

# **MATJHABENG MUNICIPALITY**



# **MINUTES**

**of the**

## **MATJHABENG MUNICIPAL PLANNING TRIBUNAL MEETING**

**held on**

**THURSDAY, 28 JUNE 2018  
THURSDAY, 19 JULY 2018  
WEDNESDAY, 25 JULY 2018**

**at**

**09:00**

**In**

**4<sup>TH</sup> FLOOR, ROOM 402, ONE REINET BUILDING**

**MINUTES OF THE MATJHABENG MUNICIPAL PLANNING TRIBUNAL**  
**MEETING HELD ON TUESDAY, 13 MARCH 2018 AT 09:00 IN ROOM 402, 4<sup>TH</sup>**  
**FLOOR, REINET BUILDING, WELKOM**

**PRESENT**

Mr.T Mongake : Chairperson  
Ms. M.R. Nkhasi : Deputy Chairperson  
Dr. KP van der Walt : Member  
Mr.KS Mocwagae : Member

**OFFICIALS**

Mr. T Makofane : Executive Director ( he excused himself for another meeting at (10:07)  
Mr. BJ Molelekoa : Acting Manager Spatial Planning

**APOLOGIES**

Mr. B Golele : Acting Executive Director: LED, Spatial Planning and Human Settlements  
Me B. Mawanganyi : Executive Director Infrastructure  
Mr. F Nieuwoudt : Manager Development Planning

**(a) OPENING**

The Chairperson welcomed everybody and declared the meeting at 9:48. Then he introduced the members to Mr Makofane.

**(b) APPLICATION FOR LEAVE OF ABSENCE**

See above list

**(c) OFFICIAL ANNOUNCEMENTS**

None

**(d) MOTIONS OF SYMPATHY AND CONGRATULATIONS**

None

**(e) DISCLOSURE OF INTEREST**

Me. Nkhasi and Dr. van der Walt indicated that they had items on the Agenda.

## **II**

### **(f) APPROVAL OF MINUTES OF THE MEETING HELD ON 12 MAY 2017**

The minutes were approved

### **(g) MATTERS ARISING FROM THE MINUTES**

Payment of Members: Members still not paid. Mr. Golele had taken the submission to the Municipal Manager. Follow up will be made again.

### **(h) MATTERS FOR DISCUSSION**

MPT15/2018 –MPT34/2018

### **(i) ANY OTHER MATTERS**

Discussions were made on:

#### **Objections procedure:**

- The objector and the applicant must be invited to a site inspection meeting.
- After the Site inspection everybody will come to the boardroom and then after discussion is made on the issue the decisions will be taken
- Invitations must be done by sending out a written invitation in advance.

#### **Problems and difficulties:**

- Complaints were raised about Directors not coming to meeting.
- That Council doesn't realize the importance of decisions that are taken in the MPT.
- Internal comments that are not received from the Department Infrastructure.
- Discussion is not taken seriously.
- Frequency of meeting – meetings must be held on a monthly basis
- Pre-Planning Meetings: the Departments must be present at the meetings.
- Burden on Officials as there is a shortage of personnel. Positions are not filled. The Chairperson suggested that people must be seconded from Province to assist. Dr. Van Der Walt and Me Nkhasi indicated that they are also available to assist.
- Dr. Van Der Walt also raised that there are a lot of problems on the Items recommendations and it will influence the decisions taken on the items. Therefore the Items were referred back.
- A follow up meeting must be held in the next 2 weeks and problems must be corrected

### III

#### 9. CLOSURE

The Deputy Chairperson thanked everybody present and adjourned the meeting at 11:15. The proposed continuation meeting was scheduled for Thursday, 19 July 2018. The Objectors and the Applicant will be invited for a site inspection before the meeting.

**19 JULY 2018**

**MINUTES OF THE MATJHABENG MUNICIPAL PLANNING TRIBUNAL  
MEETING HELD ON TUESDAY, 19 JULY 2018 AT 09:00 IN ROOM 402, 4<sup>TH</sup>  
FLOOR, REINET BUILDING, WELKOM**

#### **PRESENT**

Mr.T Mongake	:	Chairperson
Ms. M.R. Nkhasi	:	Deputy Chairperson
Dr. KP van der Walt	:	Member
Mr.KS Mocwagae	:	Member

#### **OFFICIALS**

Mr. BJ Molelekoa	:	Acting Manager Spatial Planning
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#### **DEVELOPER**

QG Nhamuave	:	Owner
ID Nhamuave	:	Owner
J Choene	:	Architect

#### **ABSENT and APOLOGIES**

Mr. B Golele	:	Acting Executive Director: LED, Spatial Planning and Human Settlements
Me B. Mawanganyi	:	Executive Director Infrastructure
Mr. F Nieuwoudt	:	Manager Development Planning - Apology

The Objectors did not come to the meeting or the site meeting.

#### **(a) OPENING**

The Chairperson welcomed everybody and declared the meeting open at 9:48. The Architect of site 10652, Ext 3, Bedelia, introduces himself and the owners of the site to the Committee. The Objectors didn't respond to the invitation of the meeting.

## **IV**

### **(b) APPLICATION FOR LEAVE OF ABSENCE**

See above list

### **(c) MATTERS FOR DISCUSSION**

MPT15/2018 –MPT34/2018

### **(d) ANY OTHER MATTERS**

Discussions were made on:

#### **Site Inspection:**

The Committee started with a site meeting at 9:00 at erf 10652, Ext 3, Bedelia.. The Chairperson indicated the importance that the Secretary takes minutes at the site.

#### **Advertisements:**

- Municipality does not advertise the resolutions of the MPT in the Provincial Gazette due to a lack of money.
- Gazetting is the final step to legalize the development.
- Suggestions were made that the By-Law be amended. Then the client will be responsible for the adverts.
- Municipality must do all the adverts up to now, after the last meeting it will be the responsibility of the developer.
- People do illegal development, because it is costly and the MPT takes a long time to take descisions
- A meeting or workshop on the Logistics must be hold and the MEC must be invited.

#### **Other**

- Dr vd Walt suggested that the meeting must be postpone as the members received the Agenda late.
- Decision was taken to approve the Items and have a meeting to correct mistakes on the Resolutions.

### **CLOSURE**

The Deputy Chairperson thanked everybody present and adjourned the meeting at 12:10  
The proposed meeting was scheduled for Monday, 23 July 2018.

# V

25 JULY 2018

**MINUTES OF THE MATJHABENG MUNICIPAL PLANNING TRIBUNAL  
MEETING HELD ON TUESDAY, 25 JULY 2018 AT 08:00 IN ROOM 402, 4<sup>TH</sup>  
FLOOR, REINET BUILDING, WELKOM**

**PRESENT**

Mr.T Mongake	:	Chairperson
Ms. M.R. Nkhasi	:	Deputy Chairperson
Dr. KP van der Walt	:	Member
Mr.KS Mocwagae	:	Member

**OFFICIALS**

Mr. BJ Molelekoa	:	Acting Manager Spatial Planning
Mr. F Nieuwoudt	:	Manager Development Planning - Apology

**OTHER**

Mr. G Campondonico	:	Setjaba Developments
Mr. H Wolmarans	:	Partner LS& B
Mr. SJ Griesel	:	Town and Regional Planner – LS&B
Mr. PJ Wessels	:	Town and Regional Planner – LS&B

**ABSENT**

Mr. B Golele	:	Acting Executive Director: LED, Spatial Planning and Human Settlements
Me B. Mawanganyi	:	Executive Director Infrastructure

**(a)OPENING**

The Chairperson welcomed everybody and declared the meeting at 8:27. He welcomed everybody and then emphasize the importance of the administration function of the MPT - Administrations must be executed in a proper manner – emails must not be instructions and the Chairperson must be called before any arrangements are made for meetings. After a lengthy discussion on Item MPT17/2018 the Consultants were called in at 9:21. After the Chairperson welcomed everybody, they introduced themselves.

**(b)MATTERS FOR DISCUSSION**

MPT15/2018 –MPT34/2018

# VI

## **CLOSURE**

The Deputy Chairperson thanked everybody present and adjourned the meeting at 12:18  
The proposed meeting was scheduled for Monday, 29 July 2018.

# INDEX

ITEM NO	ITEM DESCRIPTION	PAGE
MPT 15/ 2018	APPLICATION FOR SPECIAL CONSENT TO RUN AN EDUCATIONAL FACILITY AND HOTEL ON ERF 9021, EXTENSION 2 WELKOM. (18/4/1/19) LED & SP	
MPT 16/ 2018	APPLICATION FOR THE SUBDIVISION OF ERF 4199, EXTENSION 5, VIRGINIA	
MPT 17/2018	APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE CONDITIONS, CONSOLIDATION PERTAINING TO REMAINDER AND PORTION 1 OF ERF 10707 EXTENSION 31, CBD, WELKOM AND THE REZONING OF THE CONSOLIDATED ERF.	
MPT 18/2018	APPLICATION FOR THE CONSOLIDATION ERVEN 929 AND 930 EXTENSION 2, NAUDEVILLE WELKOM AND THE REZONING OF THE CONSOLIDATED ERF.	
MPT 19/2018	APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE CONDITIONS OF ERF 1051, VIRGINIA.	
MPT 20/2018	APPLICATION FOR THE REZONING OF ERF 88, ODENDAALSRUS.	
MPT 21/2018	APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS OF ERF 2102, EXT 2, DOORN, WELKOM.	
MPT 22/2018	APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS OF ERF 10650, BEDELIA EXTENSION 3, WELKOM	
MPT 23/2018	APPLICATION FOR THE REZONING OF REMAINDER OF ERF 133, ODENDAALSRUS.	
MPT 24/2018	APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS OF ERF 7409 RIETZPARK, EXTENSION 11, WELKOM.	



## II

MPT 25/2017	APPLICATION FOR THE REZONING OF ERF 24, ODENDAALSRUS.	
MPT 26/2018	APPLICATION FOR THE REZONING OF PORTION 1 OF ERF 33, ODENDAALSRUS.	
MPT 27/2018	APPLICATION FOR THE REZONING OF PORTION 1 OF ERF 36, ODENDAALSRUS.	
MPT 28/2018	APPLICATION FOR THE REZONING OF THE REMAINDER OF ERF 36, ODENDAALSRUS.	
MPT29/2018	APPLICATION FOR THE REZONING OF ERF 2355, ODENDAALSRUS.	
MPT30/2018	APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS OF ERF 6851 JIM FOUCHE PARK, WELKOM.	
MPT 31/2018	APPLICATION FOR SPECIAL CONSENT ON ERF 6913, NO 265 STATEWAY, JIM FOUCHE PARK, EXTENSION 10, WELKOM. (18/4/1/19) LED & SP	
MPT 32/2018	APPLICATION FOR THE SUBDIVISION OF ERF 6435 AND REZONING OF PROPOSED PORTION A, INDUSTRIAL WELKOM	
MPT 33/2018	APPLICATION FOR THE REZONING OF PORTION 19 ERF 4119, OBERON, BEDELIA, WELKOM.	
MPT34 / 2018	APPLICATION FOR THE REMOVAL OF RESTRICTIONS AND REZONING OF ERF 1681 EXTENSION 2, WELKOM.	

MPT 15/ 2018

**APPLICATION FOR SPECIAL CONSENT TO RUN AN EDUCATIONAL FACILITY AND HOTEL ON ERF 9021, EXTENSION 2 WELKOM. (18/4/1/19) LED & SP**

**PURPOSE OF THE REPORT**

LS& B applies for the special consent of the Municipal Council to use Erf 9021, Extension 2, Welkom for an Educational facility and Hotel.

This report is submitted to the Matjhabeng Municipal Tribunal to resolve on the matter.

**DISCUSSION**

Mr Molelekoa presented the Item.

**IT IS RESOLVED (19 JULY 2018)**

1. That the application for relaxation of **BUILDING LINES** from 6 metres to 3 metres be in terms of Section 18 (d) 3 of the Welkom Town Planning Scheme No. 1 of 1981 is approved.
2. That the application in terms of Section 16 (3) (n) of the Matjhabeng Municipal Land Use Planning By-Laws, 2015 and Section 6.22 of the Welkom Town Planning Scheme No 1 of 1980 for the Special Consent, to use Erf 9021, Welkom for the purpose to “**Training College**”, “**Boutique Hotel**” and “**Student Accommodation**” is **APPROVED SUBJECT TO** the following conditions;
  - a) In terms of the student accommodation a Maximum of thirty (30) bedrooms **WILL BE ALLOWED** and with two (2) students per room maximally, the residential density will be 60 students.
  - b) The display of any notice board, advertisement or sign **IS PROHIBITED** excepting a professional nameplate not exceeding 500mm x 300mm.
  - c) As per the Site Development Plan, one hundred and seventy four (174) parking spaces **MUST BE PROVIDED** on the premises.
  - d) If any substantial **OBJECTION IS RECEIVED** against the manner in which the consent is conducted, the City Council reserves the right to cease the consent without any claim for compensation.
  - e) If meals are going to be served to guests staying in the Hostel and the Boutique Hotel, an application for a business license to serve the meals **MUST BE**

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**SUBMITTED** to the Manager of Spatial Planning, Room 425, One Reinet Building, Central Business Area, Welkom.

- f) Accommodation at the Boutique Hotel may **ONLY BE MADE** available at compensation in the short term.
  - g) The coverage of the student accommodation, Boutique Hotel, including Training College and outbuildings **SHALL NOT EXCEED** 35% of the erf.
  - h) The maximum height of all buildings **SHALL NOT EXCEED** two (2) storeys.
3. Services **SHALL BE PROVIDED** to the units to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant.
4. That all stipulations and development controls of the Welkom Town Planning Scheme No.1 of 1980 **BE ADHERED** to.

**MPT16 /2018**

### **APPLICATION FOR THE SUBDIVISION OF ERF 4199, EXTENSION 5, VIRGINIA.**

#### **PURPOSE**

The firm Laubscher Slabbert and Brink applies on behalf of the owner for the subdivision of erf 4199, Extension 5, Virginia in order to sell a portion. This is to use existing buildings as residences – on each of the subdivisions.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

#### **DISCUSSION**

Mr. Molelekoa presented the item

#### **IT IS RESOLVED (19 JULY 2018)**

- 1. That in terms of Section 16 (3) (d) of the Matjhabeng Municipal Land Use Planning By Law, 2015, the application for Subdivision of Erf 4199 into two portions, Extension 5, Virginia, is approved **SUBJECT TO** the following conditions:
- 2. The subdivision of Erf 4199, Extension 5, Virginia into two (2) portions measuring  $\pm 493\text{m}^2$  and  $\pm 493\text{m}^2$  in extent **SUBJECT TO** the following conditions:

### 3

- i) The subdivision of the above-mentioned erven **MUST BE** registered in the Deeds Office within five (5) years after the approval of this application.
  - ii) Services **MUST BE** provided to the proposed subdivided erven by the owner at his own cost and to the satisfaction of the Matjhabeng's Infrastructure Directorate.
3. Building plans **BE SUBMITTED** to the municipality with any existing and new buildings on the proposed new erven to the satisfaction of the Spatial Planning and Building Control Divisions.
  4. That all stipulations and development controls of the Virginia Town Planning Scheme No. 1 of 1992 **BE ADHERED** to.

**MPT17/ 2018**

**APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE CONDITIONS, CONSOLIDATION PERTAINING TO REMAINDER AND PORTION 1 OF ERF 10707 EXTENSION 31, CBD, WELKOM AND THE REZONING OF THE CONSOLIDATED ERF.**

**PURPOSE OF THIS REPORT**

Laubscher Slabbert & Brink applies on behalf of the owner of Remainder and Portion 1 of erf 10707, Ext. 31, CBD, Welkom, for the Removal of Restrictive Title Conditions, Consolidation and Rezoning of the consolidated Erf from “**Municipal Purposes**” to “**Business: Type E**”

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr. Molelekoa presented the item.

The Members first made a discussion on the way forward with the application and raised their concerns:

- **Motivation** - The motivation does not give any reason to let the board approve the application, just because it is not correctly rezoned.
- **Public Participation** – according to the motivation the Public Participation is only going to be done after the approval of the Zoning, but prove of advertisements and letters is attached, although Goldfields Mall isn't informed.
- **Traffic impact** – it is important to look at the impact of traffic on the circles build near the school and mall in Jan Hofmeyer Road, especially at peak times for the school.

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- **Parking** – The applicant can't expect customers to use parking at the mall and then walk over the road to the new mall, enough parking space must be created on the premises. No relaxation will be allowed on the parking space
- **The Loading zone at the back** – if the entrance is in Jan Hofmeyer road it is going to have a huge impact on the traffic.
- **No list of shops** – there is not a list of the shops that is going to open in the centrum. Dischem is not guaranteed.
- **Services** – Proper report in consultation with Municipal Departments must be obtained on the services, especially on the electricity

### **The Consultants were called at 9:21**

- **Motivation and Public Participation** – Mr Griesel explained that he only did the public participation after the motivation was written and they write the motivation before consultation starts and the application is according to Law first approved by the Municipality and then the Public Participations starts. He will amend the motivation.
- **Parking** – in Phase 2 the developer will create more parking spaces. The site development plan will confirm the rations (6/100).
- The developer lost the contract with Dischem, because of the delay in the decision taking of the MPT.
- It is not a mall it is going to be a Convenience store and Spar already bought in to the development.
- They will buy a portion of Plettenberg Street after the Rezoning.
- Busy with a Traffic impact study.
- The Site Development plan is only concept plan and not the final plan
- Services are according to the Manager, Mr William Sephton enough and the Consultant will get a detailed services report.
- The Developer already have investment plan for the school and the church

### **TELECONFERENCE WERE HOLD ON 30 JULY 2018 AT 13:00**

- Dr. Vd Walt indicated that he talked to the Consultant, Mr Griesel, the weekend about the Traffic impact study and the Consultant reassured him that it will be done.
- The Chairperson emphasized that without the reports on the services and the traffic impact study the application can't be registered or be approved.
- Mr Molelekoa refresh the board on previous decisions taken by the board on the subject:
  - That the board had agreed that there must be a traffic impact study be done.
  - That a full service report must be handed in.
  - That the Site Development plan must be rectified accordingly to the reports.
  - That the Motivation must be amended – of which LS&B did.
- Mr. Kgosi and Dr. van der Walt support the approval but feel that time frames must be given to give the reports and amended application for consideration.
- Mr. Molelekoa suggested a partial approval subject to the outstanding reports.

- All the members agreed on it.

**IT IS RESOLVED (25 JULY 2018)**

1. The item is referred back with the following conditions:
  - a) The Consultant must amend the application and give an amended application in.
  - b) Motivation must talk of a convenience center.
  - c) The Goldfields Mall must be informed
  - d) The Site Development plan must contain the changes and have more information on it
  - e) A traffic impact study must be done
  - f) The service report must be evaluate
  - g) Must be pro-active and talk to the public.
2. The MPT will have a teleconference on Saturday, 28 July 2018 to discuss all the new information.
3. The Consultant and the personnel of Municipality must have a meeting on Friday, 27 July 2018 and on Monday, 30 July 2018 the Steering Committee must take a decision on the application

**Dr. Van Der Walt excused himself as he has interest in Item MPT18/2018 and 19/2018**

**MPT18 / 2018**

**APPLICATION FOR THE CONSOLIDATION ERVEN 929 AND 930 EXTENSION 2, NAUDEVILLE WELKOM AND THE REZONING OF THE CONSOLIDATED ERF.**

**PURPOSE OF THIS REPORT**

Dr. KP van der Walt applies on behalf of the owner of Erven 929 and 930, Ext. 2, Naudeville Welkom, Restoring Hope International Trust for the Consolidation and Rezoning of the consolidated Erf from **“General Residential”** to **“Institutional”**

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSIONS**

Mr. Molelekoa presented the item. The concern were raised that there maybe not enough electricity in the area. It was clarified afterwards that Mr. Sephton did give a report on services

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### IT IS RESOLVED (19 JULY2018)

That the application to consolidate and rezone Erven 929 and 930, Extension 2, Naudeville, Welkom from “**General Residential**” to “**Institution**” as stipulated in the Welkom Town Planning Scheme NO.1 of 1980 in order to use the stand for the construction of a housing complex, is approved **SUBJECT TO** the following conditions:

1. The consolidation of erven 929 and 930, Extension 2, Naudeville, Welkom measuring m<sup>2</sup> and 6001m<sup>2</sup> and 6043m<sup>2</sup> respectively, in terms of Section 16 (3) (d) into one erf of 12044m<sup>2</sup> in extent.
  - i) The consolidation **MUST BE** registered in the Deeds Office within five (5) years after the approval of this application.
2. The total coverage of all buildings **SHALL NOT** exceed 50%.
3. The maximum height **SHALL NOT** exceed two (2) storeys.
4. A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council's prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - (a) The site development plan **SHALL BE** submitted before any Building Plan is approved and will indicate at least the following:-
    - i) The location and height of all buildings and structures.
    - ii) Open areas, children playing areas and landscaping.
    - iii) Access to and egress from the erf .
    - iv) Access to buildings and parking areas by vehicles.
    - v) Parking areas and where required vehicle and pedestrian traffic patterns.
    - vi) Elevation treatment of all buildings and structures.
    - vii) If the erf is not to be entirely developed, the grouping of the dwelling units and the programming of development must be shown.
  - b) Services shall be provided to the units to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant.

- c) That, if Telkom equipment is damaged or must be moved during the development, the Matjhabeng Local Municipality does not accept responsibility for any costs involved and such costs shall be for the account of the applicant;
- d) All stipulations and development controls of the Welkom Town Planning Scheme No. 1 of 1980 and the Municipal Land Use Planning By-Laws, 2015 **BE ADHERED** to.

**MPT19/ 2018**

**APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE CONDITIONS OF ERF 1051, VIRGINIA.**

**PURPOSE OF THIS REPORT**

DR KP van der Walt applies on behalf of the owner of Erf 1051 Virginia, BME Ntuka for the rezoning and removal of restrictive title conditions of this erf from “**General Residential**” to “**Special Business**”.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr. Molelekoa presented the item.

**IT IS RESOLVED (19 JULY 2018)**

1. That in terms of Section 16 (2)(a)(iii) of the Matjhabeng Municipal Land Use Planning By-Law the application for removal of restrictive title conditions A (a), (d), (e), (f), (g), (h), (i), (j), (k), (l) (i), (ii), (iii), (v), (n), (o), (p), (q), (r), B (a), (b), C (a), (b), (c), (d), (e), (f), (g) and (h) **IS GRANTED**,
2. That in terms of Section 16 (2) (a) (ii) and (v) of the Matjhabeng Municipal Land Use Planning By- Law (2) (a) (ii) rezoning of erf 1051, Virginia from “**General Residential**” to “**Special Business**” as stipulated in the Virginia Town Planning Scheme No.1 of 1992 in order to use the stand for the construction of block of Offices, is approved **SUBJECT TO** the following conditions:
3. The total coverage of all buildings **SHALL NOT** exceed 60%.
4. The maximum height **SHALL NOT** exceed two (2) storeys.
5. A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council’s



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prior written consent no deviation from the approved site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.

6. That the wall between this erf and the back and side neighbours **SHALL BE** extended to 2.2 meters to screen off the office activities from the adjacent residential functions.
7. Services **SHALL BE** provided to the units to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant
8. That all stipulations and development controls of the Virginia Town Planning Scheme No. 1 of 1992 **ARE ADHERED** to.

**Dr vd Walt returned to the meeting**

**MPT20/ 2018**

### **APPLICATION FOR THE REZONING OF ERF 88, ODENDAALSRUS.**

#### **PURPOSE OF THIS REPORT**

Bokgoni Spatial Consulting Services applies on behalf of the owner of Erf 88, Odendaalsrus for the rezoning of this Erf from “**General Business**” to “**General Residential**”.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

#### **DISCUSSION**

Mr. Molelekoa presented the item

#### **IT IS RESOLVED (19 JULY 2018)**

1. That in terms of Section 16 (2) (a) of the Matjhabeng Municipal Land Use Planning By- Law (2) (a) (ii) rezoning of erf 88, Odendaalsrus from “**General Business**” to “**General Residential**” as stipulated in the Odendaalsrus Town Planning Scheme No.2 of 1981 in order to use the stand for the formalization of block of flats, is approved **SUBJECT TO** the following conditions:
  - a). Only 9 units **SHALL BE** allowed on the erf as this is an existing situation.
  - b). The total coverage of all buildings **SHALL NOT** exceed 60% .
  - c). The maximum height **SHALL NOT** exceed two (2) storeys.

- d). That the total number of 12 parking bays **SHALL BE** provided on site.
  - e). A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council's prior written consent no deviation from the approval site development plan shall be allowed. No additional buildings shall be erected on the erf.
  - f). That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
2. That all the stipulations and the development controls in the Odendaalsrus Town Planning Scheme No. 2 of 1981 **BE ADHERED** to.

**MPT21/2018**

**APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS OF ERF 2102, EXT 2, DOORN, WELKOM.**

**1. PURPOSE OF THIS REPORT**

Bokgoni Spatial Consulting Services applies on behalf of the owner of Erf 2102, Extention 2, Doorn Welkom, Mamgi Trading and Projects CC Registration No. 2008/015912/23 for the removal of restrictive title conditions and rezoning of this Erf from “**Special Residential**” to “**Residential General**”

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr Molelekoa presented the item.

**IT IS RESOLVED**

- 1. That in terms of Section 16 (2) (a) (iii) of the Matjhabeng Municipal Land Use Planning By -Law, 2015, the removal of restrictive title conditions A (b)(c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (i) (ii) (iii) (n) (o) (r) and B (a),(b),(c),(d) in respect of erf 2102 Doorn, Welkom **IS APPROVED**;
- 2. That in terms of Section 16 (2) (a) (vii) of the Matjhabeng Municipal Land Use Planning By-Laws 2015, for the relaxation of the parking requirements and clause 27 (c) of the Welkom Town Planning Scheme No. 1 of 1980 in respect of erf

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2102, Doorn, Welkom **IS ALSO GRANTED**, and.

3. That in terms of Section 16 (2) (a) (ii) of the Matjhabeng Municipal Land Use Planning By-Law, 2015, the application for rezoning of erf 2102, Doorn, Welkom from “**Special Residential**” to “**General Residential** ” as stipulated in the Welkom Town Planning Scheme NO.1 of 1980 in order to use the stand for the construction of a housing complex/rental units, is approved **SUBJECT TO** the following conditions:
  - b). The total coverage of all buildings **SHALL NOT** exceed 50%.
  - c). The maximum height **SHALL NOT** exceed two (2) storeys.
  - d). A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council’s prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - e). That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
  - i). That all stipulations and development controls of the Welkom Town Planning Scheme No. 1 of 1980 and the Municipal Land Use Planingg By-Laws, 2015 **BE ADHERED** to.

**A site inspection were held before the meeting in the boardroom**

**MPT22/2017**

### **APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS OF ERF 10652, BEDELIA EXTENSION 3, WELKOM.**

#### **PURPOSE OF THIS REPORT**

Bokgoni Spatial Consulting applies on behalf of the owner of Erf 10652 Extension 3, Bedelia Welkom, for the Removal of restrictive title conditions and rezoning of this Erf 10652 from “**Special Residential**” to “**Special Business 5: Hotel**”

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

## DISCUSSION

There were a site inspection.

Mr. Molelekoa presented the Item.

Back at the boardroom the Chairperson asked Mr Choenye to give comments on the following:

- **Traffic Conjunction**

Mr. Choenye explained that traffic will be minimized as they have a reses before entering the site.

- **Parking Bay**

There is 21 parking's and 2 disabled parking. The parkings is according to the standards of the Municipality.

- **Electricity**

There is enough current for all the rooms, as it is a 3 phase electricity box. But they are busy looking at gas geysers and stoves to spare electricity.

- **Sewer and Building lines**

There are 2 sewer connections.

Building lines is according to the prescription of the law:

- East side – 2 m from building line
- Front – 3 meter
- Back - 2 meter
- 1 site they applied for only 1 meter from building line

- **Going green**

They are busy with the process, especially on electricity. They going to install gas geysers.

The buildings on the east side have lots of windows which will also assist with sunlight. As well as the west side.

At this stage they depend on the Municipality for water. But will think of installing a borehole and tanks for water with pumps.

- **Employment**

They create jobs for 20 employees. The employees will not stay on the site.

Then the members commented that they are satisfied with the presentation and the owners and the architect were excused at 10: 19

## IT IS RESOLVED (19 JULY 2018)

1. That in terms of In terms of Section 16 (2) (a) (iii) of the Matjhabeng Municipal Land Use Planning Land Use By-Laws 2015, for the removal of restrictive title conditions A,B,C.C(C)a, b ,c ,d ,e ,f ,g ,h ,i, j (D) a, b, c, d in respect of Erf 10652 Bedelia, Ext 3, Welkom is granted,
2. That in terms of Section 16 (2) (a) (ii) of the Matjhabeng Municipal Land Use Planning By-Laws 2015, the application for rezoning of Erf 10652 Bedelia, Ext 3. Welkom from “**Special Residential**” to **Special Business 5: Hotel**” as stipulated in the Welkom Town Planning Scheme No.1 of 1980 in order to use the stand for the purposes of a guesthouse, is approved **SUBJECT TO** the following conditions:
  - a) A maximum of twenty (20) bedrooms may at any time **BE USED** for guesthouse purposes.
  - b) The display of any notice board, advertisement or sign is prohibited excepting a professional nameplate **NOT EXCEEDING** 500 mm x 300 mm.
  - c) A minimum of twenty three (23) parking spaces **MUST BE** provided on the premises.
  - d) Any act detrimental **TO THE** amenity and peacefulness of the surroundings is prohibited.
  - e) If meals are going to be served to guests staying in the guest house, an application for a business license to serve the meals **MUST BE** submitted to the Manager Spatial Planning, Room 427, One Reinet Building, Central Business Area, Welkom.
  - f) Accommodation may **ONLY BE** made available at compensation in the short term.
  - g) No self-sustaining accommodation and no separate facilities for the preparation of meals, excluding kitchen.
  - h) The coverage of the guesthouse, including all additional bedrooms and outbuildings **SHALL NOT** exceed 50% coverage of the erf.
  - i) The maximum height of all buildings **SHALL NOT** exceed three (3) storeys.

- j) The building **MAY ONLY** be licensed for on-site consumption in terms of the Liquor Act, 1989 (Act 27 of 1989)."
- k) A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council's prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
- l) That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
- m) The building **MUST COMPLY** with the National Building Regulations and Building Standards Act of 1977.
- n) That all the stipulations of the Welkom Town Planning Scheme No. 1 of 1980 **BE ADHERED** to.

**MPT23/ 2018**

**APPLICATION FOR THE REZONING OF REMAINDER OF ERF 133, ODENDAALSRUS.**

**PURPOSE OF THIS REPORT**

Bokgoni Spatial Consulting Services applies on behalf of the owner of the Remainder of Erf 133, Odendaalsrus for the rezoning from "**General Business**" to "**General Residential**".

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr Molelekoa presented the item.

**IT IS RESOLVED (19 JULY 2018)**

1. That in terms of Section 16 (2) (a) of the Matjhabeng Municipal Land Use Planning By- Law (2) (a) (ii) rezoning of the remainder of erf 133, Odendaalsrus from "**General Business**" to "**General Residential**" as stipulated in the Odendaalsrus Town Planning Scheme No.2 of 1981 in order to use the stand for the construction

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of block of flats, is approved **SUBJECT TO** the following conditions:

- a). That **NOT MORE** than 9 units on the Remainder of erf 133 Odendaalsrus.
  - b). The total coverage of all buildings **SHALL NOT** exceed 60% for Block of Flats.
  - c). The maximum height **SHALL NOT** exceed two (2) storeys.
  - d). That the minimum parking spaces provided **MUST BE 12** on the erf.
  - d). A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council's prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - e). That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
2. Services **SHALL BE** provided to the units to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant.
  3. The building **MUST BE** in line with the National Building Regulations and Standards Act of 1977.
  4. That all stipulations and development controls of the Odendaalsrus Town Planning Scheme No. 2 of 1981 **BE ADHERED** to.
  5. That municipal services account **WILL BE** paid up and up to date prior to the commencement of the new land use.

**MPT24/2018**

## **APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS OF ERF 7409 RIETZPARK, EXTENSION 11, WELKOM.**

### **PURPOSE OF THIS REPORT**

Bokgoni Spatial Consulting Services applies on behalf of the owner of Erf 7409, Rietzpark Extension 11 Welkom, for the removal of restrictive title conditions and rezoning of this Erf from “**Special Residential**” to “**Special IV (b): Professional Offices, a residential unit and a mini-Coffee Shop.**”

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

## DISCUSSION

Mr. Molelekoa presented the item.

### IT IS RESOLVED (19 JULY 2018)

1. That in terms of Section 16 (2) (a) (iii) of the Matjhabeng Municipal Land Use Planning By- Law the application for removal of restrictive title conditions A (a)(b)(c) (d) and B (a),(b),(c) in respect of erf 7409 Rietzpark, Extension 11 Welkom **IS GRANTED** and,
2. That in terms of Section 16 (2) (a) of the Matjhabeng Municipal Land Use Planning By- Law (2) (a) (ii) rezoning of erf 7409 Rietzpark, Extension 11 Welkom from “**Special Residential**” to “**Special IV (b) for Professional Offices, a Residential Unit and Mini-Coffee Shop**” as stipulated in the Welkom Town Planning Scheme NO.1 of 1980 in order to use the stand for the formalisation of professional offices, residential unit and mini-Coffee Shop, is approved **SUBJECT TO** the following conditions:
  3. The total coverage of all buildings **SHALL NOT** exceed 50%.
  4. The maximum height **SHALL NOT** exceed two (2) storeys.
  5. That the on-site parking requirements **BE**:
    - (i) 6 parking spaces per 100m<sup>2</sup> for shops
    - (ii) 2 parking spaces per 100m<sup>2</sup> for offices
    - (iii) 1 parking spaces every flat, plus one parking space every three flats/units
  6. That the area (in front of the erf) where additional parking **WILL BE** utilized must be paved properly and to the satisfaction of Council and the correct ratio compatible to relaxation with regards to the Welkom Town Planning Scheme No.1 of 1980 .
  7. That, should there be services on the paved area (in front of the erf) that will be used for additional parking and a need for maintenance arise, this **WILL BE** for the account of the applicant.
  8. A site development plan shall be submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council’s prior written consent no deviation from the approval site development plan **SHALL BE** allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.



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9. The applicant must consult the Matjhabeng Municipal Infrastructure Directorate and determine that the area to be encroached on for off-site parking **SHALL NOT BE** required for municipal services before paving.
10. That the parking requirements off-site **WILL BE** dust free, paved and that the applicant will consult the Matjhabeng Municipal Infrastructure Directorate to ensure no services run through requested off-site parking before paving this area.
11. That should the Council wish to upgrade services that run along this parking, it **WILL BE** for the cost of the applicant to maintain this parking and reinstate it to its origin after being.
12. That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
13. The building **MUST BE** erected in line with the National Building Regulations and Standards Act of 1977.
14. That all stipulations and development controls of the Welkom Town Planning Scheme No. 1 of 1980 **BE ADHERED** to.

**MPT25/ 2018**

### **APPLICATION FOR THE REZONING OF ERF 24, ODENDAALSRUS.**

#### **PURPOSE OF THIS REPORT**

Maxim applies on behalf of the owner of Erf 24, Emerald Fern Property Investments for the rezoning of this Erf from “**General Business**” to “**General Residential**”.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

#### **DISCUSSION**

Mr. Molelekoa presented the item.

#### **IT IS RESOLVED (19 JULY 2018)**

1. That in terms of Section 16 (2) (a) of the Matjhabeng Municipal Land Use Planning By- Law (2) (a) (ii) rezoning of erf 24, Odendaalsrus from “**General Business**” to “**General Residential**” as stipulated in the Odendaalsrus Town Planning Scheme No.2 of 1981 in order to use the stand for the construction of block of flats, is approved **SUBJECT TO** the following conditions:

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- a). Only 14 units **WILL BE** allowed on the erf
  - b). The total coverage of all buildings **SHALL NOT** exceed 60%.
  - c). The maximum height **SHALL NOT** exceed two (2) storeys.
  - d). The minimum parking bays provided **SHOULD NOT** be less than 18.
  - e). A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council's prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - f). That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
- 2. Services **SHALL BE** provided to the units to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant.
  - 3. The building **MUST** comply with the National Building Regulations and Building Standards Act of 1977.
  - 4. That all stipulations and development controls of the Odendaalsrus Town Planning Scheme No. 2 of 1981 **BE COMPLIED** with.
  - 5. That the conditions as set out by the Lejweleputswa District Health Services must **BE ADHERED** to.
  - 6. That Municipal services account **WILL BE** paid up and up to date prior to the commencement of the new land use.

**MPT26 / 2018**

**APPLICATION FOR THE REZONING OF PORTION 1 OF ERF 33, ODENDAALSRUS.**

**PURPOSE OF THIS REPORT**

Maxim applies on behalf of the owner of Portion 1 of Erf 33, Odendaalsrus, Indian Summer Property Investments for the rezoning of this Erf from “**General Business**” to “**General Residential**”.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

## DISCUSSION

Mr. Molelekoa presented the item.

### IT IS RESOLVED (19 JULY 2018)

1. That in terms of Section 16 (2) (a) of the Matjhabeng Municipal Land Use Planning By- Law (2) (a) (ii) rezoning of Portion 1 of erf 33, Odendaalsrus from “**General Business**” to “**General Residential**” as stipulated in the Odendaalsrus Town Planning Scheme No.2 of 1981 in order to use the stand for the construction of block of flats, is approved **SUBJECT TO** the following conditions:
  - a). That only a maximum of 25 units **WILL BE** allowed on the erf.
  - b). The total coverage of all buildings **SHALL NOT** exceed 50%.
  - c). The maximum height **SHALL NOT** exceed two (3) storeys.
  - d). That the minimum parking spaces to be provided on the erf **WILL NOT BE** less than 33.
  - e). A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council’s prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - f). That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
2. Services **SHALL BE** provided to the units to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant.
3. The building **MUST COMPLY** with the National Building Regulations and Building Standards Act of 1977.
4. That all stipulations and development controls of the Odendaalsrus Town Planning Scheme No. 2 of 1981 **BE COMPLIED** with.

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5. The conditions put out by the Lejweleputswa District Health Services **MUST BE** adhered to.
6. That municipal services account **WILL BE** paid up and up to date prior to the commencement of the new land use.

**MPT27 / 2018**

## **APPLICATION FOR THE REZONING OF PORTION 1 OF ERF 36, ODENDAALSRUS.**

### **PURPOSE OF THIS REPORT**

Maxim applies on behalf of the owner of Portion 1 of Erf 36, Odendaalsrus, Lilac Sky Property Investments for the rezoning of this Erf from “**General Business**” to “**General Residential**”.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

### **DISCUSSION**

Mr. Molelekoa presented the item.

### **IT IS RESOLVED (19 JULY 2018)**

1. That in terms of Section 16 (2) (a) of the Matjhabeng Municipal Land Use Planning By- Law (2) (a) (ii) rezoning of Portion 1 of erf 36, Odendaalsrus from “**General Business**” to “**General Residential**” as stipulated in the Odendaalsrus Town Planning Scheme No.2 of 1981 in order to use the stand for the construction of block of flats, is approved **SUBJECT TO** the following conditions:
  - a). Only 4 units **SHALL BE** allowed on the erf.
  - b). The total coverage of all buildings **SHALL NOT** exceed 35%.
  - c). The maximum height **SHALL NOT** exceed three (2) storeys.
  - d). A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council’s prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - e). At least a minimum of 5 parking spaces **SHALL BE** provided on the erf.

- f) That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
2. Services **SHALL BE** provided to the units to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant.
3. The building **MUST COMPLY** with the National Building Regulations and Building Standards Act of 1977.
4. That all stipulations of the Odendaalsrus Town Planning Scheme No. 2 of 1981 **BE COMPLIED** with.
5. That the conditions put out by the Lejweleputswa District Health Services **MUST BE** adhered to.
6. That municipal services account **WILL BE** paid up and up to date prior to the commencement of the new land use.

**MPT28 / 2018**

**APPLICATION FOR THE REZONING OF THE REMAINDER OF ERF 36, ODENDAALSRUS.**

**PURPOSE OF THIS REPORT**

Maxim applies on behalf of the owner of Remainder of Erf 36, Odendaalsrus, Lilac Sky Property Investments for the rezoning of this Erf from “**General Business**” to “**General Residential**”.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr. Molelekoa present the item.

**IT IS RESOLVED (19 JULY 2019)**

1. That in terms of Section 16 (2) (a) of the Matjhabeng Municipal Land Use Planning By- Law (2) (a) (ii) rezoning of the Remainder of erf 36, Odendaalsrus from “**General Business**” to “**General Residential**” as stipulated in the Odendaalsrus Town Planning Scheme No.2 of 1981 in order to use the stand for the construction of block of flats, is approved **SUBJECT TO** the following

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conditions:

- a). Only 30 units **SHALL BE** allowed on the erf.
  - b). The total coverage of all buildings **SHALL NOT** exceed 60%.
  - c). The maximum height **SHALL NOT** exceed two (2) storeys.
  - d) That at least 30 parking spaces **SHALL BE** provided on the erf.
  - e). A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council's prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - f). That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
2. Services **SHALL BE** provided to the units to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant.
  3. The building **MUST COMPLY** with the National Building Regulations and Building Standards Act of 1977.
  4. That all stipulations of the Odendaalsrus Town Planning Scheme No. 2 of 1981 **BE COMPLIED** with.
  5. The conditions put out by the Lejweleputswa District Health Services **MUST BE** adhered to.
  6. That municipal services account **WILL BE** paid up and up to date prior to the commencement of the new land use.

**MPT29/ 2018**

### **APPLICATION FOR THE REZONING OF ERF 2355, ODENDAALSRUS.**

#### **PURPOSE OF THIS REPORT**

Maxim Planning Solutions applies on behalf of the owner of Erf 2355 Odendaalsrus, Shoaib and Fahmida Family Trust for the Rezoning of this Erf from “**Business Special 5**

**Hotel” to “General Business”** and Special Consent to use the first floor as residential units (Flats).

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

## DISCUSSION

Mr. Molelekoa presented the item.

### IT IS RESOLVED (19 JULY 2018)

That the application to rezone Erf 2355, from “**Business Special 5 Hotel**” to “**General Business**” and **Special Consent** to as stipulated in the Odendaalsrus Town Planning Scheme NO/1 of 1992 in order to use the stand for both residential on the first floor and business purposes on the ground floor, is approved **SUBJECT TO** the following conditions:

1. The total coverage of all buildings **MAY NOT** be increased from the current and existing coverage
2. Parking **WILL BE** provided as follows:
  - Flats: 1 per unit and one space per every 3 units for visitors.
  - Business: Street parking as it was but all deliveries must be on the erf at the back
3. Flats (residential units) **SHALL ONLY BE** allowed on other levels other than ground floor and offices, shops and or financial institutions (business purposes) shall only be allowed on the ground floor.
4. A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council’s prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
5. That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
6. Services **SHALL BE** provided to the building to the satisfaction and standards of the Matjhabeng Municipality by and at the cost of the applicant.

7. That Municipal services account **WILL BE** paid up and up to date prior to the commencement of the new land use.
8. The building **SHALL BE** in line with the National Building Regulations and Building Standards Act of 1977.
9. That all stipulations and development controls of the Odendaalsrus Town Planning Scheme No. 2 of 1981 **BE ADHERED** to.

**ME. Nkhasi excused herself as she had interest in the Item.**

**MPT 30 / 2018**

**APPLICATION FOR THE REZONING AND REMOVAL OF RESTRICTIVE TITLE CONDITIONS OF ERF 6851 JIM FOCHE PARK, WELKOM.**

**PURPOSE OF THIS REPORT**

Ms. Rose Nkhasi applies on behalf of the owner of Erf 6851 Jim Fouche Park, Welkom, for the Removal of restrictive title conditions, Rezoning from “**Special Residential**” to “**Residential General**” and consent use for one unit to be used as a “Guesthouse” of this Erf.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr. Molelekoa presented the item.

**IT IS RESOLVED (19 JULY 2019)**

That in terms of Section 16 (2)(a)(ii) the application for removal of restrictive title conditions and rezoning of erf 6851, Jim Fouche Park, Welkom from “**Special Residential**” to “**General Residential**” as stipulated in the Welkom Town Planning Scheme NO.1 of 1980 in order to use the stand for the construction of residential buildings **IS APPROVED**,

1. That in terms of Section 16 (2)(a)(iii) the removal of restrictive title conditions B (a), (b), (c), and (d) in respect of erf 6851 Jim Fouche Park, Welkom **IS APPROVED**;
2. That in terms of Section 16 (2)(b)(v) the consent to operate a “hotel”/guesthouse as indicated in the Welkom Town Planning Scheme No. 1 of 1980 whereby one unit will be used as a “guesthouse” is approved **SUBJECT TO** the following conditions:
3. Only 33 units per hectare **SHALL BE** allowed on the erf and only one unit of the



proposed units will be used as a “hotel/guesthouse”.

4. The total coverage of the guesthouse, including all additional bedrooms and outbuildings **SHALL NOT** exceed 50%
5. The maximum height **SHALL NOT** exceed two (2) storeys.
6. A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council’s prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - a) The display of any notice board, advertisement or sign **IS PROHIBITED** excepting a professional nameplate not exceeding 500 mm x 300 mm.
  - b) A minimum of eighteen (18) parking spaces **MUST BE** provided on the premises as indicated on site plan
  - c) Any act detrimental to the amenity and peacefulness of the surroundings **IS PROHIBITED.**
  - d) The owner of the business and his/her family **MUST** reside in the dwelling-house.
  - e) If meals are going to be served to guests staying in the guest house, an application for a business license to serve the meals **MUST BE** submitted to the Manager Spatial Planning, Room 427, One Reinet Building, Central Business Area, Welkom.
  - f) The maximum height of all buildings **SHALL NOT** exceed two (2) storeys.
  - g) The building **MAY ONLY BE** licensed for on-site consumption in terms of the Liquor Act, 1989 (Act 27 of 1989).”
7. That, if the demand for services (electricity, water, sewer, etc.) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
8. The building **MUST BE** erected in line with the National Building Regulations and Standards Act of 1977.
9. That all stipulations of the Welkom Town Planning Scheme No. 1 of 1980 **BE ADHERED TO.**

Me Nkhasi returned to the meeting.

MPT31/2018

**APPLICATION FOR SPECIAL CONSENT ON ERF 6913, NO 265 STATEWAY,  
JIM FOUCHE PARK, EXTENSION 10, WELKOM. (18/4/1/19) LED & SP**

**PURPOSE OF THE REPORT**

Ingqayi Design Economic Partnership applies for the special consent of the Municipal Planning Tribunal in order to use a portion of the house Erf 6913 Extension 10, Jim Fouche Park, Welkom for Educational Facility.

This report is submitted to the Matjhabeng Municipal Tribunal to resolve on the matter.

**DISCUSSION**

Mr Molelekoa presented the item

**IT IS RESOLVED (19 JULY 2018)**

1. In terms of Section 16 (2) (b) (v) and 3 (n) of the Matjhabeng Municipal Planning By- Law, 2015, and Section 10 of the Welkom Town Planning Scheme No. 1 of 1980, the application for Special Consent a portion of Erf 6913, Jim FouchePark, Extension 10, Welkom for educational facility is approved **SUBJECT TO** the following conditions:
  - (a) With the written consent of the City Council, follow a vocation or profession in his or her dwelling house provided that this **DOES NOT** entail any of the following:
    - i) The use of the residence as a shop, any industry or noxious industry, or
    - ii) the public display of goods either in a display window or by any other means, or
    - iii) the display of any notice board, advertisement or sign exceeding 500 x 300 mm, or
    - iv) any act detrimental to the amenity and peacefulness of the surroundings, or
    - v) the regular parking of vehicles with a mass in excess of 2000 kg on the site or in the street adjacent to the site, or
    - vi)

- vii) the employment of more than one partner and/or two (2) employees.
- (b) If any substantial objections are received against the manner in which the activity is conducted, the Council reserves **THE RIGHT** to terminate the consent without any claim for redemption.
- (c) Where the consent of the Council is obtained and not substantially implemented within one (1) year after the date of approval by the Council, or if development or usage of the building is interrupted for a period of one (1) year or more, the consent granted **SHALL LAPSE** automatically and cease to be valid without any claim for compensation.
- (d) The applicant **WILL BE** responsible for the provision of municipal services including water, sewer and electricity to the proposed development at his cost and to the satisfaction of the Matjhabeng Municipality.
- (e) That all the stipulations and development control of the Welkom Town Planning Scheme No. 1 of 1980 **BE ADHERED TO**.

**MPT32/ 2018**

**APPLICATION FOR THE SUBDIVISION OF ERF 6435 AND REZONING OF PROPOSED PORTION A, INDUSTRIAL WELKOM.**

**PURPOSE OF THIS REPORT**

Ingqayi Design Economic Partnership (IDEP) applies on behalf of the owner of Erf 6345, Welkom WELWAY HOLDINGS (Pty) Ltd for the Subdivision of the erf in question and rezoning of the proposed Portion A from General Industrial to “Special Business Defined 19: Public Garage and Shops”.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr. Molelekoa presented the item

**IT IS RESOLVED (25 JULY 2018)**

1. The Item is **REFERRED BACK** because all the documents was not attached to the Annexures.
2. The traffic impact study **WILL BE** sent by email to the members

3. The comments from BP and the Departments **WILL BE** circulate to members.
4. The Item **WILL BE** considered Saturday, 28 July 2018

**MPT 33 / 2018**

**APPLICATION FOR THE REZONING OF PORTION 19 ERF 4119, OBERON, BEDELIA, WELKOM.**

**PURPOSE OF THIS REPORT**

Ingqayi Design Economic Partnership applies on behalf of the owner of Portion 19 of Erf 4119, for the rezoning of this stand from “**Special Residential**” to “**General Residential**”.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr. Molelekoa presented the item.

**IT IS RESOLVED**

1. That in terms of Section 16 (2) (a)(iii) of the Matjhabeng Municipal Land Use Planning By- Law, 2015 rezoning of Portion 19 of Erf 4119, Oberon Street, Bedelia, Welkom from “**Special Residential**” to “**General Residential**” as stipulated in the Welkom Town Planning Scheme No.1 of 1980 in order to use the stand for the construction of rental units, is approved **SUBJECT TO** the following conditions:
  - a). Only 30 units per hectare **SHALL BE** allowed on the erf.
  - b). The total coverage of all buildings **SHALL NOT** exceed 50%.
  - c). The maximum height shall not exceed two (2) storeys.
  - d). A site development plan **SHALL BE** submitted for approval by the Council prior to the submission and approval of any building plans. Except with the Council’s prior written consent no deviation from the approval site development plan shall be allowed. No building shall be erected on the erf before the site development plan has been approved by the Council.
  - e). No individual dwelling unit in a group **MAY BE** sold before the subdivision of the erf for the particular phase has been finalised and all building and other

development designs have been approved and completed for the particular group.

- f). That, if the demand for services (electricity, water, sewer, etc) exceeds the capacity of the existing connections due to the proposed use and the services connections have to be enlarged, moved or altered, the costs thereof **SHALL BE** for the account of the applicant to the satisfaction and standards of the Matjhabeng Municipality.
2. The building **MUST BE** erected in line with the National Building Regulations and Building Standards Act of 1977.
3. That all stipulations and development controls of the Welkom Town Planning Scheme No. 1 of 1980 **BE ADHERED** to.

**MPT34 / 2018**

**APPLICATION FOR THE REMOVAL OF RESTRICTIONS AND REZONING OF ERF 1681 EXTENSION 2, WELKOM.**

**PURPOSE OF THE REPORT**

The firm Laubscher Slabbert and Brink applies on behalf of the owner of erf 1681, Doorn, Extension 2, for the removal of restrictive title conditions and the rezoning of erf 1681, Extension 2, Welkom from “**Special Residential**” to “**General Residential**” for the purpose of building seven residential units in the form of a residential building and the renovated existing garage.

The aim of the proposed development is to provide affordable and compact accommodation for individuals whom are looking to satisfy their basic needs in a well-established and secure neighbourhood. The proposed units can also be referred to as “bachelor’s flats” since each unit will include only a kitchen, one bedroom and a bathroom.

This report is submitted to the Matjhabeng Municipal Planning Tribunal to resolve on the matter.

**DISCUSSION**

Mr. Molelekoa presented the item.

**IT IS RESOLVED (25 JULY 2018)**

1. That the item **IS REFERRED** back.
2. The objectors **MUST BE** invited for a site inspection.

3. The onsite meeting **WILL BE** arranged for the 16 August 2018