050, Porterville and retains a residential character.

No objections were received against the application from surrounding property owners, and the adjacent neighbour gave written consent for encroachment of the side building line to erect the garage for which no departure is required.

The application is 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 09:10

CONFIRMED AS A TRUE VERSION OF THE PROCEEDINGS


AUTHORISED OFFICIAL

07/09/2020
DATE