ANNEXURE A.

Copy of Title Deed and Windeed Copy

TRANSPORTAKTE NR. T10186/2012

SUPERACE DEVELOPERS BK

ERF 18897 MOSSELBAAI

De Jager & Lordan
Prokureurs, Notariss, Aktebesorgers & Waardeerders
Attorneys, Notaries, Conveyancers & Valuers
POSBUS 1100
CON VIVIERSSTRAAT 32
BAYVIEW
HARTENBOS
6520

TELEFOON: 044 695 0342
TELEFAX: 086 511 0116

78

Fee endorsement		
	Amount	Office fee
Purchase price/Value	R 625 000,00	R 550,00
Mortgage capital Amount	R.....	R.....
Reason for exemption	Cat.....	Exempt i.t.o section.....Act.....

Sandenbergh Nel Haggard
Golden Isle
Durbanweg 281
Bellville
7530

Opgestel deur my

TRANSPORTBESORGER
FRANCIS CS

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE 7

DATA/CAPTURE
8 MAR 2012
MOLELEKI MAMOSA

DATA / VERIFY
12 MAR 2012
DEBRA TALJAARD

T 000010186 / 2012

TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

~~CHANTAL SHARON FRANCIS~~ JANINE FOUCHÉ

voor my verskyn het, REGISTRATEUR VAN AKTES te Kaapstad, sy die genoemde komparant synde behoorlik daartoe gemagtig deur 'n Volmag aan haar verleen deur

Die Likwidateurs van
PROUD HERITAGE PROPERTIES 196 BK (IN LIKWIDASIE)
Registrasienommer: 2009/154998/23
Nommer C398/2010

geteken te **JOHANNESBURG** op **19 SEPTEMBER 2011** en te **KAAPSTAD** op **28 OKTOBER 2011**.

En genoemde Komparant het verklaar dat haar prinsipaal die **Likwidateurs van Proud Heritage Properties 196 BK** op 24 Mei 2011, waarlik en wettiglik verkoop het per Openbare veiling, en dat sy, in haar voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

SUPERACE DEVELOPERS BK
Registrasienommer 1990/028150/23

diese Opvolgers in titel of Regverkrygendes , in volkome en vrye eiendom

ERF 18897 MOSSELBAAI
IN DIE MUNISIPALITEIT VAN MOSSELBAAI
AFDELING MOSSELBAAI, WES-KAAP PROVINSIE

GROOT: 6542 (SES DUISEND VYF HONDERD TWEE EN VEERTIG) Vierkante Meter

AANVANKLIK OORGEDRA en steeds gehou kragtens Transportakte Nr. T52338/2006 met Algemene Plan L.G. Nr. 5231/2005 wat daarop betrekking het.

A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T23254/1971.

B. Kragtens Notariële Akte Nr. K867/98S gedateer 23 Julie 1998 is die binnegemelde eiendom onderhewig aan 'n serwituut van reg van weg soos aangedui deur die figuur ABCD op serwituutkaart Nr LG 8165/1997 geheg aan bogemelde notariële akte ten gunste van Restant van Gedeelte 47 van die Plaas Vyf-Brakke-Fonteinen Nr. 220 in die Munisipaliteit en Afdeling Mosselbaai, Provinsie Wes-Kaap, Groot 92,8033 hektaar soos meer volledig sal blyk uit gesegde notariële akte.

(Die figuur A1Ca1b1 stel voor die padserwituut op Algemene Plan L.G No. 5231/2005).

C. Kragtens Notariële Akte Nr. 496/2000S is die restant van Gedeelte 109 van die plaas Vyf-Brakke-Fonteinen Nr. 220 groot 46,1472 hektaar gehou kragtens Sertifikaat van Verenigde Titel Nr. T18870/1987 ONDERHEWIG aan 'n serwituut van elektriese kragleiding ten gunste van die Munisipaliteit van Mosselbaai tesame met bykomende regte en onderhewig aan die voorwaardes soos volledig sal blyk uit die gesegde Notariële Akte met kaart wat daarop betrekking het.

(Die lyn ab stel voor die hartlyn van die serwituut van elektriese kragleiding op Kaart LG Nr. 5231/2005).

D. KRAGTENS Transportakte Nr. T41071/2000 is binnegemelde eiendom ONDERHEWIG aan die volgende voorwaardes opgelê deur die Suid-Afrikaanse Padraad in terme van Artikel 12 van Wet 54 van 1971 tydens goedkeuring van die onderverdeling van die eiendom:

(a) Met die uitsondering van die bestaande bouwerke mag geen bouwerk of enige iets anders hoegenaamd sonder die skriftelike goedkeuring van die

Suid-Afrikaanse Padraad (SAPR) binne 'n afstand van 20 meter, gemeet vanaf die nasionale padreserwegrens, opgerig word nie.

(b) Indien die grond of enige gedeelte daarvan met enige ander grond gekonsolideer word, gaan bovermelde voorwaarde oor op die gekonsolideerde titel van die grond.

(c) Geen direkte toegang of uitgang vanaf die Nasionale pad sal toegestaan word nie.

E. ONDERHEWIG aan die volgende voorwaardes opgelê deur die Suid-Afrikaanse Nasionale Padagentskap Beperk in terme van Wet 7 van 1998 met die onderverdeling van die restant van Gedeelte 254 van die Plaas Vyf-Brakkefonteinen No. 220 (Erf 18761 MOSSELBAAI) wat as volg lees:

1. Met die uitsondering van bestaande bouwerke, mag geen bouwerk of enigiets ander hoegenaamde sonder die skriftelike goedkeuring van Die Suid-Afrikaanse Nasionale Padagentskap Beperk binne 'n afstand van 20 meter, gemeet vanaf die nasionale padreserwegrens, opgerig word nie. (Welke boulyn verminder is tot 10 meter vanaf die nasionale pad-reserwegrens kragtens toestemming tot oorskryding deur die Nasionale Padagentskap gedateer 14 Februarie 2005).

2. 'n Permanente 2 meter hoë baksteenmuur of sekuriteitsheining moet opgerig word op die gemeenskaplike grens van die nasionale pad en die eiendom. Detail planne van die voorgestelde muur/sekuriteitsheining moet aan Die Suid-Afrikaanse Nasionale Padagentskap Beperk voorgelê word vir skriftelike goedkeuring.

3. Geen direkte toegang tot of uitgang vanaf bogenoemde eiendomme na die nasionale pad toegestaan sal word nie.

4. Die Suid-Afrikaanse Nasionale Padagentskap Beperk sal nie aanspreeklik gehou word vir enige skade of waardevermindering van die eiendom wat voortspruit uit enige impak wat die ontwikkeling wat hiermee goedgekeur word mag hê op die huidige stormwater dreinering van die eiendom. Die Suid-Afrikaanse Nasionale Padagentskap Beperk behou die reg voor om enige voorwaardes in hierdie verband neer te lê wat redelik geag word onder die omstandighede, indien nodig.

5. Die Suid-Afrikaanse Nasionale Padagentskap Beperk sal nie in die toekoms aanspreeklik gehou word nie vir enige geraas wat ontstaan van die nasionale pad indien dit 'n probleem skep vir enige ontwikkeling langs die nasionale pad, en òf die ontwikkelaar en òf die grondeienaar òf plaaslike owerheid sal derhalwe verantwoordelik wees om die nodige stappe te neem om die geraas waaroor gekla word te verminder.

F. ONDERHEWIG aan die volgende voorwaardes opgelê deur die Suid Afrikaanse Nasionale Padagentskap Beperk met die toestemming vir die oorskryding van die boulyn en onderverdeling van Restant Gedeelte 254 van die Plaas Vyf-Brakkefonteinen No. 220 (ERF 18761 MOSSELBAAI) wat as volg lees:

1. BOUBEPERKINGSGEBIED

1.1 Die bouwerke mag op 'n afstand van minstens 10 meter, gemeet vanaf die nasionale padreserwegrens opgerig word.

1.2 Die ontwikkelaar moet detail planne van 'n 2 meter hoë sekuriteitsheining of muur, wat op die gemeenskaplike grens van die nasionale pad en die eiendom opgerig moet word, aan Die Suid-Afrikaanse Nasionale Padagentskap Beperk voorlê vir goedkeuring.

2. GELDIGHEIDSTYDPERK

2.1 Hierdie goedkeurinjhg verval-

- tensy die bouwerk binne 'n tydperk van ses (6) maande, gereken vanaf die datum waarop Die Suid-Afrikaanse Nasionae Padagentskap Beperk sodanige goedkeuring verleen het, voltooi is, met dien verstande dat die applikant voor die vervaldatum 'n skriftelike aansoek by Die Suid-Afrikaanse Nasionale Padagentskap Beperk mag indien vir die verlenging van die voltooiingsdatum; en

- indien die applikant enige van die voorwaardes soos hierin deur Die Suid-Afrikaanse Nasionale Padagentskap Beperk opgelê, nie nakom nie.

3. AANSPREEKLIKHEID

Indien enige skade veroorsaak word aan die nasionale pad of 'n gebruiker daarvan of eiendom, as 'n gevolg van die oprigting, gebruik of verwydering van die bouwerke wat opgerig of gevestig is deur die applikant op die terrein, sal die applikant aanspreeklik wees vir die skade en enige eise van 'n derde party moet vergoed.

4. KOSTE EN VRYWARING

4.1 Die Suid-Afrikaanse Nasionale Padagentskap Beperk is by geen uitgawe in verband met die oprigting van die bouwerke betrokke nie en is ook nie verantwoordelik of aanspreeklik nie vir enige geldelike verlies of uitgawe, indien Die Suid-Afrikaanse Nasionale Padagenskap Beperk die verwydering of verskuiwing of verlegging van enigiets wat met hierdie goedkeuring in verband staan gelas. Hierdie verwyderingsklousule sal in die titelakte van die betrokke eiendomme opgeneem word, ingevolge Artikel 48 van die Wet op Die Suid-Afrikaanse Nasionale Padagentskap Beperk en op Nasionale Paaie, 1998.

4.2 Die applikant of sy opvolger-in-titel vrywaar Die Suid-Afrikaanse Nasionale Padagentskap Beperk teen, en stel hom vry van enige eis of skade voortspruitend uit die moontlike verbreding van die nasionale pad in die toekoms, of skade wat mag ontstaan of gely word deur enige ander persoon, insluitende regskoste, as gevolg van die oprigting, gebruik of verwydering van die bouwerke of enige ander werk deur die applikant op die terrein opgerig, of as gevolg van die applikant of sy opvolger-in-titel se versuim om enigiets hoegenaamd wat met hierdie goedkeuring in verband staan, insluitende ander werke behoorlik in stand te hou en te beveilig, of as gevolg van die nienakoming deur die applikant van enige voorwaardes wat op hierdie goedkeuring betrekking het, of as gevolg van die verval van die goedkeuring.

GhostConvey 13.6.5.5

4.3 Die Suid-Afrikaanse Nasionale Padagentskap Beperk aanvaar geen finansiële verantwoordelikheid of aanspreeklikheid nie vir enige eis van die applikant wat mag ontstaan as gevolg van die verval van die goedkeuring.

5. BYKOMSTIGE WETSBEPALINGS

5.1 Hierdie goedkeuring bind enige opvolger-in-titel tot die grond waarop die bouwerke opgerig is.

5.2 Enige handeling van die applikant met die doel om die bouwerke daar te stel, word geag 'n aanvaarding en nakoming van die voormelde voorwaardes te wees, met insluiting van die vrywaring.

5.3 Hierdie goedkeuring stel die applikant nie vry van enige ander wetsbepaling nie.

GhostConvey 13.6.5.5

WESHALWE die komparant afstand doen van al die regte en titel wat

Likwidateurs van Proud Heritage Properties 196 BK

voorheen op genoemde eiendom gehad het, en gevolglik ook erken het dat dit geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

SUPERACE DEVELOPERS BK Registrasienommer 1990/028150/23

diese Opvolgers in titel of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken dit dat die verkoopprys die bedrag van **R625 000,00 (Ses Honderd Vyf en Twintig Duisend Rand)** beloop.

TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

ALDUS GEDOEN EN VERLY op die Kantoor van die REGISTRATEUR VAN AKTES te Kaapstad op

q.q.

In my teenwoordigheid

REGISTRATEUR VAN AKTES

Printed: 2016/07/26 12:41

Deeds Office Property

windeed
information is our business

MOSSEL BAY, 18897, 0 (CAPE TOWN)

GENERAL INFORMATION

Deeds Office	CAPE TOWN
Date Requested	2016/07/26 12:41
Information Source	DEEDS OFFICE
Reference	POT 16-563

PROPERTY INFORMATION

Property Type	ERF
Erf Number	18897
Portion Number	0
Township	MOSSEL BAY
Local Authority	MOSSEL BAY MUN
Registration Division	MOSSEL BAY RD
Province	WESTERN CAPE
Diagram Deed	T52338/2006
Extent	6542.0000SQM
Previous Description	-
LPI Code	C05100070001889700000

OWNER INFORMATION

Owner 1 of 1

Company Type	CLOSE CORPORATION
Name	SUPERACE DEVELOPERS C C
Registration Number	199002815023
Title Deed	T10186/2012
Registration Date	2012/03/06
Purchase Price (R)	625,000
Purchase Date	2011/05/24
Share	
Microfilm Reference	
Multiple Properties	NO
Multiple Owners	NO

ENDORSEMENTS (1)

#	Document	Institution	Amount (R)	Microfilm
1	GENERAL PLAN FROM	TOWN MOSSEL BAY ,ERF 18761 ,PRTN 0	UNKNOWN	

HISTORIC DOCUMENTS (5)

#	Document	Owner	Amount (R)	Microfilm
1	B69894/2006	-	UNKNOWN	2006 1764 1991
2	T78808/2002	WALT FRANCOIS JEAN VAN DER	G/P	2002 0755 1668
3	T78808/2002	HENNING PETRUS JOHANNES	G/P	2002 0755 1668
4	T52338/2006	PROUD HERITAGE PROP 196 PTY LTD	2,700,000	2006 1764 1966
5	T52338/2006	PROUD HERITAGE PROP 196 C C	2,700,000	2006 1764 1966

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ANNEXURE B.

Power of Attorney & Company Resolution

SPECIAL POWER OF ATTORNEY

We, BAREND DANIËL UYS

the undersigned,

do hereby nominate, constitute and appoint
THE AUTHORISED AGENTS OF MARIKE VREKEN TOWN & REGIONAL PLANNERS CC and duly authorised employees of Marike Vreken Town Planners CC
with power of Substitution to be *my/our lawful representatives in *my/our application for:

REZONING & DEPARTURE

on

MOSSEL BAY ERF 18897

In addition to apply for such amendments of any zoning schemes / structure plans as may be deemed necessary and to make other necessary application and further to represent *me/us at any inquiry in relation to the abovementioned matters and generally do whatever may be necessary or desirable to procure the approval of the application, by virtue of those present and whatever our said representative have to date done herein.

Signed at MOSSEL BAY on this 28th day of JUNE 2017

SIGNED:

SIGNED:

SIGNED:

In the presence of the undersigned witnesses:

AS WITNESSES:

1.

2.

SUPERACE DEVELOPERS CC
Reg No 199002815023

(Name of Company, Partnership, Trust or Close Corporation)

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in MOSSEL BAY on the 27TH day of JUNE 2017.

Resolved that B.D. UYS in his capacity as MEMBER, be and is hereby authorized to do whatever may be necessary to give effect to this resolution and to enter into and to sign such documents necessary to proceed with the applications as specified hereunder on behalf of the Company/ Partnership/ Trust/ Close Corporation with such modification as he/ she in his/ her sole discretion shall deem fit, his/ her signature to be conclusive proof that the documents which bear it are authorised in terms hereof.

DESCRIPTION OF PROPERTY:

MOSSEL BAY ERF 18897

NATURE OF APPLICATION:

REZONING & DEPARTURE

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:	SIGNATURE:
B.D. UYS	

ANNEXURE C.

Pre-Application Consultation Form

A

MOSSEL BAY MUNICIPALITY
P O Box 25
Mossel Bay
6500

Tel No: +27(44) 606 5000
Faks No: +27(44) 606 5062
e-mail: admin@mosselbay.gov.za
www.mosselbaymun.co.za

FOR OFFICE USE ONLY Municipal stamp (RECORDS): SCAN/COLLAB/FILE NO:
Pre-application for:

_____
_____
_____
_____
_____
_____

PRE-APPLICATION FORM FOR LAND DEVELOPMENT

KINDLY NOTE:

- This Pre-Application form must be submitted prior to the submission of a Land Use Application in terms of Section 15 of the Mossel Bay Municipality: By-Law on Municipal Land Use Planning, 2015.
- The applicant will be informed if a pre-application consultation will be required in terms of Section 37 of the said By-Law after receipt of this application form.

PART A: APPLICANT DETAILS

First name(s)	Marike Vreken Town Planners CC Marike		
Surname	Vreken		
Email	marike@vreken.co.za	Tel/Cell	044-382-0420/ 802-927-5310
Postal Address	21 Trotter Street Knysna 6570		

PART B: PROPERTY DETAILS

Erf Number, Suburb & Town / Portion & Farm Number	Current Zoning	Extent	Name of Registered owner(s)
MOSSEL BAY ERF 18897	Group Housing Zone	6542m²	Mossel Bay Municipality

Physical Address / Locality of Farm:
Mossel Bay Erf 18897 is located within the Island View area, within Mossel Bay.

Refer to the attached locality plan.

	Y	N
Are there existing buildings on the subject property(ies)?	☐	☒
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?	☐	☒
If yes, is this application to legalize the building/ land use?	☐	☒
Are there any pending court case(s)/ order(s) relating to the subject property(ies)?	☐	☒
Are there any land claim(s) registered on the subject property(ies)?	☐	☒

PART C: WHAT LAND USE PLANNING APPLICATIONS ARE REQUIRED IN TERMS OF SECTION 15 OF THE MOSSEL BAY BY-LAW ON MUNICIPAL LAND USE PLANNING, 2015?

Tick	Type of application		Cost
☒	2(a)	a rezoning of land;	R 1750-00
☒	2(b)	a permanent departure from the development parameters of the zoning scheme;	R1270-00 (R 640-00 for building line relaxation application)
☐	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R 1270-00 (R 800-00 for house shop application)
☐	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R 1270-00 (+ R60 / erf above 10 erven)
☐	2(e)	a consolidation of land that is not exempted in terms of section 24;	R0-00*
☐	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R1750-00
☐	2(g)	a permission required in terms of the zoning scheme;	R0-00*
☐	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R 1750-00
☐	2(i)	an extension of the validity period of an approval;	R 870-00
☐	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R0-00*

☐	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R1270-00
☐	2(l)	a permission required in terms of a condition of approval;	R0-00*
☐	2(m)	a determination of a zoning;	R0-00*
☐	2(n)	a closure of a public place or part thereof;	R0-00*
☐	2(o)	a consent use contemplated in the zoning scheme;	R 1000-00
☐	2(p)	an occasional use of land;	R0-00*
☐	2(q)	to disestablish a home owner's association;	R0-00*
☐	2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R0-00*
☐	2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.	R0-00*
*Fees to be determined for financial year 2016/2017			

PART D: DETAILS OF PROPOSAL

BACKGROUND

Mossel Bay Erf 18897 is located within the Island View area, is 6542m² in extent and currently zoned as Group Housing Zone.

THE APPLICATION

In order to develop flats on this property, the currently approved General Plan as to be withdrawn and the property has to be rezoned to "General Residential Zone" in terms of the Mossel Bay Zoning Scheme Regulations.

The area where Erf 18897 is located, is located inside the Mossel Bay urban edge and earmarked for residential development. The new draft Mossel Bay SDF proposes that the Aalwyndal area be encouraged as the future development area for Mossel Bay. Because this area is located near the business area (Langeberg Mall) and other urban areas, this area is earmarked for densification and intensification.

SITE DEVELOPMENT PLAN

SPESIFICATIONS

The proposed development adheres to the Standard Draft Zoning By-Law (June 2017) - (Residential III – Flats).

Height – 12m

Toegelaat

Erf grote	6542	60%	3925,2	dekking
		1	6542	vloer faktor

Aantal parkeuring benodig

1,25	75	93,75

Voorsien

Woonstelle	75
Motorhuise	40
Oopparkeuring	54
Totaal parkeuring	94
Voet print	1783,488
vloer faktor	6494,406

PART E: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING PRE-APPLICATION FOR LAND DEVELOPMENT

KINDLY NOTE:

- The following documentation must be attached to this application form (tick the relevant square).
- Please provide reasons if any of the documents listed below have been omitted.
- The Municipality may request any other information deemed necessary for the purpose of this application.
- Incomplete applications will not be accepted by the Municipality.

Information and documentation required:	Y	N	If not attached, please provide reasons:
Locality plan	☒	☐	
Layout Plan of proposal	☒	☐	
Full copy of the title deed	☒	☐	No title deed available yet (Windeed Attached)
Other (Specify):	☐	☐	

SECTION F: DECLARATION

I hereby confirm that the information contained in this pre-application form and accompanying documentation is complete and correct.

Applicant's signature: _____ Date: 29 June 2016

Full name: HENDRIKA MARIA VREKEN

FOR OFFICE USE ONLY

Municipal Stamp

Received by:

	_____

Printed: 2016/07/26 12:41

Deeds Office Property

windeed
information is our business

MOSSEL BAY, 18897, 0 (CAPE TOWN)

GENERAL INFORMATION

Deeds Office	CAPE TOWN
Date Requested	2016/07/26 12:41
Information Source	DEEDS OFFICE
Reference	POT 16-563

Activated SearchInsure Activated

PROPERTY INFORMATION

Property Type	ERF
Erf Number	18897
Portion Number	0
Township	MOSSEL BAY
Local Authority	MOSSEL BAY MUN
Registration Division	MOSSEL BAY RD
Province	WESTERN CAPE
Diagram Deed	T52338/2006
Extent	6542.0000SQM
Previous Description	-
LPI Code	C05100070001889700000

OWNER INFORMATION

Owner 1 of 1

Company Type	CLOSE CORPORATION
Name	SUPERACE DEVELOPERS C C
Registration Number	199002815023
Title Deed	T10186/2012
Registration Date	2012/03/06
Purchase Price (R)	625,000
Purchase Date	2011/05/24
Share	
Microfilm Reference	
Multiple Properties	NO
Multiple Owners	NO

ENDORSEMENTS (1)

#	Document	Institution	Amount (R)	Microfilm
1	GENERAL PLAN FROM	TOWN MOSSEL BAY ,ERF 18761 ,PRTN 0	UNKNOWN	

HISTORIC DOCUMENTS (5)

#	Document	Owner	Amount (R)	Microfilm
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4	T52338/2006	PROUD HERITAGE PROP 196 PTY LTD	2,700,000	2006 1764 1966
5	T52338/2006	PROUD HERITAGE PROP 196 C C	2,700,000	2006 1764 1966

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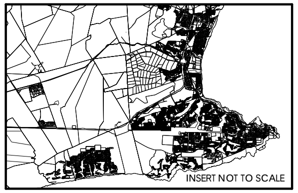
PLAN 1

MOSSEL BAY
ERF 18897

LOCALITY PLAN



N

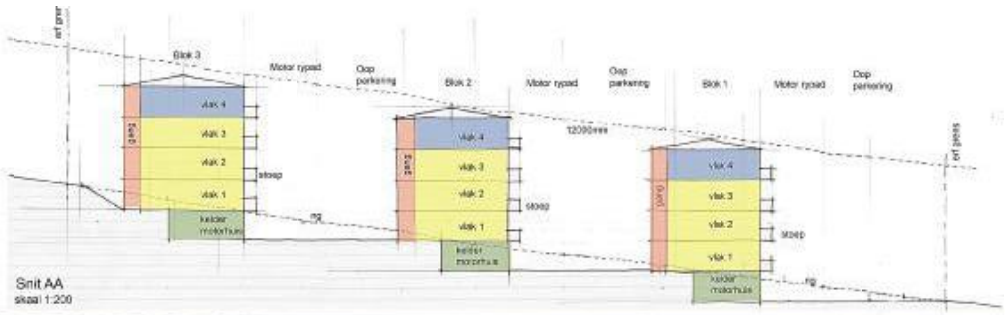
SCALE 1:5 000

Graphic Scale

100m 50m 0 50m 75m 100m

Marike Vreken
STADS & OMGEWINGSBEPLANNERS
URBAN & ENVIRONMENTAL PLANNERS

21 Trotter Street, PO Box 2180
KNYSNA 6570
(044) 382 0420
086 459 2987
e-mail: marike@vreken.co.za
www.vreken.co.za



Snit AA
skaal 1:200

Leefeenheid
skaal 1:50

Terrein ontwikkelingsplan
skaal 1:200

Nuwe voorgestelde woonstel blok, op erf 18897,vir Mnr. Barend Uys tek nr. 16014_K_2100 rev 003

PROVINCIAL NOTICE

MOSSEL BAY MUNICIPALITY

ZONING SCHEME BY-LAW

P. N. xxx../2017 (insert date 2017)

The Municipality of Mossel Bay hereby publishes the Mossel Bay Municipality Zoning Scheme By-Law as set out below in terms of Section 156 of the Constitution of the Republic of South Africa, 1996, the Mossel Bay Municipality, enacts as follows:-

SCHEDULE

STANDARD DRAFT ZONING SCHEME BY-LAW

To regulate and control municipal zoning.

ARRANGEMENT OF SECTIONS AND SCHEDULES

CHAPTER 1

INTERPRETATION

Sections

1. Definitions

CHAPTER 2

ZONING SCHEME, USE ZONES AND USES

2. Application of zoning scheme
3. Purpose of zoning scheme
4. Components of zoning scheme
5. Use zones
6. Zoning scheme map
7. Transition to new use zones and savings
8. Rectification of errors on zoning scheme map
9. Zoning scheme register
10. Primary uses
11. Consent uses
12. Temporary departures for specific occasions
13. Non-conforming uses
14. Deemed zoning of closed public places

DRAFT

1	2	3
Zoning	**Primary use**	**Consent use**
General Residential Zone III (GRZIII)		
The objective of this zone is to promote higher density residential development. The dominant use within this zone must be residential, but limited mixed-use development is possible with the Municipality's consent. This zone has particular location requirements, including proximity to transport and amenities, and should not be randomly located without due consideration of the availability of open space and community facilities.	**Primary use** • Flats	**Consent uses** • Backpackers' lodge • Boarding house • Convenience shop • Home occupation • Renewable energy structure • Retirement resort
General Residential Zone IV (GRZIV)		
The objective of this zone is to provide a temporary residence for transient guests in an appropriately scaled establishment that may include a small conference/ training facility that also caters for business meetings and where lodging and meals are provided.	**Primary use** • Guest lodge	**Consent uses** • Backpackers' lodge • Restaurant
General Residential Zone V (GRZV)		
The objective of this zone is to provide a temporary residence for transient guests, where lodging and meals are provided, and may include a restaurant and conference facilities. Outside towns it should only be considered in identified tourism areas or within resorts.	**Primary use** • Hotel	**Consent uses** • Backpackers' lodge • Gambling place • Renewable energy structure • Shop

DRAFT

(a) **"*farmers' market*"** means a predominantly fresh food market where farmers and food producers sell, directly to consumers, farm-origin and associated value-added specialty foods and plant products including—

(i) primary food products;
(ii) seafood, game and foraged foods;
(iii) value-added foods;
(iv) speciality food products;
(v) garden inputs; and
(vi) small livestock;

(b) A farmers' market–

(i) operates regularly within a community;
(ii) is located at a focal public location that provides a suitable environment for farmers to conduct trade;
(iii) typically consists of booths, tables or stands, outdoors or indoors, where farmers sell farm produce, meats, and sometimes prepared foods and beverages; and
(iv) may include:
(aa) a subservient component of stalls for the sale of locally produced handmade crafts and arts; and
(bb) live family entertainment, outdoor recreation activities and children's play area.

Development parameters:
The development parameters applicable to "agriculture", apply, together with the following additional parameters:

(a) the Municipality may stipulate conditions with regard to the layout, building design, open space, landscaping, parking, access and environmental management; and
(b) the development must occur in accordance with an approved site development plan.

"flats"

Land use description: *"flats"* means a building containing three or more dwelling units of which at least one does not have a ground floor, together with such outbuildings, open space and private roads as are ordinarily associated with flats and includes a rooftop base telecommunication station.

Development parameters:

(a) **Coverage**
The maximum coverage is 60%.

(b) **Floor factor**
The floor factor may not exceed 1.

(c) **Height**
(i) The highest point of a building may not exceed 12 metres to the top of the roof.
(ii) The general provisions regarding earth banks and retaining structures in this By-law apply.

(d) **Building lines**
(i) The street building line is at least 5 metres.
(ii) Side and rear building lines are at least 4,5 metres.
(iii) The general building line encroachments in this By-law apply.

(e) **Parking and access**
Parking and access must be provided in accordance with this By-law.

(f) **Screening**
The Municipality may require screening in accordance with this By-law.

(g) **Site development plan**
The Municipality may require a site development plan to be submitted for its approval.

DRAFT

ANNEXURE D.

Application Form

B

MOSSEL BAY MUNICIPALITY
P O Box 25
Mossel Bay
6500

Tel No: +27(44) 606 5000
Faks No: +27(44) 606 5062
e-mail: admin@mosselbay.gov.za
www.mosselbaymun.co.za

FOR OFFICE USE ONLY Municipal stamp (RECORDS): SCAN/COLLAB/FILE NO:
Application for:

_____
_____
_____
_____
_____

NeoLMS Ref:

LAND USE PLANNING APPLICATION FORM
IN TERMS OF SECTION 15 OF THE MOSSEL BAY BY-LAW ON MUNICIPAL LAND USE PLANNING, 2015

KINDLY NOTE:

- The complete application form together with all the required information and documentation as listed in Part F of the application form must be submitted in duplicate (2).
- Application fees are non-refundable and must be paid on date of submission.
- The applicant is responsible for the Public Participation Process in consultation with the relevant municipal official as per the How-to Guide for Public Participation Process.
- The applicant is liable for all costs related to the Public Participation Process including advertisement costs in respect of publication of the application.

PART A: APPLICANT DETAILS

First name(s)	Marike Vreken Town Planners CC Marike		
Surname	Vreken		
South African Council for Planners (SACPLAN) registration number *(if applicable)*	Pr. Pln 1101		
Company name *(if applicable)*	Marike Vreken Town Planners CC		
Postal Address	P.O. Box 2180		
	Knysna	Postal Code	6570
Email	marike@vreken.co.za		
Tel 044-382-0420		Cell	802-927-5310

PART B: LAND USE PLANNING PRE-APPLICATION CONSULTATION

Has there been a pre-application consultation?	Y		If yes, attach the minutes of the pre-application consultation.

PART C: PROPERTY DETAILS (in accordance with title deed)					
Erf Number, Suburb & Town / Portion & Farm Number	Physical Address / Locality of Farm	Name of Registered Owner(s)	Current Zoning	Current Land Use	Extent m²/ha
Erf 18897 Mossel Bay in the Municipality and Division of Mossel Bay, Province of the Western Cape	Mossel Bay Erf 18897 is located within the Island View area, Mossel Bay, within the existing urban fabric. The Island View area is situated west of the N2 and south of the Aalwyndal bypass. Further east of the property is the Langeberg Mall.	SUPERACE DEVELOPERS CC No. 199002815023	Group Housing Zone	Vacant	6542m²

PART D: DETAILS OF PROPOSAL

Brief description of proposal only (Attach a detailed written motivation*):

Mossel Bay Erf 18897 is located within the Island View area, Mossel Bay. The subject property is approximately 6542m² in extent and is currently zoned as 'Group Housing Zone' in terms of the Mossel Bay Zoning Scheme Regulations.
The owner of the subject property wishes to develop flats on this property. In order to obtain land use rights for the proposed development, the property has to be rezoned to "General Residential Zone" in terms of the Mossel Bay Zoning Scheme Regulations.
The area where Erf 18897 is located, is located inside the Mossel Bay urban edge and earmarked for residential development. The new Mossel Bay SDF proposes that the Aalwyndal area be encouraged as the future development area for Mossel Bay. Because this area is located near the business area (Langeberg Mall) and other urban areas, this area is earmarked for densification and intensification.

i. The rezoning of Mossel Bay Erf 18897 from "Group Housing Zone" to "General Residential Zone" in order to allow for the development of (75) x flats in terms of Section 15(2)(a) of Mossel Bay Municipality Standard By-Law on Municipal Land Use Planning.

ii. A permanent departure to allow a coverage of 60% to allow for the development of flats in terms of Section 15(2)(b) of Mossel Bay Municipality Standard By-Law on Municipal Land Use Planning.

iii. A permanent departure to allow a 4,5m lateral/rear building line to allow for the development of flats in terms of Section 15(2)(b) of Mossel Bay Municipality Standard By-Law on Municipal Land Use Planning.

iv. A permanent departure to allow a maximum height of 12m to allow for the development of flats in terms of Section 15(2)(b) of Mossel Bay Municipality Standard By-Law on Municipal Land Use Planning.

A written motivation for an application should be based on the criteria referred to in section 65 of the said legislation, namely:

- *Desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding desirability of proposed land uses. (The following is especially important: the influence of the proposal on the existing character of the area and rights of residents with regard to property values, privacy, view, sunlight, etc. and the influence of the proposal on surrounding facilities such as schools, open spaces and other community facilities if the application leads to an increase in the residents of the area).*
- *Investigations carried out in terms of other laws that are relevant to the consideration of the application.*
- *The impact of the proposed land development on municipal engineering services including influence on traffic and/or parking of the area.*
- *Applicable policies of the Municipality that guide decision making.*
- *Applicable provisions of the zoning scheme.*
- *Consideration of the following forward planning documents: Integrated Development Plan (IDP), including the Spatial Development Framework (SDF) for the Municipality; IDP and SDF for the District Municipality, where applicable; Applicable local SDF adopted by the Municipality; Applicable Structure Plans; Provincial SDF; and Regional SDF in Section 18 of SPLUMA and LUPA or provincial regional SDF.*
- *Policies, principles and planning and development norms and criteria set by the National and Provincial Government.*
- *Land development principles as referred to in Section 42 of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA).*

PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 OF THE MOSSEL BAY BY-LAW ON MUNICIPAL LAND USE PLANNING, 2015 AND APPLICATION FEES PAYABLE			
Tick	Type of application		Cost
☒	2(a)	rezoning of land;	R 1750-00
☒	2(b)	permanent departure from the development parameters of the zoning scheme;	R1270-00 (R 640-00 for building line relaxation application)
☐	2(c)	departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R 1270-00 (R 800-00 for house shop application)
☐	2(d)	subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R 1270-00 (+ R60 / erf above 10 erven)
☐	2(e)	consolidation of land that is not exempted in terms of section 24;	R 0-00*
☐	2(f)	removal, suspension or amendment of restrictive conditions in respect of a land unit;	R1750-00
☐	2(g)	permission required in terms of the zoning scheme;	R 0-00*
☐	2(h)	amendment, deletion or imposition of conditions in respect of an existing approval;	R 1750-00
☐	2(i)	extension of the validity period of an approval;	R 870-00
☐	2(j)	approval of an overlay zone as contemplated in the zoning scheme;	R 0-00*
☐	2(k)	amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R1270-00
☐	2(l)	permission required in terms of a condition of approval;	R 0-00*
☐	2(m)	determination of a zoning;	R 0-00*
☐	2(n)	closure of a public place or part thereof;	R 0-00*
☐	2(o)	consent use contemplated in the zoning scheme;	R 1000-00
☐	2(p)	occasional use of land;	R 0-00*
☐	2(q)	disestablish a home owner's association;	R 0-00*
☐	2(r)	rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R 0-00*
☐	2(s)	permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.	R 0-00*
Fees to be determined for financial year 2016/2017		TOTAL:	R3020

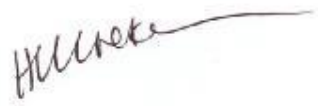
PART F: SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION		
KINDLY NOTE: · The following documentation must be attached to this application form. · The Municipality may request any other information deemed necessary for the purpose of this application. · Incomplete applications will not be accepted by the Municipality.		
YES	NO	
☒	☐	Power of attorney if applicant is not owner
☒	☐	Written motivation
☒	☐	Locality plan
☒	☐	Layout Plan

PART F (CONTINUED):		
YES	NO	
☒	☐	Full copy of the title deed
☒	☐	S.G. diagram / General plan extract (download at: http://csg.dla.gov.za/esio/searchindex.htm)
☐	☐	Bondholder's consent (if applicable) – N/A
☐	☐	Conveyancer's certificate (if applicable) – N/A
☐	☐	Home owner's association consent / proof of failure of Home owner's association (if applicable) - – N/A
☐	☐	Any additional documents or information identified in the pre-application consultation minutes (if applicable)) – N/A
☐	☐	Proof of lawful use right (if applicable)) – N/A
☐	☐	Copy of original approval letter (if applicable)) – N/A
☐	☐	Other) – N/A
Please provide reasons if any of the documents listed above have been omitted:		

SECTION G: DECLARATION

I hereby wish to confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of Section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and (where applicable) that a copy of the relevant power of attorney or consent are attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. That this submission includes all necessary land use planning applications required to enable the development proposed herein.
6. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
7. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services are payable by the applicant as a result of the proposed development.
8. I am aware that I am fully responsible for ensuring that Public Participation Process is carried out in accordance with the How-to Guide for Public Participation Process and that I will bear all related costs.

Applicant's signature:  Date: 2017-07-14

Full name: HENDRIKA MARIA VREKEN

FOR OFFICE USE ONLY	
Municipal Stamp	Received by: _____

ANNEXURE E.

Copy of Old Approved Layout

ITEKENINGSGEBIED VAN MOSSELBAAI

ALGEMENE PLAN NO. 1950/2012

VAN

ONDERVERDELING VAN ERF 15887, MOSSELBAAI

VIR ~~ALGEMENE PLAN VIR ONDERVERDELING~~ KAART No.1950/2012

SLUITING OP LAND GENOMMER 20622 tot 20647

GELEE IN DIE MUNISIPALITEIT EN

ADMINISTRATIEWE DISTRIK MOSSELBAAI

PROVINSIE VAN DIE WES KAAP

SKAAL 1: 250

CDR

ENDOSSEMENTE

L.G. KANTOORKOPIE

KOORDINATE

BUITEGRENS

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X85	- 88 [illegible]	+	80 [illegible]	
X86	- 88 [illegible]	+	80 [illegible]	

NUWE GRENSMERKE

A-NB	- 88 306,03	+	80 634,05
[illegible]	[illegible]	+	[illegible]
A-NC	- 88 332,37	+	80 [illegible]
A-NS	[illegible]	+	[illegible]

ONDERVERDEELDE GRENS

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SPATTES

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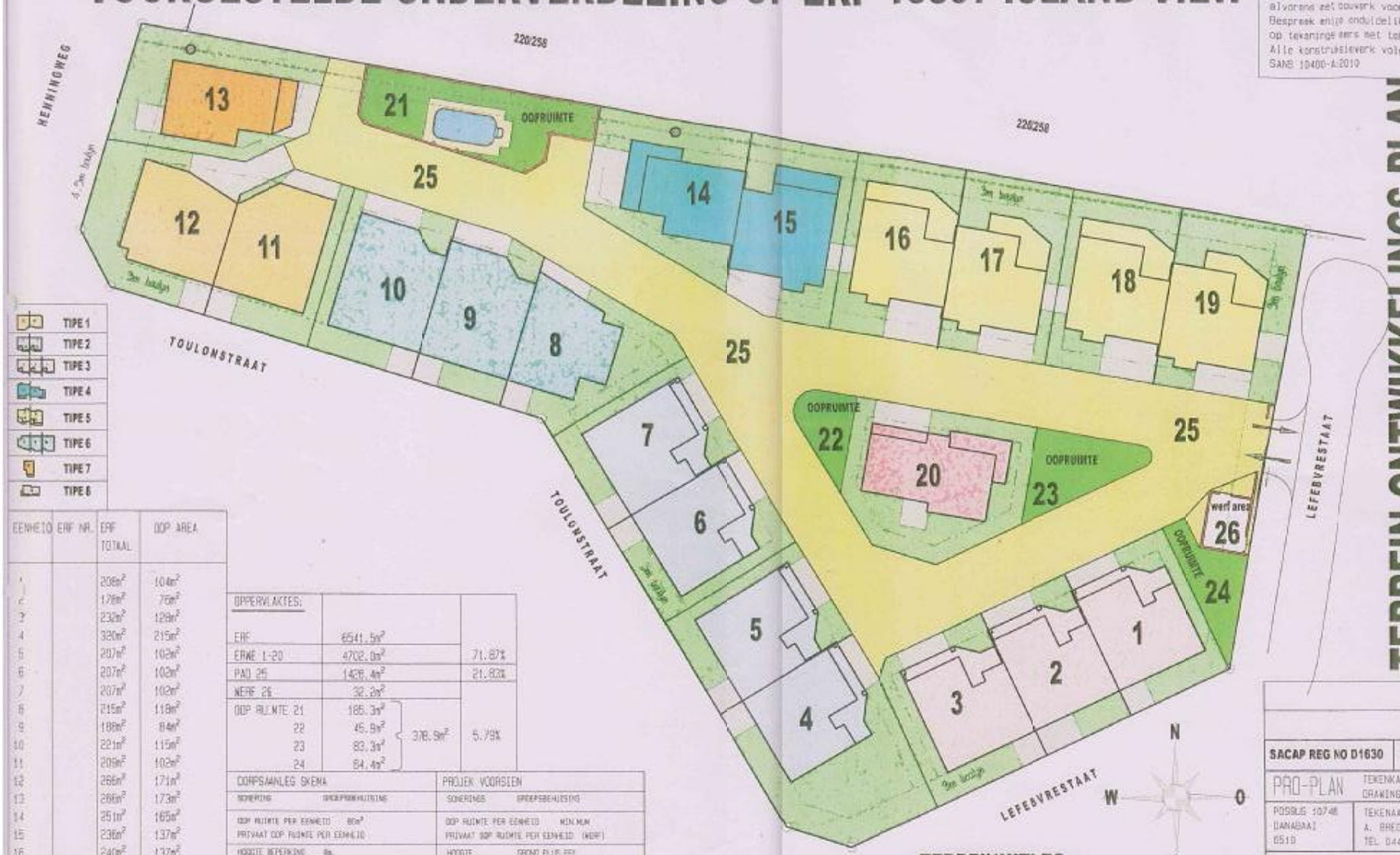
Projectionele Koördinate

VOORGESTELDE ONDERVERDELING OP ERF 18897 ISLAND VIEW

NOTA:
Tekening mag nie geskaal word.
Bevestig alle mates op terrein
alvorens met bouwerk voortgaan.
Bespreek enige onduidelikheid
op tekeninge eers met tekenaar.
Alle konstruksiewerk volgens
SANS 10400-A:2010



TERREIN ONTWIKKELINGS PLAN

TERREINUITLEG
SKAAL 1:400

TIPE 1	
TIPE 2	
TIPE 3	
TIPE 4	
TIPE 5	
TIPE 6	
TIPE 7	
TIPE 8	

EENHEID	ERF NR.	ERF TOTAAL	OOP AREA
1		208m²	104m²
2		178m²	76m²
3		232m²	128m²
4		320m²	215m²
5		207m²	102m²
6		207m²	102m²
7		207m²	102m²
8		215m²	118m²
9		188m²	84m²
10		221m²	115m²
11		209m²	102m²
12		266m²	171m²
13		266m²	173m²
14		251m²	165m²
15		236m²	137m²
16		240m²	137m²
17		240m²	141m²
18		240m²	137m²
19		271m²	172m²
20		300m²	192m²

OPPERVLAKTES:			
ERF	6541.5m²		
ERWE 1-20	4702.0m²		71.87%
PAD 25	1428.4m²		21.83%
WERF 26	32.2m²		
OOP RUIMTE 21	185.3m²	378.9m²	5.79%
22	45.9m²		
23	83.3m²		
24	64.4m²		

CORPSAANLEG SKEMA		PROJEK VOORSIEN	
SONERING	GROEPSBEHUISING	SONERINGS	GROEPSBEHUISING
OOP RUIMTE PER EENHEID PRIVAAT OOP RUIMTE PER EENHEID	80m² 	OOP RUIMTE PER EENHEID PRIVAAT OOP RUIMTE PER EENHEID (WERF)	MINIMUM
HOOGTE BEPERKING	8m.	HOOGTE BEPERKING	GROND PLUS EEP
DIGTHEID	30 EENHEDE PER Ha	DIGTHEID	30 EENHEDE PER Ha + 20EENHEDE
BOULYNE - STRAAT - AGTER - KANTE	8m 0m 0m	BOULYNE - STRAAT - AGTER - KANTE	8m MINIMUM 1.5m MINIMUM 1.5m EN 0m
PARKERING	1 PARKEERPLEK PER EENHEID 1 PER EENHEDE VIR GASTE	PARKERING	40 PARKEERPLEKKE (MOTORHUISE) 35 GASTE PARKERINGS

SACAP REG NO D1630	M001
PRO-PLAN	TEKENKANTOOR DRAWING OFFICE
POSBUS 10746 DANABAAI 6510	TEKENAAR: A. BREDENKAMP TEL 044-6911820
GETEKEN: A BREDENKAMP	
DAT SEPT 2011	VOORGESTELDE GROEPSBEHUISING VIR MNR B UYS OP ERF 18897 ISLAND VIEW
EIENAAR HANDTEKENING:	

ANNEXURE F.

SG Diagram 5231/2005

SERWITUUTKAART

KANTOORAFSKRIF

	SYE METER	RIGTINGS-HOEKE		KOÖRDINATE Y Stelsel Lo 23° X	
		Konstante		± 0,00	+3700000,00
AB	25,12	281 23 10	A	+ 83 345,84	+ 79 917,59
BC	390,95	16 55 20	B	+ 83 321,22	+ 79 922,55
CD	33,58	65 02 00	C	+ 83 435,01	+ 80 296,57
DA	410,94	196 55 20	D	+ 83 465,45	+ 80 310,74
		Mos34(258)	△	+ 83 433,40	+ 81 263,93
		Geo37(149)	△	+ 81 883,95	+ 73 986,91

L.G. Nr.

8165/1997

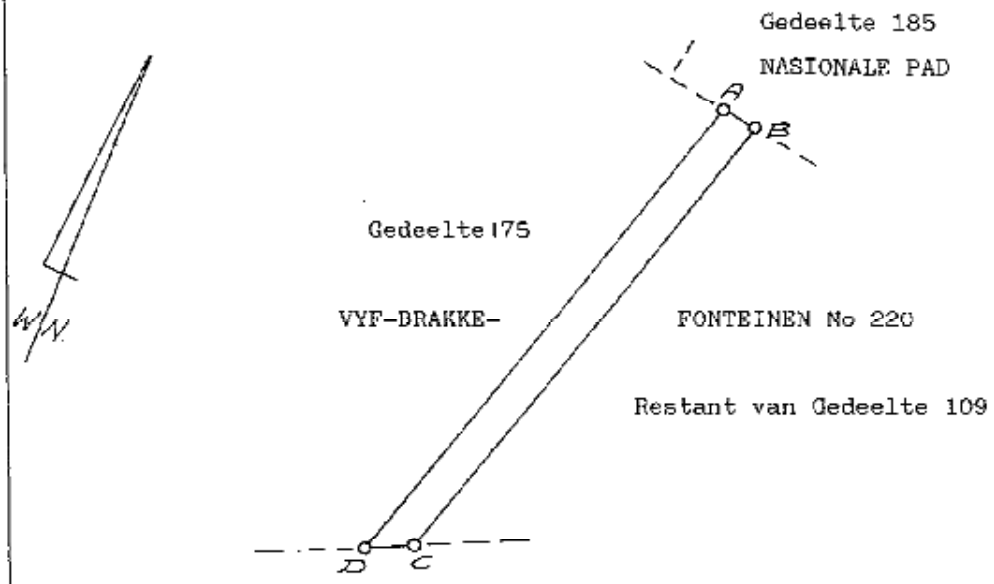
Goedgekeur

Landmeter-generaal

1998-01-27

BAKENS:

A,D.... Spoorstaaf hoekdraadpaal.
B,C.....20mm ysterpen en klipstapel.



Skaal 1: 5000.

Die figuur A B C D stel voor 'n PADSERWITUUT oor die Restant van Gedeelte 109 van die plaas VYF-BRAKKE-FONTEINEN No 220 Geleë in die Munisipaliteit en Administratiewe Distrik Mosselbaai Provinsie Wes Kaap

Opgemeet in November 1997

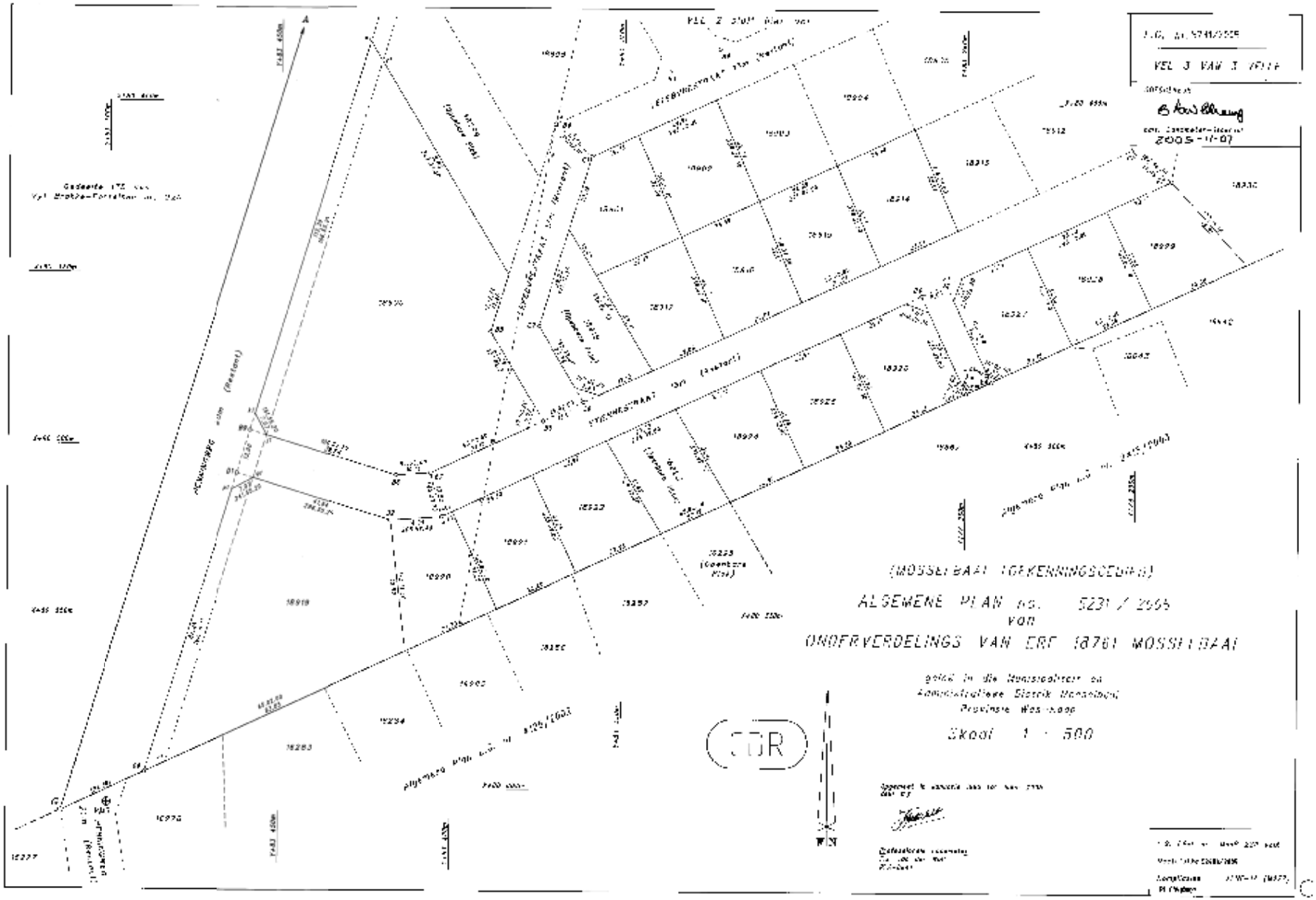
deur my

A.F. Dreyer PLS 0165
Professionele Landmeter.

Hierdie kaart is geheg aan Nr. gedateer t.g.v. Registrateur van Aktes	Die oorspronklike kaart is Nr. 7817/1983 geheg aan Transport/ Nr. 1987 · 18670	Lêer Nr. MOS. B. 290 M.S. Nr. E 3298/1997 Komp ALNF-14(M277)

SERWITUUTKAART

5231/2005 sht. 3



5231/2005 sht. 2

5231/2005 sht. 1

(MOSSELRAAI TOEKENNINGSGEBIED)

ALGEMENE PLAN no. 5231 / 2005

VOOR

ONDERVERDELINGS VAN ERF 18/61 MOSSELRAAI

Deze Kaart is nr. 7702/1948

Transportakte nr. 2006 - - 4871

BEVATTENDE 14 ERWE GENOMMEN 18837, 18838, 18900, 18917, 18919 - 18922 en 18924 - 18933,

[illegible]

ASOCK DIE STRATE

[illegible]

Provincie West-Kaap

Opgeroep te [illegible] 1990 tot [illegible] 1990 [illegible]

Professioneel Landmeter

[illegible]

PAKENRESKRYWINGS

[illegible]

NOTA

[illegible]

VERWITHOUTNOTAS

[illegible]

L.G. nr. 5231/2005

VEL 1 VAN 3 VELLE

Gelegenheid

[illegible]

van Landmeter-Generaal

2005 - 11 - 07

[illegible]

Gedateer 30 September 2005

[illegible]

Goedgekeur ingevolge Wet 7/1978

ENDOSSEMENTE

Nr	Opsigting	Bevestiging	Magtiging	Lot	Datum

[illegible]

LG KANTOORNOTAS

[illegible]

NOODTIGUUR

[illegible]

BLOKNOEMS

[illegible]

GROOTTES

[illegible]

VERSEKERINGSMERKE

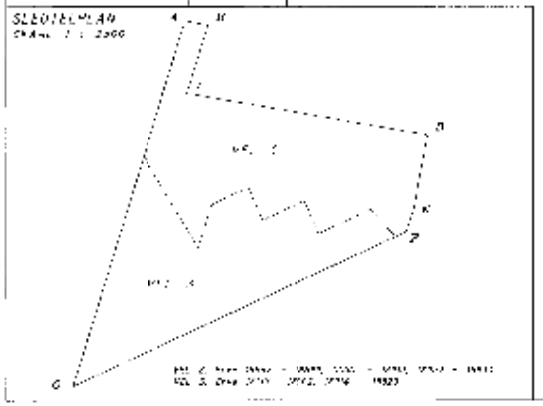
[illegible]

TRIGONOMETRIESE BAKENS

[illegible]

SLEUTELPLAN

Skaal 1 : 2500



[illegible]