

Collab



Mossel Bay
MUNICIPALITY

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FOR OFFICE USE ONLY

Application for:

Municipal stamp (RECORDS):

MOSSELBAAI / BAY
 MUNISIPALITEIT/MUNICIPALITY/UMASIPALA
 17 JAN 2025
REKORDS / ARGIEWE

SCAN/COLLAB/FILE NO:

SCAN NO:

COLLAB NO:

FILE NO: 151416111 x 151416114

NeolMS Ref: _____

LAND USE PLANNING APPLICATION FORM

in terms of section 15(2) of the Mossel Bay By-law on Municipal Land Use Planning, 2021

PLEASE READ THE FOLLOWING IMPORTANT INFORMATION PRIOR TO SUBMITTING THE LAND USE PLANNING APPLICATION:

- 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 hard copies) and a Word format** of the completed application form must be emailed to **dtruter@mosselbay.gov.za**
- The Applicant will be issued with an invoice and banking details for payment of the application fees after the application was checked for completeness.
- Application fees are non-refundable and must be paid within 7 days from the issue date of the invoice.
- For the purpose of this land use planning application process the receipting date of the application fees will be known as the date on which the application is received.
- The space provided in this application form is only a guide and may be increased or decreased by the Applicant as required.

PART A: APPLICANT DETAILS

| | | | | |
|--|--|---|---------------------------------------|----------------------------|
| Full name & Surname: | Rossouw Smit | | | |
| SACPLAN registration number: | A/2917/2020 | Is the applicant authorised to submit this application? | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N |
| Company Name (if applicable) & Postal Address: | RS Town Planning Consultants Po Box 116, Mossel Bay | | | |
| | | Postal Code: | 6500 | |
| Email: | rossouw@rstpc.co.za | Cell: | 076 946 9404 | Tel: |

PART B: PROPERTY DETAILS

| Erf No / Farm & Portion No | Address (Street name & number & Town) / Farm Name & District | Registered owner(s) |
|----------------------------|--|-----------------------------------|
| Erf 8024 | 16 E. Ovina Crescent | The Jaminist Trust (IT NO 286/96) |
| | | |
| | | |
| | | |
| | | |

PART C: LIST OF APPLICATIONS (TICK APPLICABLE)

| Tick | Section | Type of application | Cost |
|------|---------|---------------------|------|
|------|---------|---------------------|------|

| | | | |
|--|----------|--|--|
| | 15(2)(a) | rezoning of land; | R2700.00 |
| x | 15(2)(b) | permanent departure from the development parameters of the zoning scheme | R1900.00 (R980.00 = building line relaxation) |
| | 15(2)(c) | departure granted on a temporary basis to utilize land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land | R1500.00 (R1250.00 = house shop) |
| X | 15(2)(d) | subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement | R1900.00 (+ R78 per erf above 10 erven) |
| | 15(2)(e) | consolidation of land that is not exempted in terms of section 24 | R1900.00 |
| | 15(2)(f) | removal, suspension or amendment of restrictive conditions in respect of a land unit | R2700.00 |
| | 15(2)(g) | permission required in terms of the zoning scheme | R900.00 |
| | 15(2)(h) | amendment of an existing approval or the amendment, deletion or imposition of conditions in respect of an existing approval | R2700.00 |
| | 15(2)(i) | extension of the validity period of an approval | R1350.00 |
| | 15(2)(j) | permission required in terms of a condition of approval | R900.00 |
| | 15(2)(k) | determination of a zoning | R1500.00 |
| x | 15(2)(l) | closure of a public place or part thereof | R1500.00 |
| | 15(2)(m) | consent use contemplated in the zoning scheme | R1500.00 (R1250.00 = house shop) |
| | 15(2)(n) | occasional use of land | R750.00 |
| | 15(2)(o) | disestablish a home owner's association | R750.00 |
| | 15(2)(p) | rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services | R1500.00 |
| | 15(2)(q) | 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 | R750.00 |
| <i>Fees for financial year 2024/2025</i> | | | TOTAL: R |

PART D: APPLICATION DESCRIPTION

Application for **Subdivision, closure of a public place and permanent departure**

in terms of Section(s) 15(2) **(b), (d) & (l)** of the Mossel Bay By-law on Municipal Land Use Planning, 2021

in order to **Consolidate the purchased portions of Erven 7970 & 6170 with Erf 8024, Mossel Bay.**

PART E: MOTIVATION SUMMARY

KINDLY NOTE: The motivation summary is divided into different relevant **sections** to be completed by the Applicant. A separate written motivation must still be submitted with the application.

SECTION 1: PROPERTY DETAIL

| | | | | | | | |
|---|--|----------|-----------------------------------|---|--------------------|-----------------------------|-------------------------|
| Erf Number(s) & Town or Farm & Portion Number(s) & District (as per Title Deed) | Erf 8024, Mossel Bay | | | Title Deed No & date | T42137/1996 | Extent (m ² /ha) | 880m² |
| Any restrictive title conditions applicable? | Y | <u>N</u> | If Yes, list condition number(s): | | | | |
| Locality: | Mossel Bay | | | | | | |
| Current zoning(s): | Single Residential Zone I | | | | | | |
| Current land use(s): | Dwelling house | | | | | | |
| Physical characteristics, e.g. topography & vegetation: | No sensitive vegetation. Moderate slope from North to South | | | | | | |
| Are there existing buildings on the property(ies)? | <u>Y</u> | N | If Yes, specify: | Dwelling house | | | |
| Any unauthorised land use/building work? | <u>Y</u> | N | If Yes, specify: | Refer to sketch plan attached as Annexure H to motivation. | | | |
| Any third party conditions applicable? | Y | <u>N</u> | If Yes, specify: | | | | |
| Are there any restrictions, e.g. servitudes or flood lines? | Y | <u>N</u> | If Yes, specify: | | | | |
| Are the subject property(ies) located within 1km of the high watermark of the sea or a tidal river? | Y | <u>N</u> | If Yes, specify: | | | | |
| Do the subject property(ies) border railway lines, Provincial or National Roads? | Y | <u>N</u> | If Yes, specify: | | | | |
| Are the subject property(ies) located in a Heritage Precinct? | Y | <u>N</u> | If Yes, specify: | | | | |
| Are there any structures on the property older than 60 years? | Y | <u>N</u> | If Yes, specify: | | | | |
| Any other circumstances pertaining to the subject property(ies) that should be noted (e.g. identified as a landslip area, previously utilised for mining purposes or as a landfill site or are there registered land claims or located within a blast | Y | <u>N</u> | If Yes, specify: | | | | |

zone, pollution zone or 500m from a cemetery)?

SECTION 2: BACKGROUND & HISTORY

Provide a brief history that led to the submission of the land use planning application:

The Jaminist Trust purchased Erf 8024, Mossel Bay in 1996. At the time of purchase, the owner was unaware that certain portions of the property encroached over the erf boundary. The owner took steps to purchase the land in question and this application seeks approval to consolidate the said portions with the owner's erf.

Has a pre-application consultation been undertaken?

Y

N

If yes, attach the pre-application consultation minutes and provide a brief summary of the minutes:

See pre-application outcome attached as Annexure A.

SECTION 3: PROPOSAL DETAIL

Provide a brief description of what is proposed (detail and scale of the proposal):

Application is made for the following approvals in respect of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021:

- The subdivision of Erf 7970, Mossel Bay (zoned Open Space I) in terms of section 15(2)(d) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 into a Portion A of $\pm 78m^2$ and a Remainder as indicated on the proposed plan of subdivision attached as Annexure F.
- The subdivision of Erf 6170, Mossel Bay in terms of section 15(2)(d) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 into a Portion B of $\pm 41m^2$ and a Remainder as indicated on the proposed plan of subdivision attached as Annexure F.
- Closure of a part of a public place in terms of section 15(2)(l) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021, namely Portion A (a $\pm 78m^2$ Portion of Erf 7970, Mossel Bay).
- Closure of a part of a public place in terms of section 15(2)(l) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021, namely Portion B (a $\pm 41m^2$ Portion of Erf 6170).
- Amendment of General Plan 9844 in terms of section 24(1)(i) of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 to allow closed Portion A and closed Portion B to be consolidated with Erf 8024, Mossel Bay.
- A permanent departure in terms of section 15(2)(b) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 for the relaxation of the Northern side building line from 2m to 0m to allow the existing shade to encroach the said building line.
- Exemption in terms of section 24(1)(d) of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 to consolidate a closed public place, namely Portion A and Portion B with Erf 8024, Mossel Bay.
- Exemption in terms of section 14(1)(a) of the Mossel Bay Zoning Scheme By-Law, 2021 to allow Portion A and Portion B adopt a Single Residential I zoning.

Discuss the proposed access and parking:

The development proposal does not impact on parking provision and does not seek to create an additional access point.

Sufficient on-site parking as prescribed in terms of the Mossel Bay Zoning Scheme By-Law, 2021 is provided on the property.

If there is any foreseeable potential source of nuisance that may be generated by the proposal, discuss how it will be mitigated:

None

Indicate if any mitigating conditions are proposed:

N/A

SECTION 4: ZONING/LAND USE COMPARISONS

If an application is made for a **rezoning or consent use** please provide a comparison between the existing and proposed development parameters as stipulated in the Mossel Bay Municipality Zoning Scheme By-Law:

| | |
|---|--|
| Existing land use &/ zoning: | Proposed land use &/ zoning: |
| N/A | N/A |
| Existing development parameters: | Development parameters of proposed land use : |
| N/A | N/A |

SECTION 5: SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) (SPLUMA)

Is the proposal in line with the **development principles** as referred to in Chapter 2 of the **SPLUMA**? Please elaborate below:

| |
|---|
| Spatial Justice: |
| This principle does not have direct bearing on the application at hand. However, the approval of this application will enable the registered owner to regularise the irregularities carried out by previous owners. |
| Principle of Spatial Sustainability: |
| Compliant. The subject erven are situated in an established urban area inside the urban edge with sufficient bulk services infrastructure. The development proposal does not give rise to urban sprawl, nor does it impact on prime agricultural land or existing amenities. The application seeks to formalise the unauthorised use of land which currently is of no benefit to the public or any other interested parties. |
| Principle of efficiency: |
| Compliant - The proposed consolidation is not expected to have a negative financial, economic or environmental impact. The proposed consolidation will have a positive impact on municipal revenue whereas it currently does not serve any purpose to anyone besides the owner. |
| Spatial Resilience: |
| This principle is not relevant to the subject application. |
| Principle of Good Administration: |
| Compliant - The registered owner is following the correct legal process to obtain the necessary statutory approvals as required in terms of the deed of sale. This promotes effective and responsible governance and enables the relevant authorities to meet its constitutional mandate to enforce such laws. |

SECTION 6: WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014) (LUPA), GUIDELINES PREPARED BY THE PROVINCIAL MINISTER & PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF)

The land use planning principles in Chapter VI of the LUPA also address the development principles in Chapter 2 of the SPLUMA mentioned above. However, the Provincial Minister may prescribe further land use planning principles. If there are any **land use planning principles prescribed by the Provincial Minister** that are applicable to the land use planning application, please elaborate below:

N/A

If there are any **guidelines prepared by the Provincial Minister** that are applicable to the land use planning application, please elaborate below:

N/A

The PSDF is an important spatial planning and land use management tool that graphically portrays the Western Cape's spatial agenda. It coordinates, integrates and aligns Provincial plans and development strategies with policies of National Government; the plans, policies and development strategies of Provincial Departments; and the plans, policies and development strategies of municipalities. Is the proposal consistent with the **PSDF**? Please elaborate below:

SECTION 7: SOUTHERN CAPE REGIONAL SPATIAL IMPLEMENTATION FRAMEWORK (RSIF)

The RSIF is a regional scale plan to stimulate inter-municipal growth and development opportunities and to better support an integrated, regional approach to sustainable development and urban and rural area management practices. Is the proposal consistent with the **RSIF**? Please elaborate below:

The **RSIF** aims to facilitate the coordination, integration and alignment of Provincial and Municipal land use planning and development policy and to address specific economic, social, natural, or unique opportunities, constraints and features in a specific area that often traverse an area larger than a single municipal area. More specifically and in line with the objectives of this application, it seeks inter alia to achieve the following:

- promote collaborative regional management and governance arrangements;
- produce a competitive regional space-economy;
- establish sustainable regional infrastructure networks; and
- create an integrated network of regional settlements that provide resilient, sustainable, quality and inclusive environments.

In more general terms, it also recognises the importance of making optimal use of vacant and underutilised land and encourages land audits and to unlock well located land and the incentivisation of the principles of spatial justice and efficiency.

The subject erven are not earmarked for any specific long-term spatial proposals. Its alienation and consolidation with the subject property is consistent with the spatial planning objectives contained in the RSIF.

SECTION 8: GARDEN ROUTE DISTRICT MUNICIPALITY INTEGRATED DEVELOPMENT PLAN (IDP) & DISTRICT SPATIAL DEVELOPMENT FRAMEWORK (DSDF)

The District IDP is a super-plan for an area that gives an overall framework for development. It is used by municipalities as a tool to plan short- and long-term future development. Is the proposal consistent with the **District IDP**? Please elaborate below:

Given the high-level focus the Garden Route District IDP and SDF, it is not relevant to the application at hand.

The District SDF provides guidance to local municipalities in the District regarding future spatial planning, strategic decision-making and regional integration. Is the proposal consistent with the **DSDF**? Please elaborate below:

See above

SECTION 9: MOSSEL BAY MUNICIPALITY INTEGRATED DEVELOPMENT PLAN (IDP) & MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF)

The IDP is the Municipality's principle strategic plan that deals with the most critical development needs of the Municipality as well as the most critical governance needs of the organisation. Is the proposal consistent with the **IDP**? Please elaborate below:

Yes.

IDP, 2022

The IDP, 2022 supports various national, provincial and regional policy objectives aimed at creating sustainable and efficient urban growth patterns.

Strategy 4 suggests certain policy guidelines to prioritise efficient urban form in the Mossel Bay community.

The application under consideration is consistent with these objectives, especially insofar as it seeks to discourage the preservation of non-sustainable biodiversity areas within the urban edge.

More importantly, the IDP (Policy 4L) recognises the need to make optimal use of underutilised municipal land to the benefit of the community and where encroachments onto municipal land should occur, it be addressed via detailed policy documents.

The approval of this application benefits both the owner and Municipality from a use and financial point of view, while also ensuring compliance with the applicable statutory provisions by rectifying a bona fide transgression.

There is a well-established process in place to address such encroachments through the alienation of Council land and the owner is taking the correct steps to rectify the situation.

MSDF, 2022

The erven that are the subject of this application are all situated inside the urban edge. In terms of the MSDF, 2022, the subject erven are not earmarked for a specific future use. Erf 8024 is indicated as an "urban area".

The MSDF, 2022 does indicate that Erf 7970, Mossel Bay is part of the existing open space network.

The MSDF, 2022 discourages encroachments onto the open space network since it is seen as an asset to the community that must be conserved for future generation. Section 42 of SPLUMA, 2013 determines that a Municipal Planning Tribunal may not make a decision that is inconsistent with a municipal spatial development framework and may depart therefrom only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework.

It is argued that the following site-specific circumstances in relation to Erf 8024, Mossel Bay justify a departure from the MSDF:

- Although Erf 7970 is zoned as a public open space, it must be noted that it cannot be used accordingly due to the location of the existing boundary wall.
- Neither Portion A (portion of Erf 7970), nor Portion B (portion of Erf 6170) provides any valuable use for the public and broader community. This was one of the main reasons why the portions were alienated as confirmed by Condition 3 of the Council decision E197-08/2022.
- The proposed rezoning of Portions A and B is not inconsistent with the uses already provided for in the MSDF – in other words, the proposed use of the consolidated erf is consistent with the urban area classification for the subject area.
- The subject erven are not located within any spatial elements where development is prohibited, such as outside the urban edge, inside the 100m coastal edge lines, inside a sensitive vegetation area etc. Whilst the MSDF, 2022 is clear on the position with regards to encroachments on open spaces, it is argued that the contravention occurred long before the adoption of these spatial directives – this should allow for some degree of discretion in assessing its applicability to the application erf.
- Given the minor nature of the proposed consolidation, there is no compromise of existing natural resources or the urban form.
- The consolidation will enable the owner to rectify unauthorised structures which promotes compliance with applicable legislative provisions and policy objectives. This promotes good governance.

The purpose of the MSDF is to provide a long-term forward planning document which spatially indicates the long-term growth and development path of the Municipality. Is the proposal consistent with the **MSDF**? Please elaborate below:

Yes. See above.

SECTION 10: MUNICIPAL PRECINCT PLANS & POLICIES RELATING TO LAND USE PLANNING MATTERS

If there are any **Precinct Plans and/or policies** relating to land use planning matters that are applicable to this land use planning application, please elaborate below:

N/A

SECTION 11: MUNICIPAL ENGINEERING SERVICES

| | | | | |
|---|---|----------|------------------|--|
| Were any engineering reports compiled for this land use planning application? | Y | <u>N</u> | If Yes, specify: | |
|---|---|----------|------------------|--|

Discuss the impact on/availability of Municipal engineering services:

| |
|---|
| Streets & Stormwater services: |
| The development proposal does not impact on streets & stormwater services. |
| Water & Sanitation services: |
| No impact expected |
| Electrical services: |
| No impact on Electrical Services is expected |
| Waste Management services: |
| No impact on Waste Management Services is expected. |

SECTION 12: OTHER INVESTIGATIONS/LEGISLATION

If there were any investigations/applications in terms of other legislation [e.g. Environmental, Noise or Visual Impact Assessments, Water Use Licence Application (WULA), Heritage Impact Assessment or Notice of Intent to Develop (NID)] please specify and provide a summary of the outcome below:

| |
|-----|
| N/A |
|-----|

SECTION 13: DESIRABILITY

The criteria for decision-making are stipulated in Chapter V, Section 65 of the Mossel Bay By-law on Municipal Land Use Planning, 2021. When a land use planning application is considered it must have regard to the desirability of the proposal. Please elaborate below:

| |
|--|
| Influence of the proposal on the existing character of the area: |
| The extent of the portion of land to be consolidated with Erf 8024 is ±119m². This is considered a fairly minor amendment to the existing cadastral boundary and is in line with existing erf sizes in the area. The consolidation will furthermore not result in any visible change in the size of the property since the existing boundary walls will remain in its place. |
| The consolidation is therefore not expected to have any impact on the single residential character of the area and the consolidated erf will be in keeping with the existing character and erf sizes in the area. |
| The total resulting change in the erf size has no impact on the development parameters that currently apply – i.e the same building lines and coverage will have to be maintained after consolidation. |
| Influence of the proposal on the rights of residents with regard to property values, privacy, view, sunlight: |
| There is no impact on views, privacy or sunlight as no new structures are proposed. |
| Influence of the proposal on traffic and parking in the area: |

There is no impact on access, traffic or parking.

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:

The approvals applied for does not envisage new development – it is merely required to regularise the existing structures.

SECTION 14: REMOVAL OF RESTRICTIONS

This section should only be completed if an application is made for the **removal, suspension or amendment of restrictive conditions** in respect of a land unit.

The financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement:

N/A

The personal benefits which accrue to the holder of rights in terms of the restrictive condition and/or to the person seeking the removal:

N/A

Social benefit of the restrictive condition remaining in place, and/or being removed/amended:

N/A

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights?

N/A

SECTION 15: EXTENSION OF VALIDITY PERIOD OF APPROVAL

This section should only be completed if an application is made for an **extension of validity period of approval**.

Did the circumstances prevailing at the time of the original approval materially changed?

N/A

Did legislative or policy requirements applicable to the approval from the time of the original approval materially changed?

N/A

Is there a pending review application in court which may have an effect on the date of implementation?

N/A

PART F: SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

KINDLY NOTE:

- The following documentation must be attached to this application form, except when exempted.
- The Municipality may request any other information deemed necessary for the purpose of this application.
- The Municipality may at a pre-application consultation meeting add or remove any information or documents listed in section 38(1) of the of the Mossel Bay By-law on Municipal Land Use Planning, 2021.
- The Annexures listed below must strictly be referenced as indicated in **bold**.
- If any Annexures listed below is not attached do not rename Annexures.
- Incomplete applications will not be accepted by the Municipality.

ANNEXURES ATTACHED

Tick

| | | |
|---|----------|----------|
| Pre-application feedback/Consultation Minutes TO BE ATTACHED AS ANNEXURE A | <u>Y</u> | |
| Written Motivation TO BE ATTACHED AS ANNEXURE B | <u>Y</u> | |
| Locality Plan TO BE ATTACHED AS ANNEXURE C | <u>Y</u> | |
| Layout Plan and any sketch plans TO BE ATTACHED AS ANNEXURE D | <u>Y</u> | |
| S.G. diagram / General Plan extract TO BE ATTACHED AS ANNEXURE E | <u>Y</u> | |
| Full copy of the title deed TO BE ATTACHED AS ANNEXURE F | <u>Y</u> | |
| Conveyancer's certificate TO BE ATTACHED AS ANNEXURE G | <u>Y</u> | N |
| Power of attorney <u>if applicant is not owner</u> TO BE ATTACHED AS ANNEXURE H | <u>Y</u> | N |
| Bondholder's consent (if applicable) TO BE ATTACHED AS ANNEXURE I | Y | <u>N</u> |
| Home Owner's Association consent / proof of failure of Home owner's association (if applicable) TO BE ATTACHED AS ANNEXURE J | Y | <u>N</u> |
| Copy of previous land use planning approval letter (if applicable) TO BE ATTACHED AS ANNEXURE K | Y | <u>N</u> |
| Any Engineering reports TO BE ATTACHED AS ANNEXURE L | Y | <u>N</u> |
| Any approvals from External Departments TO BE ATTACHED AS ANNEXURE M | Y | <u>N</u> |
| Any comments obtained from External Departments or Organisations TO BE ATTACHED AS ANNEXURE N | Y | <u>N</u> |
| Other additional documents or information not mentioned above, that were requested in the pre-application consultation minutes/feedback TO BE ATTACHED AS ANNEXURE O | Y | <u>N</u> |
| Other TO BE ATTACHED AS ANNEXURE P (please specify): | Y | <u>N</u> |

PART G: DECLARATION

I hereby wish to confirm the following:

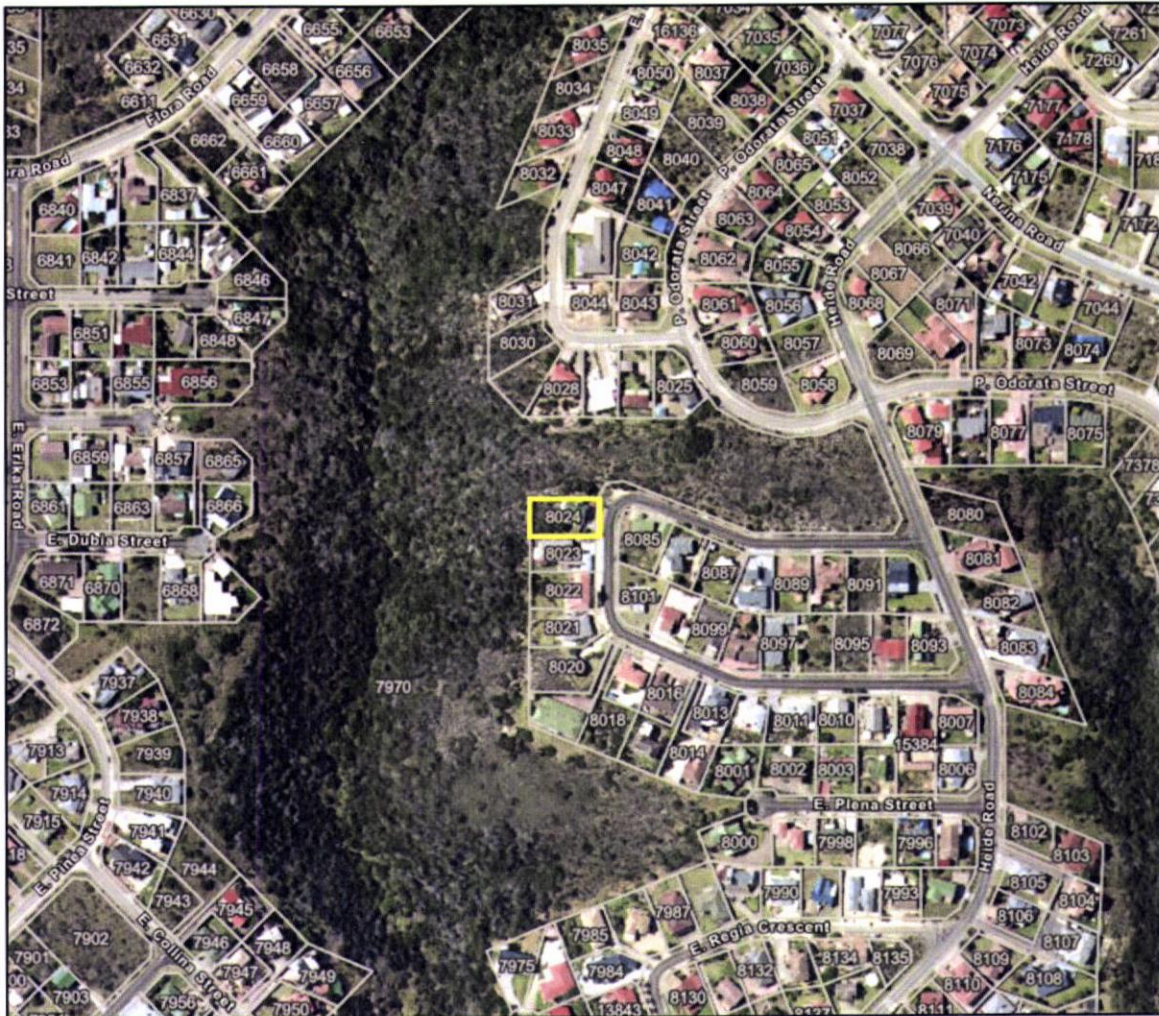
1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(d) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading 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, that 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/developer as a result of the proposed development.
8. I am aware that I am fully responsible for ensuring that the 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: 9-01-2025

Full name: Rossouw Smit

ERF 8024, MOSSEL BAY (DANA BAY)

APPLICATION FOR SUBDIVISION, CLOSURE OF A PUBLIC PLACE AND PERMANENT DEPARTURE IN TERMS OF SECTION 15 OF THE MOSSEL BAY BY-LAW ON MUNICIPAL LAND USE PLANNING, 2021



Prepared for
THE JAMINIST TRUST (IT NO 286/96)

by



PO Box 116, Mossel Bay, 6500
C: 076 946 9404
E: rossouw@rstpc.co.za

Date: 9 January 2025 (Rev 0)

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FIGURES

Fig 1 – Location of Erven 8024, 7970 and 6170 Mossel Bay

Fig 2 – Erf 8024 viewed from North Western corner

Fig 3 – Site Layout plan showing existing structures

Fig 4 – Street view (South to North)

Fig 5 – Danabaai status quo map

Fig 6 – Danabaai spatial proposals map

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| Annexure I | – General Plan |
| Annexure J | – Title Deed |
| Annexure K | – General Plan |
| Annexure L | – Surveyor Diagram |
| Annexure M | – Title Deed |
| Annexure N | – Conveyancer Certificate |

1. OVERVIEW AND MANDATE

The Jaminist Trust (IT NO 286/96) authorised RS Town Planning Consultants to submit an application in terms of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 for the closure and subdivision of a portion of adjacent Erf 7970, Mossel Bay and Erf 6170, Mossel Bay in order to consolidate the said portions with Erf 8024, Mossel Bay.

The power of attorney to submit this application and letter of executorship authorising the trustee to act on behalf the Trust is annexed as **Annexure A**.

2. BACKGROUND

The Jaminist Trust purchased Erf 8024, Mossel Bay in 1996.

At the time of purchase the owner was unaware that certain portions of the property encroached over the erf boundary. The encroaching areas are indicated on **Annexure B** and will be referred throughout this motivation as follows:

- **Portion A** – this is the area that encroaches over the Northern erf boundary onto the adjacent public open space (Erf 7970).
- **Portion B** – refers to the area that encroaches the Eastern street boundary onto the road reserve (Erf 6170).

On 29 August 2022, Council resolved in terms of Item E197-08/2022 to alienate Portions A and B so that the encroachments can be rectified. A deed of sale was signed between Mossel Bay Municipality and the owner on 20 March 2023, a copy of which is attached as **Annexure C**.

Conditions 3.1 and 3.2 requires the following:

- 3.1 *These portions of Erven 7970 and 6170, Mossel Bay, must be consolidated with the Purchaser's adjacent property. Erf 8024, Mossel Bay, at the cost of the purchaser.*
- 3.2 *The Purchaser is responsible for the costs of closure of a Public Place or part thereof, survey, rezoning, subdivision, consolidation or any other Land Use Planning Application applicable, in order to consolidate these portions of Erf 7970, Mossel Bay as well as a portion of Erf 6170, Mossel Bay, with Erf 8024, Mossel Bay.*

This application is submitted to comply with the abovementioned conditions of sale and to facilitate the consolidation of the erven in question.

3. PRE-APPLICATION CONSULTATION

A pre-application in terms of section 37 of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 was submitted on 9 October 2023.

No specific concerns were raised. The outcome of the pre-application was confirmed as follows:

- *That a Subdivision and Closure application is required.*
- *The consolidation and rezoning are exempted in terms of section 24(1)(d) of the relevant by-law.*
- *Comments from the relevant Ward Councillor should be obtained prior to the submission of the formal land use application.*
- *The proposal is not in line the Spatial Development Framework, 2022 therefore the motivation report should be site specific.*

A copy of the pre-application outcome is attached as **Annexure D**.

The Ward Councillor has been informed of the application, whose comment of support is attached as **Annexure E**.

4. APPROVAL REQUIRED

Application is made for the following approvals in respect of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021:

- 4.1 The subdivision of Erf 7970, Mossel Bay (zoned *Open Space I*) in terms of section 15(2)(d) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 into a Portion A of $\pm 78\text{m}^2$ and a Remainder as indicated on the proposed subdivision diagrams attached as **Annexure F**.
- 4.2 The subdivision of Erf 6170, Mossel Bay in terms of section 15(2)(d) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 into a Portion B of $\pm 41\text{m}^2$ and a Remainder as indicated on the subdivision diagrams attached as **Annexure F**.
- 4.3 Closure of a part of a public place in terms of section 15(2)(l) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021, namely Portion A (a $\pm 78\text{m}^2$ Portion of Erf 7970, Mossel Bay).
- 4.4 Closure of a part of a public place in terms of section 15(2)(l) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021, namely Portion B (a $\pm 41\text{m}^2$ Portion of Erf 6170).
- 4.5 Amendment of General Plan 9844 in terms of section 24(1)(i) of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 to allow closed Portion A and closed Portion B to be consolidated with Erf 8024, Mossel Bay.

- 4.6 A permanent departure in terms of section 15(2)(b) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 for the relaxation of the Northern side building line from 2m to 0m to allow the existing shade net to encroach over the building line.
- 4.7 Exemption in terms of section 24(1)(d) of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 to consolidate a closed public place (Portion A and Portion B) with Erf 8024, Mossel Bay.
- 4.8 Exemption in terms of section 14(1)(a) of the Mossel Bay Zoning Scheme By-Law, 2021 to allow Portion A and Portion B to adopt a *Single Residential I* zoning.

The completed application form is attached as **Annexure G**.

5. PROPERTY INFORMATION AND DEVELOPMENT PROPOSAL

5.1 Property Information

The relevant property details of the application erf is provided below:

| Details | Erf 8024, Dana Bay |
|-------------------------------|---|
| Description: | Erf 8024, Mosselbaai, in die Munisipaliteit van Mosselbaai, Afdeling van Mosselbaai, Provinsie van Wes-Kaap |
| Title Deed Number: | T42137/1996 |
| Ownership: | JAMANIST TRUST NO IT 286/96 |
| Property Extent: | 880m ² |
| Restrictive Title Conditions: | None |
| Restrictive Servitudes: | None |
| Bond: | No bond registered |

5.2 Property Location

Erf 8024, Mossel Bay is situated in the suburb of Dana Bay with a physical address of 16 E. Ovina Crescent. It is located adjacent to a large public open space (Erf 7970) and shares a common boundary with only one residential property, Erf 8023 Mossel Bay.

Figure 1 below shows the location of the application erf within the larger surrounding area.



Fig 1 – Location of Erven 8024, 7970 and 6170 Mossel Bay (Source: Mossel Bay GIS)

5.3 Zoning & Existing Use

The erven in question carry the following zoning in terms of the Mossel Bay Municipality Zoning Scheme By-law, 2021:

- Erf 7970, Mossel Bay (Portion A) – *Open Space I*. The area purchased by the Trust contains natural vegetation and is not accessible from the outside due to the existing boundary wall. No physical structures have been erected in this portion except for a gardening area covered with shade net.
- Erf 8024, Mossel Bay – *Single Residential Zone I*. Erf 8024 is developed with a single dwelling house occupied by the owner.
- Erf 6170, Mossel Bay – No zoning indicated, but presumably *Transport Zone II (Public Street)* given its use as a road reserve. This area contains a boundary wall and small gardening area.

Considering the location of Portions A and B in relation to the existing structures on Erf 8024, it is clear that the proposed consolidation will not impact on the existing rights of the surrounding property owners or the general public.

5.4 Character and Surrounding Area

According to the MSDF, 2022, Dana Bay is classified as a General Residential area bordered by various coastal risk lines, coastal setback lines, coastal management lines and critical biodiversity areas.

Erf 8024, Mossel Bay is located approximately ±1km from the Dana Bay CBD in an area characterised predominantly by low density single residential dwellings surrounded by large undisturbed natural open space networks. Erven in the immediate vicinity vary between

±700m² - 1000m² and are developed with single dwellings and ancillary buildings commonly associated with this zoning category. There are also a few small-scale group housing developments in the area.

The area in question does not form part of an overlay zone, precinct or any other special area that aims to achieve a unique spatial form.

5.5 Topography & Vegetation

Erf 8024 has a moderate slope which runs from North to South towards to the coastline. The adjacent open space (Erf 7970) is covered with natural indigenous vegetation. In terms of the MSDF, 2022 the application erven are do not fall inside a critical biodiversity area or any other area that is indicated to have sensitive vegetation.

Figure 2 below shows that the existing vegetation has not been disturbed when the boundary wall was erected.



Fig 2 – Erf 8024 viewed from North Western corner

The subdivision and consolidation of the purchased portions will have no impact on the topography or natural landscape and no excavation or construction work will take place.

5.6 Development Proposal

Erf 8024, Mossel Bay was purchased by the Jamaanist Trust in 1996. The owner was unaware of the encroachments at the time of purchase.

Minor additions were carried out over the course of time which includes a shade net and gardening area, a deck with stairs, an office and a braai room.

Upon learning that the existing boundary wall encroaches the erf boundary the registered owner immediately took the necessary steps to rectify the situation. Portions A and B have been purchased from Mossel Bay Municipality and the purpose of this application is to obtain approval for the consolidation thereof with Erf 8024, Mossel Bay. This requires several approvals and exemptions in terms of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 and the Mossel Bay Zoning Scheme By-Law, 2021 respectively.

Annexure H provides a site layout plan which shows the existing dwelling and additions on the erf after consolidation.

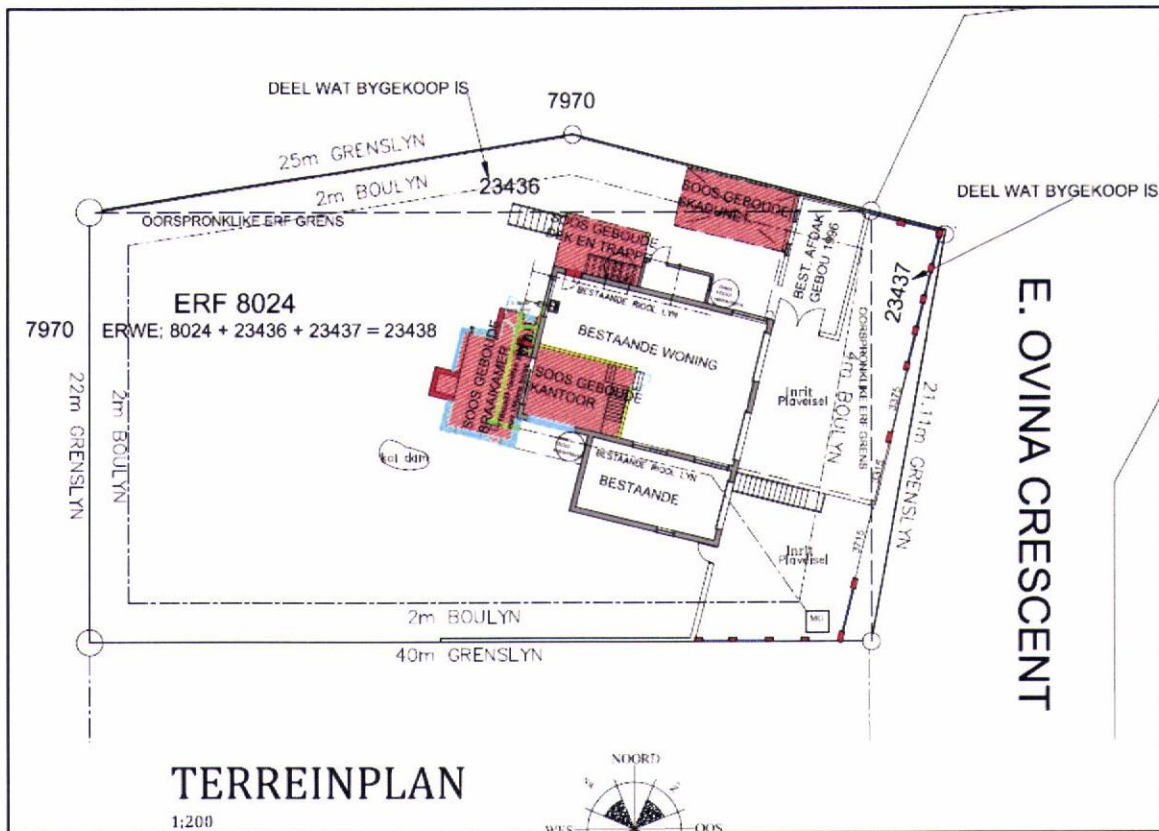


Fig 3 – Site Layout plan showing existing structures

The existing shade net indicated in red on the Northern boundary is used for gardening purposes and requires a permanent departure from the 2m building line. The office, braai room and deck do not require land use approval. Building plans for these additions will be submitted in terms of the National Building Regulations and Building Standards Act no 103 of 1977 after the consolidation process is finalised.

The status report from the Surveyor General's office confirms Portions A and B as public places – see **Annexure I**. These portions must therefore follow a closure process before it can be consolidated with Erf 8024, Mossel Bay.

A full copy of the sketch plans showing the existing dwelling with additions are attached as **Annexure J**.

5.7 Access, Parking and Traffic

The development proposal does not impact on parking provision and will not create additional access points to the property. This is illustrated by **Figure 4** below which shows that Portion B is clearly separated from the existing road network.



Fig 4 – View from South to North (E. Ovina Crescent)

Sufficient on-site parking as prescribed in terms of the Mossel Bay Zoning Scheme By-Law, 2021 is provided on the property.

5.8 SG Diagram & Title Deed

The General Plan attached as **Annexure K** shows the location of Erf 8024, Mossel Bay – it does not show any registered servitudes over the subject properties. Surveyor diagrams

prepared by land surveyor shows the new cadastral boundary of the subject erf after consolidation – see **Annexure L**.

Erf 8024, Mossel Bay is registered in terms of Title Deed no T42137/1996 (see **Annexure M**). A conveyancer's certificate has been obtained which confirms that there are no restrictive conditions that prohibits the proposed application (see **Annexure N**).

6. LEGISLATIVE FRAMEWORK

6.1 Mossel Bay Zoning Scheme By-Law, 2021

Section 14 of the Mossel Bay Zoning Scheme By-Law, 2021 provides deemed zoning clauses that apply in the event of closure of public places.

Section 14(a) provides as follows:

"14. The zoning of land that was previously a public street or public open space, vested in or owned by the Municipality and that is closed, is determined as follows:

- (a) if the land is transferred to an abutting land owner, that portion of the land falls in the same zone as that of the abutting land belonging to the abutting owner;*

Portion A and Portion B are therefore exempted from the need to follow a rezoning process and will adopt a "Single Residential I Zoning" by default following its closure.

6.2 Mossel Bay By-Law on Municipal Land Use Planning, 2021

Section 24 of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 provides exemption clauses in terms of which certain consolidations and subdivisions do not require approval.

More specifically, section 24(1)(d) provides as follows:

"24(1) Exemption of certain subdivisions and consolidations

The subdivision or consolidation of land does not require the approval of the Municipality in the following cases:

- (a)...*
- (b)...*
- (c)..*
- (d) the consolidation of a closed public place with an abutting erf;"*

Portion A and Portion B are designated public places (as confirmed by the Surveyor General's Office) it is exempted from the need to obtain consolidation approval as envisaged in section 15(2)(e) of the By-Law. The said portions must be subdivided and closed first before the exemption clauses can take effect.

6.2.1 Section 65 decision-making criteria

Section 65 of the said By-Law prescribes general criteria for the consideration of land use applications.

The following relevant criteria are complied with:

a) The desirability of the proposed utilisation of land – section 65(c)

The development proposal is considered desirable for the following reasons:

Character

The extent of the portion of land to be consolidated with Erf 8024 is $\pm 119\text{m}^2$. This is considered a fairly minor amendment to the existing cadastral boundary and is in line with existing erf sizes in the area. The consolidation will furthermore not result in any visible change in the size of the property since the existing boundary walls will remain in its current position.

The consolidation is therefore not expected to have any impact on the single residential character of the area and the consolidated erf will be in keeping with the existing character and erf sizes in the area.

The total resulting change in the erf size has no impact on the development parameters that currently apply – i.e the same building lines and coverage will have to be maintained after consolidation.

View, sunlight, property values and privacy

There is no impact on views, privacy or sunlight as no new structures are proposed.

Impact on surrounding facilities

The approvals applied for does not envisage new development – it is merely required to regularise the existing structures.

b) The impact of the proposed land development on municipal engineering services – section 65(h)

The subject erven are all situated within an existing urban area. The development proposal does not impact on services and does not require the provision of additional bulk service infrastructure.

c) The Integrated Development Plan, including the Municipal Spatial Development Framework – section 65(i)

The proposed rezoning of the purchased portions is inconsistent with the Mossel Bay SDF of 2022, but sufficient site-specific circumstances exist to justify its necessity.

d) The integrated development plan and spatial development framework of the district municipality, where applicable – section 65(j)

The Garden Route District Municipality IDP and DSDF do not contain any specific provisions that are relevant to this application. It is however noted that the development proposal is not in conflict with the overall objectives that these plans promote.

e) The applicable local spatial development frameworks adopted by the Municipality - section 65(k)

The development proposal complies with this criteria as motivated further down below.

f) The applicable structure plans – section 65(l)

There are no structure plans applicable to the subject even.

g) The applicable policies of the Municipality that guide decision-making - section 65(m)

There are no specific policies that apply to the subject area.

h) The Provincial Spatial Development Framework – section 65(n)

The Western Cape Provincial SDF supports quality urban spaces that functions effectively.

i) Where applicable, a regional spatial development framework contemplated in section 18 of the Spatial Planning and Land Use Management Act or provincial regional spatial development framework – section 65(o)

The Southern Cape Regional Spatial Implementation Framework supports the efficient use of underutilised land, as envisaged with this application.

j) The policies, principles and the planning and development norms and criteria set by the national and provincial government – section 65(p)

There aren't specific norms or standards that apply to the development proposal.

k) The matters referred to in section 42 of the Spatial Planning and Land Use Management Act – section 65(q)

Section 42 of SPLUMA sets general criteria that a Municipal Planning Tribunal must consider when deciding an application, which can broadly be summarised as having regard to the SPLUMA development principles, taking decisions that are consistent with relevant norms, standards, policies and frameworks, and to take into account the public interest, constitutional transformation imperatives, relevant facts, rights and obligations of affected parties, engineering services and environmental legislation.

The impact and scale of the development proposal is of such a nature that it is highly unlikely to make any inroad into the abovementioned criteria and existing rights. The application does not contradict any of the applicable criteria.

l) The principles referred to in Chapter VI of the Land Use Planning Act (LUPA) – section 65(r)

The principles contained in the LUPA is a duplication of the SPLUMA development principles with the addition of a few additional sub-principles. The proposal is consistent with both the LUPA & SPLUMA principles for the reasons explained below.

m) The applicable provisions of the zoning scheme – section 65(s)

The applicable development parameters set out in the Mossel Bay Zoning Scheme By-Law are complied with except for the building line encroachment that is applied for.

6.3 Spatial Planning and Land Use Management Act no 16 of 2013 (SPLUMA) and Western Cape Land Use Planning Act no 3 of 2014 (LUPA)

Section 7 of SPLUMA and section 59 of LUPA prescribes 5 development principles that apply to spatial planning, land use development and land use management.

The proposed development is not in conflict with the development principles for the following reasons:

a) Spatial Justice

Spatial justice aims to redress spatial and development imbalances through improved access and use of land, the need for SDF's, policies and spatial planning mechanisms, land use management systems and land development procedures to be inclusive, flexible and redress access to land by disadvantaged communities.

This principle does not have direct bearing on the application at hand. However, the approval of this application will enable the registered owner to regularise the irregularities carried out by previous owners.

b) Spatial sustainability

Spatial sustainability promotes spatial planning and land use management systems which are within fiscal, institutional and administrative means, protects prime agricultural land, uphold consistency of land use measures in accordance with environmental management instruments, promote equal functioning of land markets, considering costs associated with the provision of infrastructure and social services, promote sustainable developments while limiting urban sprawl, and creating viable communities.

The subject erven are situated in an established urban area inside the urban edge with sufficient bulk services infrastructure. The development proposal does not give rise to urban sprawl, nor does it impact on prime agricultural land or existing amenities. The

application seeks to formalise the unauthorised use of land which currently is of no benefit to the public or any other interested parties.

c) Efficiency

This principle aims to promote the optimisation of the use of existing resources and infrastructure, put in place decision-making procedures that minimize negative financial, social, economic or environmental impacts and development application procedures that are efficient and streamlined.

The proposed consolidation is not expected to have a negative financial, economic or environmental impact. The proposed consolidation will have a positive impact on municipal revenue whereas it currently does not serve any purpose to anyone besides the owner.

d) Spatial resilience

Spatial resilience aims to create flexibility in spatial plans, policies and land use management systems in order to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

This principle is not relevant to the subject application.

e) Good administration

This principle mainly applies to government bodies responsible for the implementation of land use and land development systems and instruments.

The registered owner is following the correct legal process to obtain the necessary statutory approvals as required in terms of the deed of sale. This promotes effective and responsible governance and enables the relevant authorities to meet its constitutional mandate to enforce such laws.

7. RELEVANT SPATIAL POLICIES

7.1 Western Cape Provincial Spatial Development Framework, 2014 (PSDF)

The overarching aim of the PSDF is to guide the Western Cape on a path towards:

- (i) Greater productivity, competitiveness, and opportunities within the spatial economy.*
- (ii) More inclusive development and strengthening of the economy in rural areas.*
- (iii) Strengthening resilience and sustainable development.*

In order to promote efficient urban and economic growth, the PSDF encourages optimal utilisation of existing economic assets such as public land parcels. Furthermore, the PSDF identifies targeted settlement policy objectives which include the protection and enhancement of 'sense of place' and settlement patterns.

The development proposal is considered consistent with these objectives and will result in a better integrated urban environment which complies with the relevant statutory and spatial planning framework, while also reducing the burden of maintenance by the municipality.

7.2 Southern Cape Regional Spatial Implementation Framework (RSIF)

The RSIF aims to facilitate the coordination, integration and alignment of Provincial and Municipal land use planning and development policy and to address specific economic, social, natural, or unique opportunities, constraints and features in a specific area that often traverse an area larger than a single municipal area. More specifically and in line with the objectives of this application, it seeks inter alia to achieve the following:

- promote collaborative regional management and governance arrangements;
- produce a competitive regional space-economy;
- establish sustainable regional infrastructure networks; and
- create an integrated network of regional settlements that provide resilient, sustainable, quality and inclusive environments.

In more general terms, it also recognises the importance of making optimal use of vacant and underutilised land and encourages land audits and to unlock well located land and the incentivisation of the principles of spatial justice and efficiency.

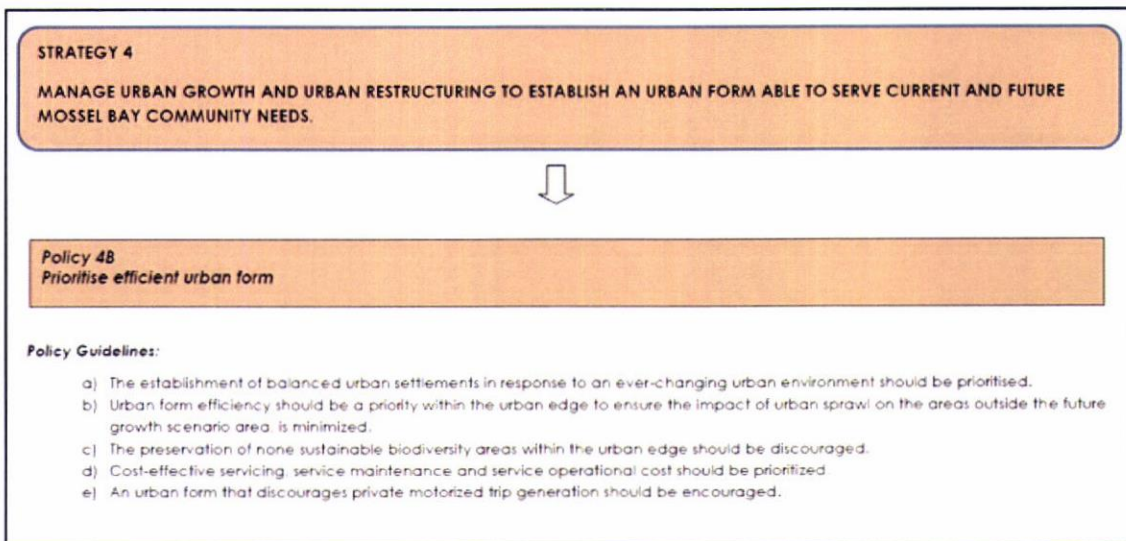
The subject erven are not earmarked for any identified long-term spatial proposals. Its alienation and consolidation with the subject property is consistent with the spatial planning objectives contained in the RSIF.

7.3 Mossel Bay Integrated Development Plan, 2022 (IDP) and Mossel Bay Spatial Development Framework / Environmental Management Framework, 2022 (MSDF)

IDP, 2022

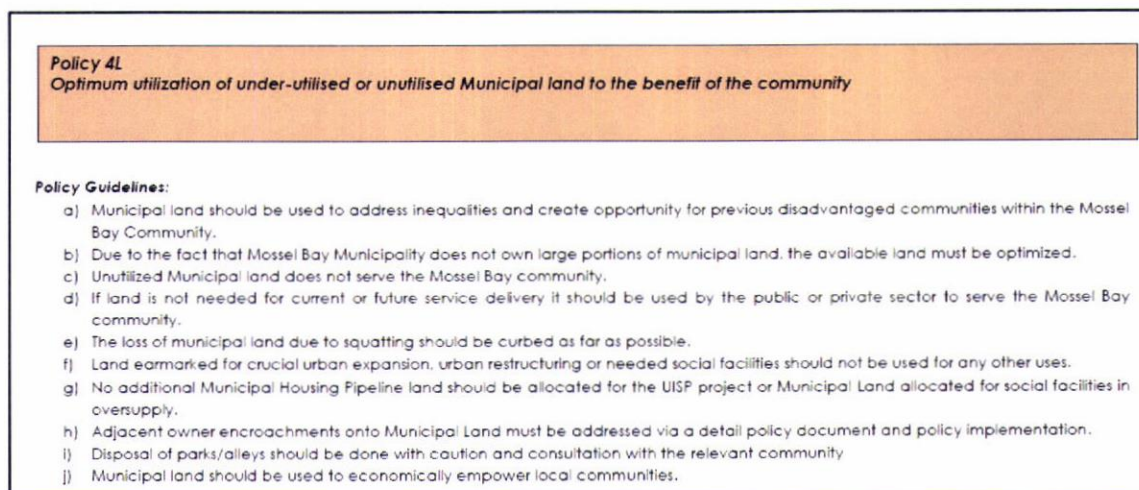
The IDP, 2022 supports various national, provincial and regional policy objectives aimed at creating sustainable and efficient urban growth patterns.

Strategy 4 suggests certain policy guidelines to prioritise efficient urban form in the Mossel Bay community – see extract below.



The application under consideration is consistent with these objectives, especially insofar as it seeks to discourage the preservation of non-sustainable biodiversity areas within the urban edge.

More importantly, the IDP (Policy 4L) recognises the need to make optimal use of underutilised municipal land to the benefit of the community and where encroachments onto municipal land should occur, it be addressed via detailed policy documents – see below.



The approval of this application benefits both the owner and Municipality from a land use and financial perspective, while also ensuring compliance with the applicable statutory provisions by rectifying a bona fide transgression.

There is a well-established process in place to address such encroachments through the alienation of Council land and the owner is taking the correct steps to rectify the situation.

MSDF, 2022

The erven that are the subject of this application are all situated inside the urban edge. In terms of the MSDF, 2022, the subject erven are not earmarked for a specific future use. Erf 8024 is indicated as an “urban area” – see **Figure 5** below.

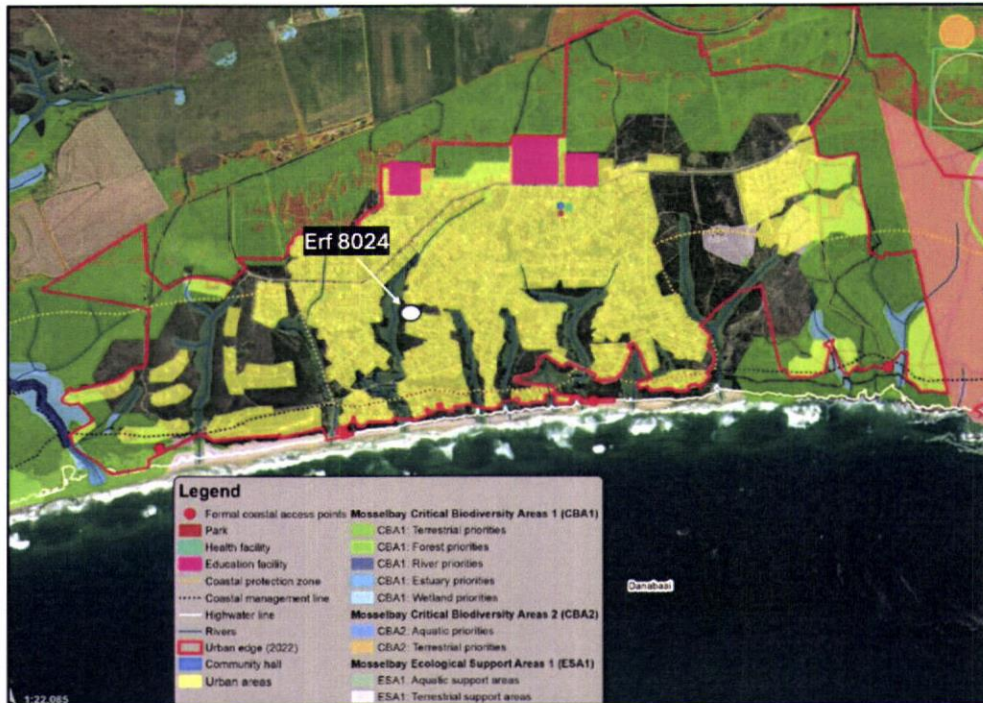


Fig 5 – Danabaai status quo map (Source: MSDF, 2022 – figure 12)

The MSDF, 2022 indicates that Erf 7970, Mossel Bay is part of the existing open space network as evident from **Figure 6** below.



Fig 6 – Danabaai spatial proposals map (Source: MSDF, 2022 – figure 13)

The MSDF, 2022 discourages encroachments onto the open space network since it is seen as an asset to the community that must be conserved for future generations. Section 42 of SPLUMA, 2013 determines that a Municipal Planning Tribunal may not make a decision that is inconsistent with a municipal spatial development framework and may depart therefrom only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework.

It is motivated that the following site-specific circumstances in relation to Erf 8024, Mossel Bay justify a departure from the MSDF for the following reasons:

- Although Erf 7970 is zoned as a public open space, it must be noted that it cannot be used accordingly due to the location of the existing boundary wall.
- The owner was not aware of the transgressions at the time of purchase and acted in good faith. The owner is willing to comply with the relevant legislation despite the financial resources it requires.
- Neither Portion A (portion of Erf 7970), nor Portion B (portion of Erf 6170) provides any valuable use for the public and broader community. This was one of the main reasons why the portions were alienated as confirmed by Condition 3 of the Council decision E197-08/2022 – see below.

3. *That, taking into consideration the unique circumstances surrounding the encroachment which has been ongoing for approximately 25 years, that the Applicant was not aware thereof when the property was purchased and that the Applicant is the only person to whom this portion of the property has any use or value, this small pieces of property be alienated to the Applicant.*

- The proposed rezoning of Portions A and B is not inconsistent with the uses already provided for in the MSDF – in other words, the proposed use of the consolidated erf is consistent with the urban area classification for the subject area.
- The subject erven are not located within any spatial elements where development is prohibited, such as outside the urban edge, inside the 100m coastal edge lines, inside a sensitive vegetation area etc. Whilst the MSDF, 2022 is clear on the position with regards to encroachments on open spaces, it is argued that the contravention occurred long before the adoption of these spatial directives – this should allow for some degree of discretion in assessing its applicability to the application erf.
- Given the minor nature of the proposed consolidation, there is no compromise of existing natural resources or the urban form.
- The consolidation will enable the owner to rectify unauthorised structures which promotes compliance with applicable legislative provisions and policy objectives. This promotes good governance.

8. CONCLUSION

The proposed application is consistent with the applicable legislative framework, as well as national, provincial and local policy objectives.

The approval of this application is expected to have an overall positive impact on urban form, design and sustainable development.

It is trusted that the proposal will be considered favourably.

Annexure A
Power of Attorney

POWER OF ATTORNEY

I, **Marius van Wyk**, in my capacity as authorized representative of **The Jaminist Trust (IT NO 286/96)** hereby authorize **RS Town Planning Consultants** to submit the following land use application in respect of **Erf 8024, Mossel Bay** ("the property"):

- Application in terms of section 15(2) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 to subdivide a $\pm 90\text{m}^2$ portion of adjacent Erf 7970, Mossel Bay and a $\pm 57\text{m}^2$ portion of Erf 6170, Mossel Bay with the intention to subdivide the said portions with Erf 8024, Mossel Bay.
- Application in terms of section 15(2) of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 for the closure of the abovementioned portions.
- Any additional applications in terms of the Mossel Bay Municipality: Zoning Scheme By-law and/or Municipal Land Use Planning By-law if required by the Local Authority in order to give effect to the terms of the Deed of Sale dated 20 March 2023.


The undersigned nominates, constitutes and appoints the below agent with power of substitution to act as the registered owners' legal representative and to act in their name, place and stead and to also sign and receive all correspondence in respect of the matter and to take the necessary steps as required by the Local Authority to ensure that the application complies with the relevant statutory provisions.

Authorised Representative name: Marius van Wyk

Signature  _____

Date **13 Aug 2024**

Authorised Agent: Rossouw Smit

Signature  _____

Date **13-08-2024**

JAMINIST TRUST (IT NO 286/96)

Resolution passed at the meeting of the Trustees held on _____ at

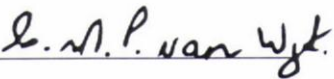
It is resolved that **Mr Marius van Wyk** as trustee of the abovementioned Trust is hereby authorised to sign all necessary documents and take any steps necessary to give effect to the above resolution for and on behalf of the Trust.

Signature of Trustees

Name: M J van Wyk

Signature 

Name: C M P van Wyk

Signature 

Name: _____

Signature _____

Name: _____

Signature _____

Name: _____

Signature _____



DEPARTEMENT VAN JUSTISIE
REPUBLIEK VAN SUID-AFRIKA

CERTIFIED TRUE COPY OF THE
ORIGINAL
GESERTIFISEER 'N WARE AFSCRIF
VAN DIE OORSPRONKLIKE

[Signature]
NOTARY PUBLIC / NOTARIS PUBLIEK

MAGTIGINGSBRIEF

Ingevolge artikel 6 (1) van die Wet op Beheer oor Trustgoed, 1988 (Wet 57 van 1988)

No. IT 286/96

Hiermee word gesertifiseer dat MARIUS JACQUES VAN WYK

gemagtig word om as trustee van die JAMANIST TRUST

~~XXX~~ op te tree.

GEGEE onder my hand te KAAPSTAD op hede die 6

dag van FEBRUARY 1996.

[Signature]
Asst. Meester van die Hooggeregshof

/RL

1555 -02- - 6

Annexure B
Diagram showing
encroachments



A - Portion of Erf 7970 ($\pm 90\text{m}^2$) and B - Portion of Erf 6170 ($\pm 57\text{m}^2$)



Disclaimer:
The Mossel Bay Municipality accepts no responsibility for
and will not be liable for any errors or omissions
contained herein.

1:564

Date: 2022-05-10



Annexure C
Deed of Sale

DEED OF SALE

MADE AND ENTERED INTO BY AND BETWEEN



MOSSEL BAY MUNICIPALITY

herein represented by **COLIN BERNARD PUREN**

in his capacity as **MUNICIPAL MANAGER**

who has been duly authorised thereto by resolution **E227/09/2022**
passed at a meeting of the Municipal Council on **29 SEPTEMBER 2022**
(hereinafter referred to as the **SELLER**)

AND

JAMINIST TRUST

IT NUMBER: 286/96

herein represented by **MARIUS VAN WYK**

in his capacity as **TRUSTEE**

who has been duly authorised thereto by the Trust Property
Control Act 57 of 1988
(hereinafter referred to as the **PURCHASER**)

WHEREAS the SELLER resolved under Council Resolution E24-02/2023 that the herein mentioned property is not required for municipal services and can therefore be alienated to the PURCHASER, in order to be consolidated with its adjacent property, Erf 8024 Mossel Bay in order to rectify the encroachment of its boundary wall and to be utilised for residential/ garden and parking purposes.

AND WHEREAS the proposed alienation has been duly advertised and no objections were received from the public;

R.C. [Signature]
S.S. [Signature]

AND WHEREAS no rights and/or obligations will be vested before the signing of this agreement by the Parties.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. THE PROPERTY

- 1.1. Portion of ERF 7970, MOSSEL BAY
In the Municipality and Division of Mossel Bay
Western Cape Province
In Extent ±90(Ninety) square metres
Situated adjacent Erf 8024, 16 E Ovina Crescent Dana Bay, as per Annexure 'A'.
- 1.2. Portion of ERF 6170, MOSSEL BAY
In the Municipality and Division of Mossel Bay
Western Cape Province
In Extent ±57(Fifty-Seven) square metres
Situated adjacent Erf 8024, 16 E Ovina Crescent Dana Bay, as per Annexure 'A'.

2. PURCHASE PRICE

- 2.1. The SELLER hereby sells, and the PURCHASER hereby purchases, the abovementioned property for the amount of R70 000.00 (Seventy Thousand Rand) (VAT included)
- 2.2 The PURCHASER will deliver a guarantee for the full purchase price to the SELLER's conveyancers within 30 (thirty) days after date of this deed of sale on such terms and conditions as stipulated by and acceptable to the SELLER's conveyancers.

Handwritten signatures and initials in the bottom right corner of the page. There are several scribbles and what appears to be the initials 'B.C.' and 'S.S.' written in ink.

3. CONDITIONS

The PROPERTIES are sold subject to the following conditions:

- 3.1. These portions of Erven 7970 and 6170, Mossel Bay, must be consolidated with the PURCHASER'S adjacent property, Erf 8024 Mossel Bay, at the cost of the PURCHASER.
- 3.2. The PURCHASER is responsible for the costs of closure of a Public Place or part thereof, survey, rezoning, subdivision, consolidation or any other Land Use Planning Application applicable, in order to consolidate these portions of Erf 7970, Mossel Bay as well as a portion of ERF 6170, Mossel Bay with Erf 8024 Mossel Bay.
- 3.3. The SELLER reserves the right of free access to the property, without notice, for the purpose of inspection, maintenance, renewal, cleansing, repair and construction of municipal services.
- 3.4. The PURCHASER will be responsible for all costs of the application, including advertisement, transfer and service connection costs.
- 3.5. The PURCHASER indemnifies the SELLER against any damages for any stormwater overflow/flooding or any other causes that may occur in the future. This precondition must also be included in the Title Deed.
- 3.6. The PURCHASER must submit building plans, at its own costs, for approval after registration of the consolidated property in the name of the PURCHASER.
- 3.7. The PURCHASER may not alter or in any way disturb any existing services on the abovementioned property.



Handwritten signatures and initials, including a circled signature and the initials 'S.S.'.

4. TRANSFER

The PURCHASER will be liable for all transfer costs, transfer duty and any other costs associated with transfer of the properties into the name of the PURCHASER by the conveyancers of the SELLER, and the conveyancing will only start after such costs have been paid by the PURCHASER.

5. POSSESSION AND OCCUPATION

Possession and vacant occupation of the PROPERTIES by the PURCHASER shall take effect on date of registration, from which date it shall be at the sole risk, loss or profit of the PURCHASER.

6. RATES AND TAXES

The PURCHASER shall be liable for the payment of all rates, taxes and other charges in respect of the properties from the date of possession and occupation.

7. DESCRIPTION OF PROPERTIES IN THE TITLE DEED

The Land is sold as described in the existing title deed or deeds thereof and subject to all conditions and servitudes (if any) attaching thereto or mentioned or referred to in the said title deeds or prior deeds. The SELLER shall not be liable for any deficiency in extent which may be revealed on any resurvey, nor shall the SELLER benefit by a surplus in extent.

8. VOETSTOOTS

8.1 The Land is sold voetstoots. The SELLER shall not be liable for any defects in the Land either latent or patent nor shall the SELLER be liable for any damages suffered by the PURCHASER by reason of such defects. The SELLER shall not be required to indicate to the PURCHASER the positions of the beacons or pegs upon the Land and/or boundaries thereof, nor shall the SELLER be liable for the costs of locating same.

8.2 The PURCHASER is responsible for compliance with any applicable provisions of the Municipal By-Law on Municipal Land Use Planning 2015 or any other relevant legislation.



Handwritten signatures and initials, including "R.C." and "S.J.S."

9. MUNICIPAL SERVICES

- 9.1 The PURCHASER shall, without compensation, be obliged to allow on the properties electricity, telephone or television cables or lines and main and/or other waterpipes and sewerage and drainage, including stormwater of any other erf or erven to be conveyed across the property and that installations such as mini-substations, meter kiosks and service poles be installed if deemed necessary by the SELLER or other statutory authority and in such manner and position as may from time to time be reasonably required, all of which will however be done with due consideration of the use of the properties by the PURCHASER. This shall include the right of access to the property at any reasonable time in order to construct, maintain, alter, remove or inspect any sewer, manhole, furrow, conduit or other works pertaining thereto.
- 9.2 Should any municipal services be removed by the SELLER on request of the PURCHASER, the PURCHASER shall be liable for the costs.
- 9.3 In the event of the PURCHASER erecting any structures on existing municipal services, such services must be protected to the satisfaction of the SELLER.
- 9.4 Should the existing municipal services not be sufficient for the PURCHASER, the PURCHASER shall at his/her/their costs install the necessary services. Such services shall be installed to the satisfaction of the Director: Infrastructure Services.

10. INDEMNITY

The PURCHASER hereby undertakes to indemnify and keep the SELLER indemnified against all actions, proceedings, claims, demands, costs, compensation and expenditure which might be imposed on, or claimed from the SELLER or which the SELLER might pay, sustain or incur in respect of the PROPERTIES purchased and which results from the misconduct or negligence of the PURCHASER or any person in his/her/their employment and/or acting on his/her/their behalf.

Handwritten signatures and initials in the bottom right corner of the page. There are several scribbles and initials, including what appears to be 'R.C.' and 'S.S.'.

11. BREACH

11.1 In the event of the PURCHASER failing to fulfil on due date any of the terms and conditions of this Agreement or to rectify any other act in breach of this Agreement within fourteen (14) days after being requested to do so in writing, the SELLER shall have the right to either:

11.1.1 cancel the sale by registered letter addressed to the PURCHASER, in which event the PURCHASER shall forfeit all monies paid to the SELLER or his Agent in terms hereof, without prejudice to the SELLER'S other legal rights and remedies and the right to claim damages; or

11.1.2 claim fulfilment of all the terms and conditions hereof.

11.2 In the event of the SELLER failing to fulfil on due date any of the terms and conditions of this Agreement or to rectify any other act in breach of this Agreement within fourteen (14) days after being requested to do so in writing, the PURCHASER shall have the right to either:

11.2.1 cancel the sale by registered letter addressed to the SELLER and to recover from the SELLER such damages as he/she/they may have suffered; or

11.2.2 claim the immediate fulfilment of all the terms and conditions hereof on specific conditions.

12. VARIATION

This Agreement constitutes the entire agreement between the Parties and no modification, variation or alteration thereto shall be valid unless in writing and signed by both parties hereto.

13. DISPUTE CLAUSE

13.1 The parties hereby agree that in the event of a dispute arising out of this agreement then resolution of this dispute may be attempted by way of consultation between the parties. If the consultation process does not lead to a

Handwritten signatures and initials in black ink, including a large signature on the left, a circular stamp or signature in the middle, and initials 'R.C.' and 'S.S.' on the right.

resolution of the dispute, within ten (10) days, then the parties agree that the dispute may be referred to for arbitration.

- 13.2 All arbitration proceedings shall be conducted in Mossel Bay. The arbitration shall be conducted informally, it being intended that if possible, it shall be concluded within ten (10) days of referral.
- 13.3 If the parties cannot agree on the appointment of a particular arbitrator within three (3) days after arbitration has been agreed upon, the President for the time being of the Legal Practice Council will be requested to appoint an arbitrator.
- 13.4 The fees payable to the arbitrator shall be determined and agreed to between the arbitrator and the parties and the parties shall be jointly and severally liable for the payment of the arbitrator's fees. Any party may request the other party to deliver an acceptable guarantee or reasonable deposit for this portion of the cost.
- 13.5 The arbitrator shall be requested to hand down his/her award within ten (10) days after the completion of the arbitration.
- 13.6 The decision of the arbitrator shall be final and binding and may be made an order of the Western Cape High Court upon the application by any party to the arbitration.

14. DOMICILIA CITANDI ET EXECUTANDI

14.1 The Parties choose their domicilia citandi et executandi as follows:

The SELLER

101 Marsh Street

Mossel Bay

6500

Tel : 044 606 5000

Fax : 044 690 5786

Email: admin@mosselbay.gov.za



Handwritten signatures and initials, including "R.C." and "S.S.", and a circular stamp.

The PURCHASER
16 E. Ovina Crescent
Dana Bay
Mossel Bay
6510
Tel: 082 572 0260
Email: stefmar@netactive.co.za

14.2 Any notice to either party shall be addressed to it at its domicilium and sent by either prepaid registered post or/ facsimile or email or delivered by hand. In the case of any notice:

14.2.1 sent by prepaid registered post, it shall be deemed to have been received, unless the contrary is proved, on the fourth business day after posting;

14.2.2 dispatched by facsimile or email, on the date of dispatch of such facsimile or email, provided that the correct answer back code of the address or read receipt is received on the facsimile or email;

14.2.3 delivered by hand, it shall be deemed to have been received, unless the contrary is proved, on the date of delivery, provided such date is a business day, or otherwise on the next following business day, save that if delivered by hand a receipt shall be obtained and kept as proof of such delivery.

15. WAIVER

Notwithstanding any express or implied provisions of this deed of Sale to the contrary, any latitude or extension of time which may be allowed by the SELLER in respect of any matter or thing that the PURCHASER is bound to perform or observe in terms hereof, shall not under any circumstances be deemed to be a waiver of the SELLER'S right at any time, and without notice, to require strict and punctual compliance with each and every provision or term hereof.


Handwritten signatures and initials, including "R.C.", "S.S.", and a circular stamp.


16. JURISDICTION

The Parties hereto, in terms of section 45 of Act 32 of 1944, consent to the jurisdiction of the Magistrate's Court for the hearing of any action which may arise directly or indirectly from this Agreement, without prejudice however, to the SELLER or his/her/their agents' right to institute such action in the High Court in the event of their choosing to do so.

20th
16th
THUS DONE AND SIGNED AT MOSEL BAY ON THIS 16th DAY OF March 2023.

AS WITNESSES:

1. 

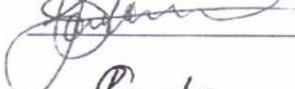
2. 

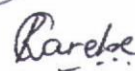


SELLER

THUS DONE AND SIGNED AT MOSEL BAY ON THIS 13 DAY OF MARCH 2023.

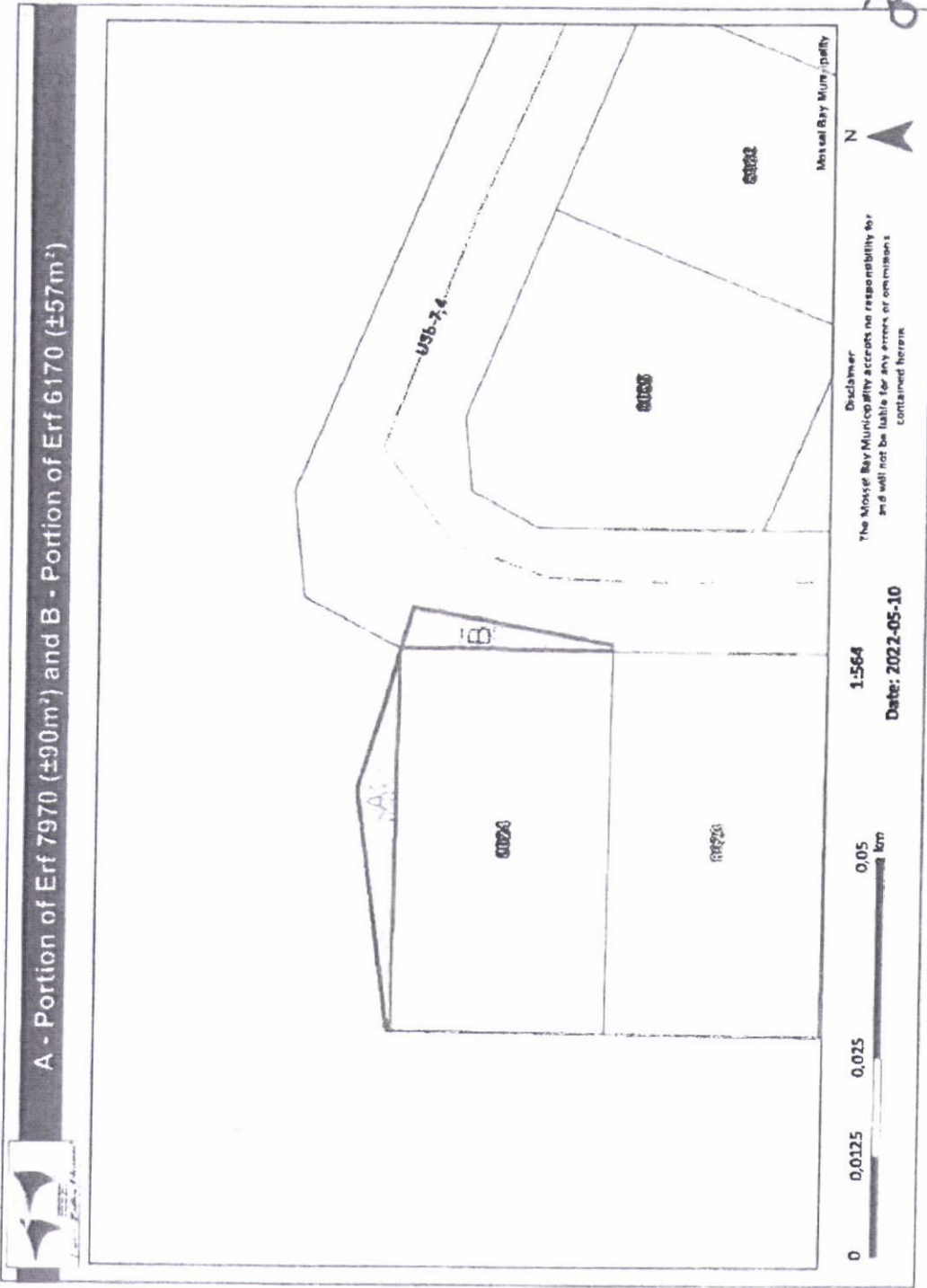
AS WITNESSES:

1. 

2. 



PURCHASER



'A'

'B'

[Handwritten signatures and initials]
 R.C.
 S.S. Myford

Annexure D

Pre-application outcome

rossouw@rstpc.co.za

From: Mbunge, Samelangolwazi <smbunge@mosselbay.gov.za>
Sent: Wednesday, 18 October 2023 15:18
To: rossouw smit
Cc: Kruger, Eddie; Le Roux, Olga; Roux, Jaco; Jacobs, Evan; Le Roux, Ruan; Fernandez, Raimo; Truter, Danielle
Subject: Pre-application for Rezoning, Subdivision, Consolidation and Closure for Erf 8024, Mossel Bay
Attachments: B Land Use Planning Application Form 2023-2024.docx

Good day,

Your pre-application received on the 9th of February 2023 refers.

Your proposal was discussed by the Town Planning Section of the Municipality on 10th of February 2023 and based on the available information it was decided that a Pre-application Consultation is not required in terms of Section 37 of the Mossel Bay Municipality By-law on Municipal Land Use Planning, 2021.

You may continue to submit the formal land use planning application.

Please note the following:

1. Please note that a Subdivision and a Closure application is required. The Consolidation and Rezoning have been exempted in terms of section 24(1)(d) of the relevant by-law, therefore an Exemption application will also be required.
2. Comments from the relevant Ward Councillor should be obtained prior to the submission of the formal land use application.
3. The proposal is not in line the Spatial Development Framework, 2022 therefore the motivation report should be site specific.

Attached please find a copy of the application form.

Please do not hesitate to contact this office for any inquiries.

Please note that any information in this email is not an indication of the outcome of the decision should you wish to continue with the land use application process.

Kind regards,



Samelangolwazi Mbunge

Intern (Development Management)

101 Marsh Street, Mossel Bay

Email: smbunge@mosselbay.gov.za

Web: <https://www.mosselbay.gov.za>

Tel: +27 44 606-5000

Ext: 6316



MOSSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

Annexure E
Comment Ward Councillor

rossouw@rstpc.co.za

From: Le Roux, Nickey <nleroux@mosselbay.gov.za>
Sent: Monday, 28 October 2024 10:39
To: rossouw@rstpc.co.za
Subject: RE: Erf 8024, Danabaai

100%, ek ondersteun graag aangesien die aansoek reeds voor die raad gedien en goedgekeur is.

Vriendelike groete



Nickey Le Roux

Councillor

101 Marsh Street, Mossel Bay
Email: nleroux@mosselbay.gov.za
Web: <https://www.mosselbay.gov.za>
Tel: +27 44 606-5000
Ext: 6136
Cell: 0825629259



MOSSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

Anti-Fraud Hotline: 0800 333 466

From: rossouw@rstpc.co.za <rossouw@rstpc.co.za>
Sent: Friday, October 25, 2024 12:58 PM
To: Le Roux, Nickey <nleroux@mosselbay.gov.za>
Subject: RE: Erf 8024, Danabaai

You don't often get email from rossouw@rstpc.co.za. [Learn why this is important](#)

*** [EXTERNAL]: This email originated from outside the organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Goeiedag Raadslid le Roux

My e-pos hieronder verwys.

Ek is amper gereed om die finale aansoek in te dien by Mosselbaai Munisipaliteit se stadsbeplannings-afdeling. Indien in orde, wil ek graag die aansoek vir jou kommentaar stuur deur die verloop van volgende week (dit was so versoek deur Stadsbeplanning tydens die vooraf-aansoek proses).

Dit is nie nodig op hierdie stadium om enige gesprekke met Stadsbeplanning te reël nie. Ek sal beslis laat weet indien dit dalk vorentoe nodig is.

Dankie, en groete

Kind regards/Vriendelike Groete

Rossouw Smit | Professional Planner
E: rossouw@rstpc.co.za
C: 076 946 9404

From: rossouw@rstpc.co.za <rossouw@rstpc.co.za>

Sent: Tuesday, November 12, 2024 1:17 PM

To: Le Roux, Nickey <nleroux@mosselbay.gov.za>

Subject: Application for comment by Ward Councillor: Erf 8024, Danabaai

You don't often get email from rossouw@rstpc.co.za. [Learn why this is important](#)

*** [EXTERNAL]: This email originated from outside the organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Good day Councillor le Roux

I recently informed you by e-mail of my appointment to submit a land use application on behalf of Mr Marius van Wyk, the registered owner of Erf 8024, Danabaai.

The application seeks approval to consolidate purchased Portion A (public open space) and Portion B (road reserve) with Mr van Wyk's property (Erf 8024). A pre-application was concluded with the Mossel Bay Municipality's Town Planning department, who requested that I obtain your comment prior to submission.

Please find attached the following for your comment:

- Motivation
- Aerial photograph showing Portion A and Portion B which need to be consolidated with Erf 8024, Danabaai
- The sketch plans showing the existing structures on the property.

I have not included all the annexures due to its size, but please feel free to let me know if you require any specific documents or information.

Kind regards/Vriendelike Groete

Rossouw Smit | Professional Planner

E: rossouw@rstpc.co.za

C: 076 946 9404



Mossel Bay Municipality email disclaimer:

http://www.mosselbay.gov.za/mbm_disclaimer.pdf

Mossel Bay Municipality,
101 Marsh Street,
Mossel Bay,
6506,
South Africa

rossouw@rstpc.co.za

From: rossouw@rstpc.co.za
Sent: Wednesday, 20 November 2024 14:51
To: 'Le Roux, Nickey'
Subject: RE: Application for comment by Ward Councillor: Erf 8024, Danabaai

Dankie Raadslid

Die aansoek wat die Raad goedgekeur het was vir die vervreemding van die onderskeie grondgedeeltes.

Een van die voorwaardes was dat die betrokke gedeeltes gesluit moet word sodat dit onderverdeel en gekonsolideer kan word met Mnr van Wyk se erf. Hierdie aansoek sal besluit word deur die 'Eden Joint Municipal Planning Tribunal'.

Dankie vir die kommentaar, ek aanvaar dat daar geen beswaar van u kant is nie.

Kind regards/Vriendelike Groete

Rossouw Smit | Professional Planner | M.URP (UFS)
E: rossouw@rstpc.co.za
C: 076 946 9404



From: Le Roux, Nickey <nleroux@mosselbay.gov.za>
Sent: Wednesday, 20 November 2024 14:41
To: rossouw@rstpc.co.za
Subject: RE: Application for comment by Ward Councillor: Erf 8024, Danabaai

Dankie, hierdie aansoek was reeds deur die Raad oorweeg en goedgekeur.
Vriendelike groete



Nickey Le Roux

Councillor

101 Marsh Street, Mossel Bay
Email: nleroux@mosselbay.gov.za
Web: <https://www.mosselbay.gov.za>
Tel: +27 44 606-5000
Ext: 6136
Cell: 0825629259



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Anti-Fraud Hotline: 0800 333 466

Annexure F

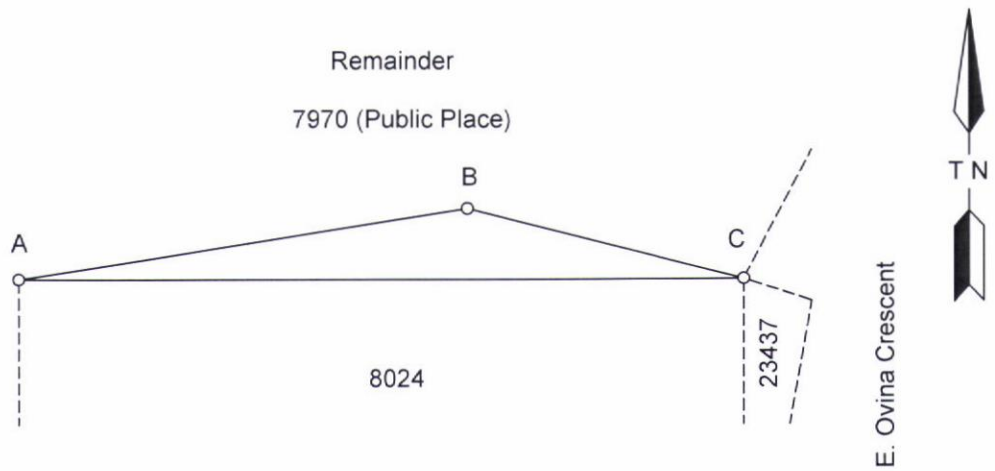
Draft SG Diagrams

SUBDIVISIONAL DIAGRAM

| SIDES Metres | | ANGLES OF DIRECTION | CO-ORDINATES Y System:WG 23° X | | | S.G. No. |
|-----------------|-------|------------------------|-----------------------------------|------------|--------------|-----------------------------|
| | | Constants: | | + 0,00 | +3700 000,00 | Approved |
| AB | 25,03 | 261 01 10 | A | +88 986,91 | + 86 278,08 | |
| BC | 15,77 | 284 21 30 | B | +88 962,18 | + 86 274,17 | |
| CA | 40,00 | 90 00 00 | C | +88 946,91 | + 86 278,08 | |
| MOS 37 | | 261 | △ | +88 151,82 | + 85 513,91 | for SURVEYOR- GENERAL |
| DANABAAI WT | | 440 | △ | +87 290,82 | + 85 326,46 | |

Description of Beacons
A B C ... 12mm Iron Peg

Scale 1:400



The figure represents **ABC** 78 square metres of land being **MOSEL BAY** Erf 23436 (a portion of Erf 7970)

Situated in Mossel Bay Township Extension No. 19
in the Municipality and Administrative District of Mossel Bay
Province : Western Cape
Surveyed in October 2021 and June 2023 by me

A. J. Coetzee PLS-1194
Professional Land Surveyor

www.cdj.co.za
CDJ Landmeters/ Land Surveyors

| | | |
|---|--|--|
| This diagram is annexed to No d.d. i.f.o Registrar of Deeds | The original diagram is S.G. No Transfer No Grant | File S.R. GP SG No. 4021/1976 Comp ALNF-3393 (M1014) ALNL-1131 (M1020) LPI C0510007 |
|---|--|--|

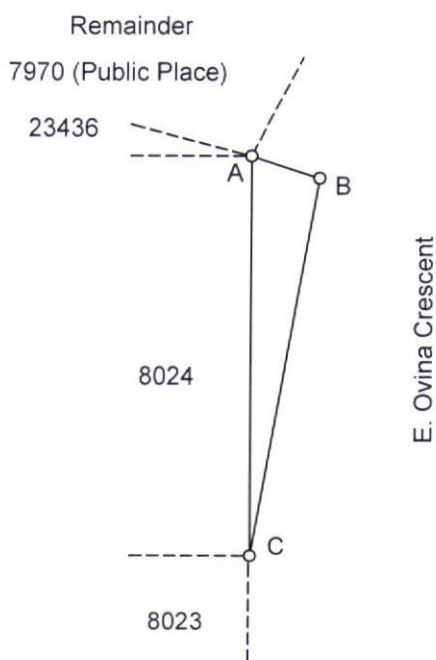
SUBDIVISIONAL DIAGRAM

| SIDES Metres | | ANGLES OF DIRECTION | CO-ORDINATES Y System: WG 23° X | | S.G. No. |
|-----------------|-------|------------------------|------------------------------------|--------------|-----------------------------|
| | | Constants: | + 0,00 | +3700 000,00 | Approved |
| AB | 3,95 | 288 01 20 | A +88 946,91 | + 86 278,08 | |
| BC | 21,12 | 10 15 40 | B +88 943,15 | + 86 279,30 | |
| CA | 22,00 | 180 00 00 | C +88 946,91 | + 86 300,08 | |
| MOS 37 | | 261 | △ +88 151,82 | + 85 513,91 | for SURVEYOR- GENERAL |
| DANABAAI WT | | 440 | △ +87 290,82 | + 85 326,46 | |

Description of Beacons

A B C ... 12mm Iron Peg

Scale 1:400



The figure represents

ABC
41 square metres
Erf 23437
MOSEL BAY

of land being

www.cdj.co.za

CDJ Landmeters/ Land Surveyors

Situated in Mossel Bay Township Extension No. 19
in the Municipality and Administrative District of Mossel Bay
Province : Western Cape
Surveyed in October 2021 and June 2023 by me

A.J. Coetzee PLS-1194
Professional Land Surveyor

| | | |
|---|---|--|
| This diagram is annexed to No d.d. i.f.o Registrar of Deeds | The original diagram is S.G.No Transfer No Grant | File S.R. GP SG No. 4021/1976 Comp ALNF-3393 (M1014) ALNL-1131 (M1020) LPI C0510007 |
|---|---|--|

CONSOLIDATION DIAGRAM

Components:

1. The figure ABC represents Erf 23436.
 Vide Diagram S.G. No.
 Deed of Transfer No. T

2. The figure CDE represents Erf 23437.
 Vide Diagram S.G. No.
 Deed of Transfer No.

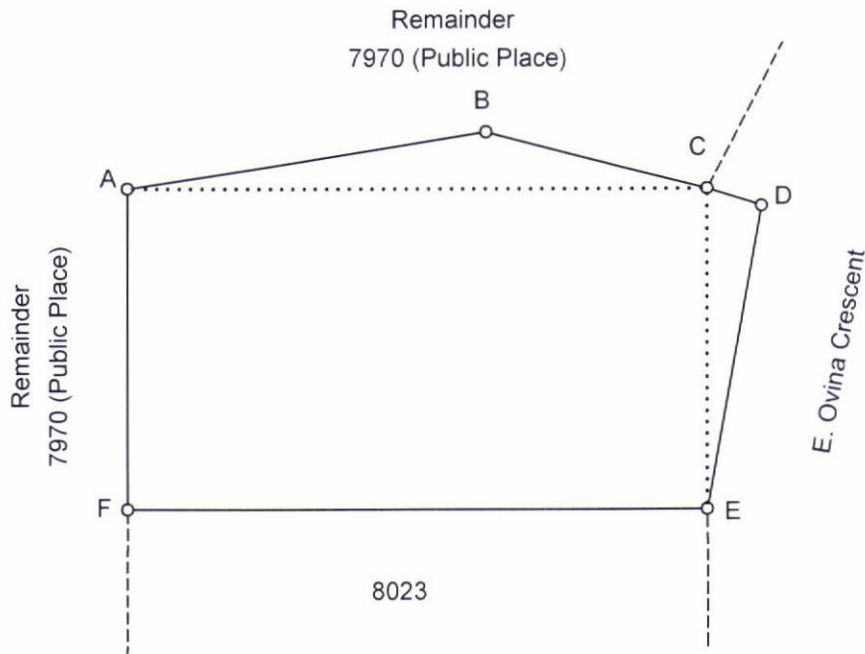
3. The figure ACEF represents Erf 8024.
 Vide General Plan S.G. No. 4021/1976
 Deed of Transfer No.

S.G. No.

Approved

for
**SURVEYOR-
 GENERAL**

Scale 1:500



The figure **ABCDEF** of land being
 represents **998 square metres**
Erf 23438
MOSSEL BAY
 (and comprises components 1 to 3 as listed above)

Situated in Mossel Bay Township Extension No. 19
 in the Municipality and Administrative District of Mossel Bay
 Province : Western Cape
 Compiled in June 2023 by me

A.J. Coetzee PLS-1194
 Professional Land Surveyor

www.cdj.co.za

CDJ Landmeters/ Land Surveyors

This diagram is annexed to No. d.d. i.f.o. Registrar of deeds

The original diagrams are as listed above

File
 S.R. Compiled
 GP SG No. 4021/1976
 Camp ALNF-3393 (M1014)
 ALNL-1131 (M1020)
 LPI C0510007

Annexure G
Application Form

Annexure H
Site Layout & Sketch Plans



A - Portion of Erf 7970 ($\pm 90\text{m}^2$) and B - Portion of Erf 6170 ($\pm 57\text{m}^2$)



0 0,0125 0,025 0,05 km

1:564

Date: 2022-05-10

Disclaimer:
The Mossel Bay Municipality accepts no responsibility for
and will not be liable for any errors or omissions
contained herein.



Annexure J

General Plan

S.G. NO. 4021/
APPROVED
4 SURVEYOR
26-11-77

THIS PLAN COMPRISES 6 SHEETS
SHEET NO. 5

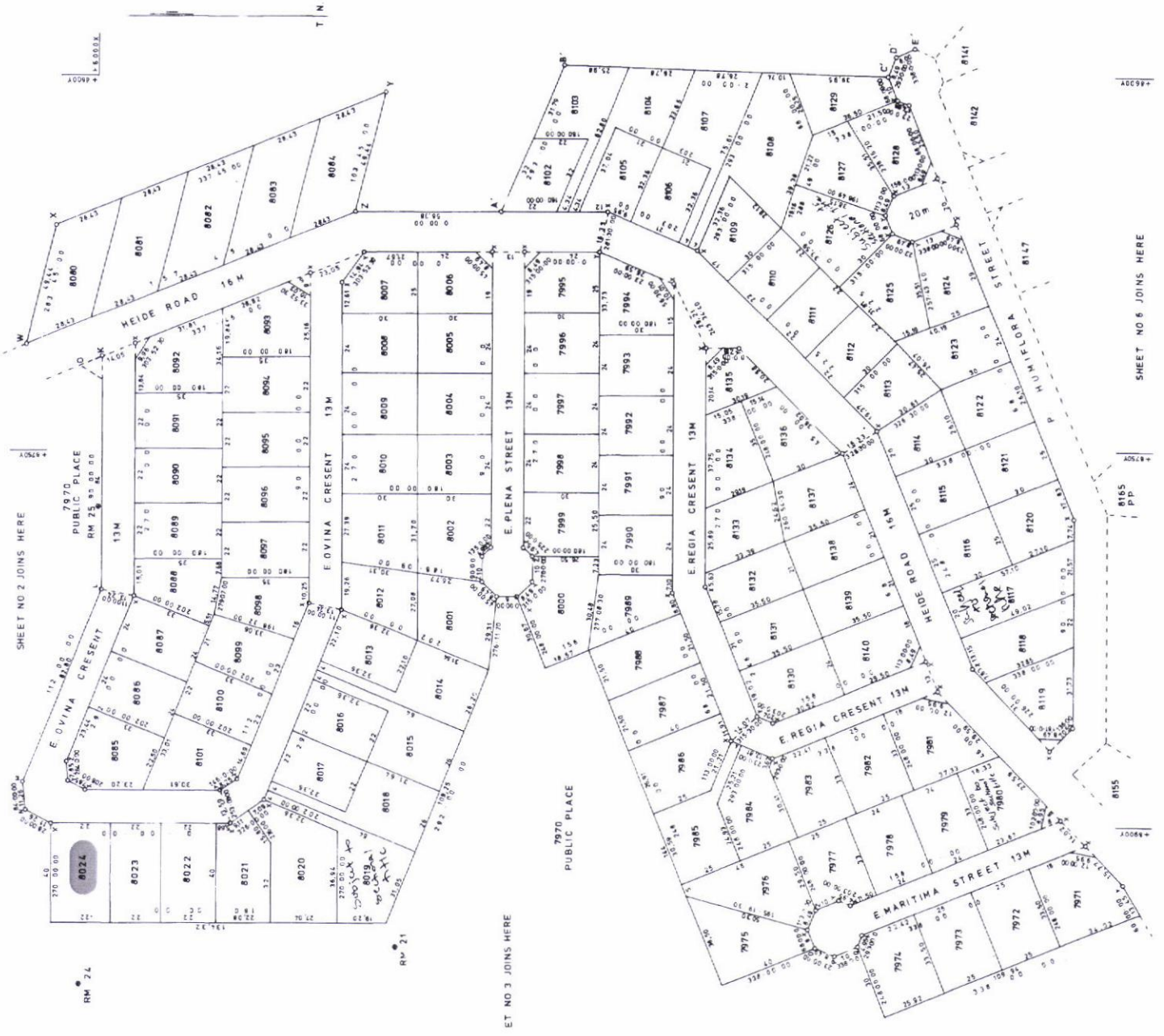
CDR

TP
GENERAL PLAN NO. 9844
OF
MOSSEL BAY TOWNSHIP EXTENSION NO. 19
(MOSSEL BAY ALLOTMENT AREA)
SCALE 1:750

ORIG. DGM NO. 4020
S.G. FILE NO. MOS
S.R. NO. E 1167/76
COMPILATION AC-F

SURVEYED BY ME BETWEEN JUNE 1975-APRIL 1976

LAND SURVEYOR



SHEET NO 2 JOINS HERE

ET NO 3 JOINS HERE

SHEET NO 6 JOINS HERE

RM 74

RM 21

RM 155

RM 150

RM 150

RM 150

Annexure K

Surveyor Diagrams

WORKING PLAN
 OF THE SUBDIVISION OF
 ERF 7970(PARTIAL PUBLIC PLACE CLOSURE),
 ERF 6170 (PARTIAL STREET CLOSURE OF E. OVINA CRESCENT)
 & CONSOLIDATION OF ERVEN 23436, 23437 & 8024

MOSSEL BAY EXT 19

District Mossel Bay
 Province : Western Cape
 Scale 1 : 450(A3)



DESCRIPTION OF BEACONS:

■ **REFERENCE MARKS FOUND FROM SR1167/1976**

RM20, RM26: Pipe In Concrete

□ **WORKING STATIONS:**

GF36_1: Iron Peg next to Kerb
 GF36_2, MH2, MH3: Middle of Manhole

● **BEACONS FOUND FROM SR 1167/1976**

7970N, 8024A, 8024D: 12mm Iron Peg

⊙ **BEACON FOUND AND REJECTED**

7970MF: 12mm Iron Peg

○ **BEACONS PLACED:**

8024B, 8024D, SUB1
 SUB3: 12mm Iron Peg

CALCULATED POINTS:

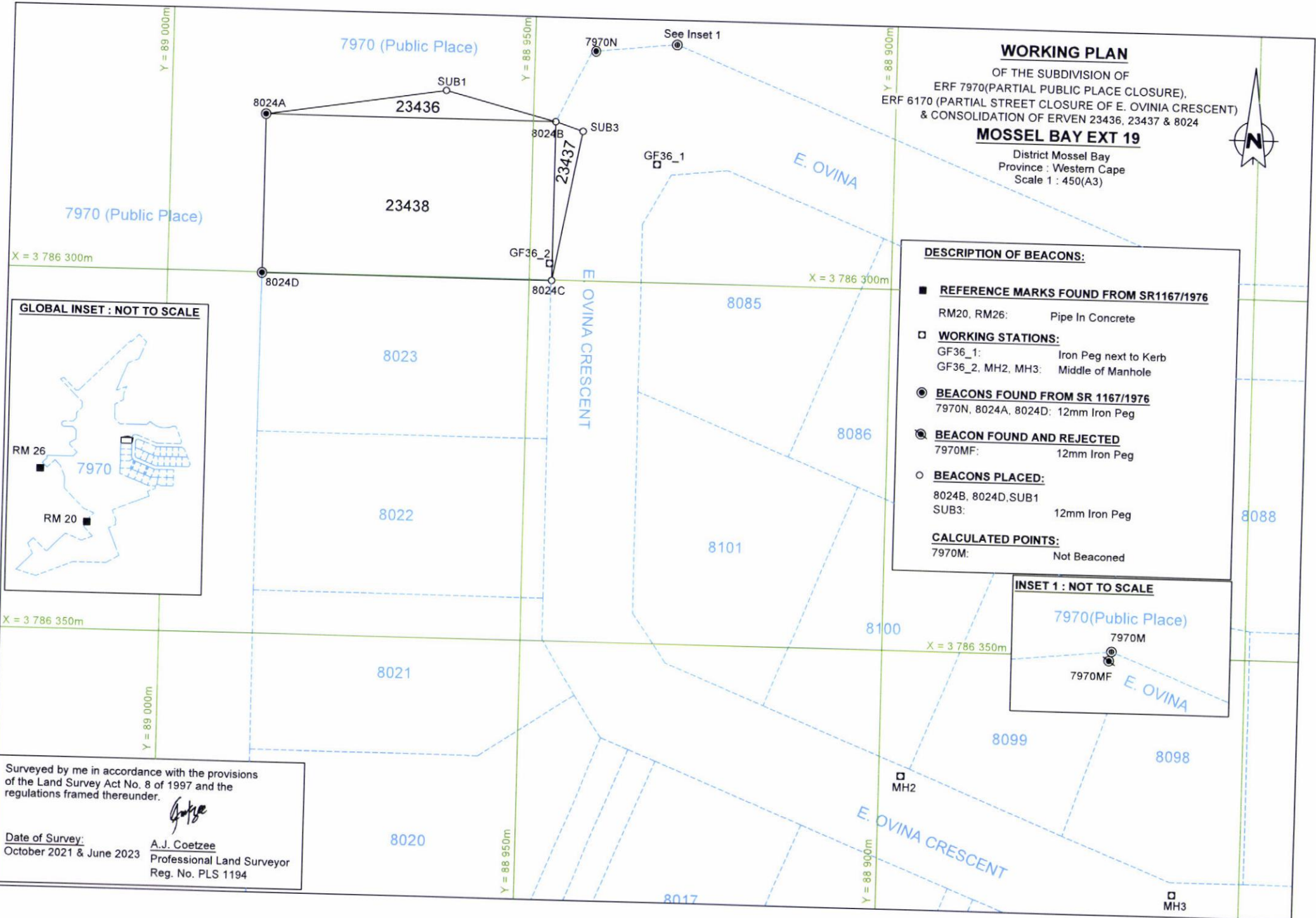
7970M: Not Beacons

INSET 1 : NOT TO SCALE

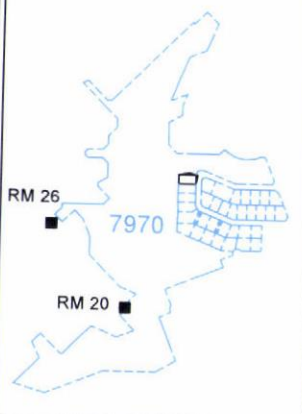
7970(Public Place)

7970M

7970MF



GLOBAL INSET : NOT TO SCALE



Surveyed by me in accordance with the provisions of the Land Survey Act No. 8 of 1997 and the regulations framed thereunder.

A.J. Coetzee
 Date of Survey: October 2021 & June 2023
 A.J. Coetzee
 Professional Land Surveyor
 Reg. No. PLS 1194

CDJ Landmeters/ Land Surveyors
 www.cdj.co.za

Annexure L
Title Deed

KOTZE & OOSTHUIZEN
PROKUREURS, NOTARISSE &
AKTEBESORGER
POWRIESTRAAT 5
MOSSSELBAAI

Opgeset deur my

TRANSPORTBESORGER
H. OOSTHUIZEN

SEELREG
DUTY R.

FOOI
FEE R.

Verskeie kati

Mal 13- DATA
WURIE

T 42137 196

TRANSPORTAKTE

KRAGTENS 'N PROKURASIE

HIERMEE WORD BEKEND GEMAAK

DAT WILLEM PETRUS MALHERBE

voor my, Registrateur van Aktes te Kaapstad, verskyn het, behoorlik daartoe gemagtig
deur 'n Prokurasie geteken op 20 FEBRUARIE 1996 te PRETORIA

deur

A B K BELEGGINGS BK
Nr CK 90/34532/23

Welke prokurasie behoorlik geattesteer is deur getuies

W

2

EN die Komparant het verklaar dat op 16 JANUARIE 1996 die hierna vermelde eiendom werklik en wettiglik verkoop is aan die hierna vermelde Transportnemer

NOU derhalwe het die gesegde Komparant in sy hoedanigheid voormeld hierby GESEDEER en GETRANSPORTEER in volle en vrye eiendom aan en ten behoeve van

**Die Trustee indertyd van die
JAMANIST TRUST
NO IT 286/96**

Hulle Opvolgers In Titel, Administrateurs of Gemagtigdes

ERF 8024 MOSSELBAAI, in die Munisipaliteit van Mosselbaai, Afdeling van Mosselbaai, Provinsie van Wes-Kaap.

GROOT : 880 (Agthonderd-en-Tagtig) vierkante meter

EERSTE GETRANSPORTEER kragtens Transportakte No. T5880/1984 met Algemene Plan No. T.P. 9844 wat daarop betrekking het en gehou kragtens Transportakte No T72844/91.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr T30/1889 gedateer 2 Oktober 1889.
- B. ONDERHEWIG VERDER aan die volgende voorwaardes vervat in Transportakte No T5880/1984 opgelê deur die Administrateur van die Kaapprovinsie ingevolge Artikel 18 van Ordonnansie Nr 33 van 1934 by goedkeuring van Mosselbaai Dorp Uitbreiding Nr 19, naamlik:

- (a) Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding, toe te laat dat elektrisiteits-, telefoon- of televisiekabels of -drade en hoof- en/of ander waterpype en die rioolvuil en dreinerings, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word, indien dit deur die plaaslike of 'n ander statutêre owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder, of te inspekteer.
- (b) Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoeë van en binne 'n tydperk wat die plaaslike owerheid bepaal.
- (c) Hierdie erf mag alleenlik gebruik word vir sulke doeleindes wat deur die dorpsaanlegskema van die Plaaslike Owerheid toegelaat word en onderworpe aan die voorwaardes en beperkings wat in die skema bepaal word.



DIE Komparant doen dus hiermee afstand van al die regte, aanspraak en titel wat

TRANSPORTGEWER

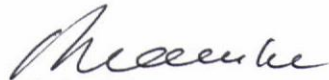
voorheen op genoemde eiendom gehad het, en gevolglik erken die Komparant ook dat die gesegde Transportgewer geheel en al van die besit daarvan onthef en nie meer daarop geregtig is nie, en dat kragtens hierdie akte, bogenoemde

TRANSPORTNEMER

SY Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die Regte van die Staat; en ten slotte erken hy dat die hele Koopsom ten bedrae van R31 000.00 (Een-en-Dertigduisend Rand) behoorlik betaal of verseker is.

TEN BEWYSE waarvan ek, die 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 hede die 6 dag van *Junie* in die jaar van ons Heer, Eenduisend Negehonderd Ses-en-Negenig


q.q. sy Prinsipaal/ale

In my teenwoordigheid,


REGISTRATEUR VAN AKTES

N

HEREREGTE-VORM B
VERKLARING DEUR KOPER

DEEL I

TRANSPORTGEWER (Verkoper)

A B K BELEGGINGS BK
NO CK 90/34532/23

TRANSPORTNEMER (Koper)

Die Trustees indertyd van die
JAMANIST TRUST
NO IT 286/96

BESKRYWING VAN EIENDOM

ERF 8024 MOSSELBAAI, in die Munisipaliteit van Mosselbaai
Afdeling van Mosselbaai, Provinsie van Wes-Kaap

GROOT: 880 vierkante meter

ONTVANGER VAN INKOMSTE
POBLES P.O. BOX
1996-03-19
KAAPSTAD/CAPE TOWN 8000
RECEIVER OF REVENUE

Poskode van distrik waarin eiendom geleë is 65

Datum van transaksie: 16 Januarie 1996 Vergoeding: R 31 000,00

HEREREGTE BETAAL DEUR DE KLERK & VAN GEND (PL)
Posadres: Posbus 1857, KAAPSTAD

4064
HIERN

CH VIR AMPTELIKE GEBRUIK
Hereregte betaal op R. 31000.00 Synde Andrew Prins

DAT W

Wet waarkragtêus hereregte gelyf word 40/49

voor my

deur 'n

deur

96-2-18
Staatprojeerstempel van
kantoor van uitreiking

MKlood
Ontvanger van Inkomste
ONTVANGER VAN INKOMSTE
RECEIVER OF REVENUE
KAAPSTAD/CAPE TOWN

4064/8 KASREGISTERKWITANSIE

18/3/96 R 310,00

A B K BELEGGINGS BK
Nr CK 90/34532/23

Welke prokurasie behoorlik geattesteer is deur getuies

2

Annexure M
Conveyancer Certificate

CONVEYANCER'S CERTIFICATE

I, the undersigned,

HERMANUS CHRISTOFFEL PRETORIUS

Conveyancer of Dana Bay, Western Cape Province,

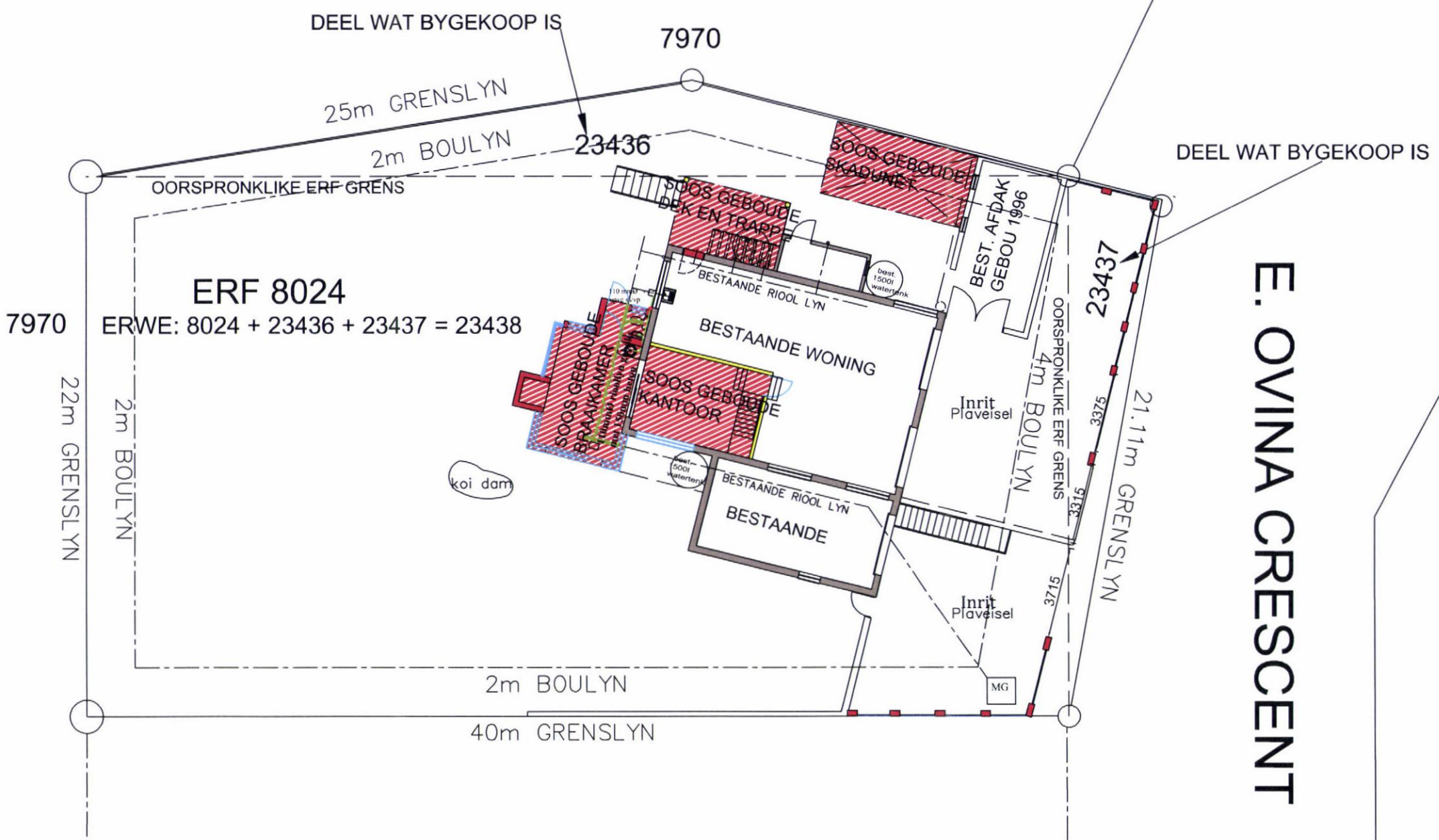
Do hereby certify that:

1. Erf 7970 and erf 6170 Mossel Bay is held by Deed of Transfer Number T53844/1992;
2. Erf 8024 Mossel Bay is held by Deed of Transfer Number T 42137/1996;
3. There is no restrictive conditions in Deed of Transfer Number T53844/1992 which prohibits the subdivision of Erf 7970 and erf 6170 Mossel Bay;
4. There is no restrictive conditions in Deed of Transfer Number 42137/1996 which prohibits the consolidation of this erf with another erf;
5. There is thus no restrictive conditions in any of the properties' title deeds that prohibit the subdivision of a portion of erf 7970 Mossel Bay and a portion of erf 6170 Mossel Bay and to consolidate those portions with erf 8024 Mossel Bay;
6. I sign this Certificate after enquiry has been made by me and I have satisfied myself with the conditions in the title deeds as mentioned and that it has been verified and is correctly reflected.

Dated as Dana Bay on 25 October 2024

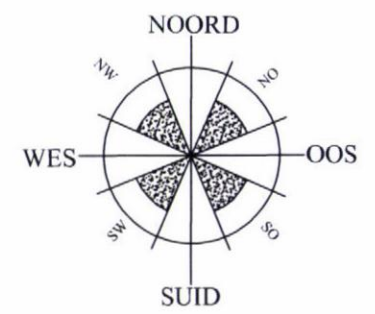


HERMANUS CHRISTOFFEL PRETORIUS
(84922)
CONVEYANCER



TERREINPLAN

1:200



GEEN AFWYKINGS TEN OPSIGTE VAN DAKHELLING, DAKOORHANGE, PLAFONHOOGTES, BALKONBREEDTES, VENSTERGROOTTES EN DIEPTE OF GLASBESKRYWING MAG PLAASVIND SONDER DIE SKRIFTELIKE GOEDKEURING VAN DIE ONTWERPER NIE. ONTWERPER NEEM GEEN VERANTWOORDELIKHEID VIR KLIENTE/BOUERS WAT BEGIN BOU VOOR BOUPLANNE GOEDGEKEER IS NIE.

- ALGEMENE NOTAS**
- Kopiereg word op alle tekeninge voorbehou
 - Tekeninge mag nie geskaal word nie
 - Alle mates en vlakke moet op terrein nagegaan word.

| | |
|---------------------------|---------------------|
| Soos geboude braaikamer | 24.51m ² |
| Soos geboude skadunet | 17.66m ² |
| Soos geboude dek & trappe | 12.48m ² |

| | |
|--------|---------------------|
| Totaal | 54.65m ² |
|--------|---------------------|

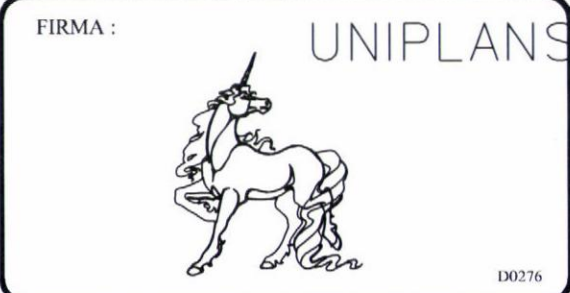
| | |
|------------------|----------------------|
| Bestaande afdak | 25.91m ² |
| Bestaande woning | 295.92m ² |

| | |
|-------------|-----------------------|
| Voetspoor | 275.99 m ² |
| Erf Grootte | 997m ² |
| Dekking | 27 % |

| | | |
|----|-----------|-------|
| No | WYSIGINGS | DATUM |
|----|-----------|-------|

Professionele Argiteksontwerper

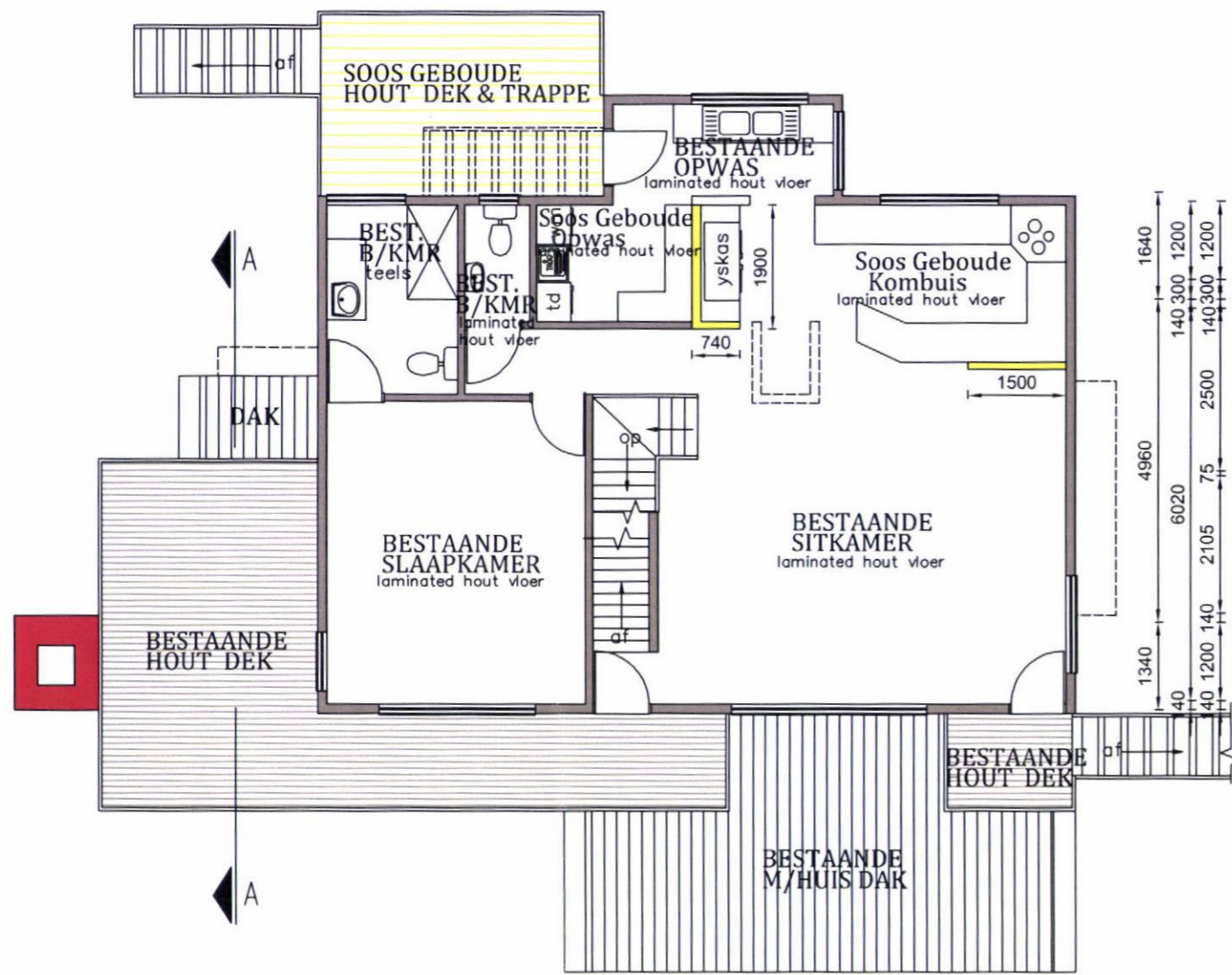
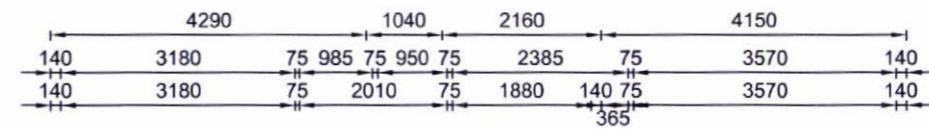
Posbus 241
Mosselbaai
6500
Sel : 079 150 8455
e-pos: nickydeswardt38@gmail.com



PROJEK :
SOOS GEBOU
JAMANIST TRUST
ERF 8024
DANABAAI
ERWE: 8024+23436+23437=234738

OWNER/POA
SIGNATURE
N de Swardt

| | |
|--------------------------|------------------|
| Geteken: Nicky de Swardt | Bladsy: 1 |
| Datum: APRIL 2024 | Plan no: 22.15 + |
| Skaal: 1:100,50 | |

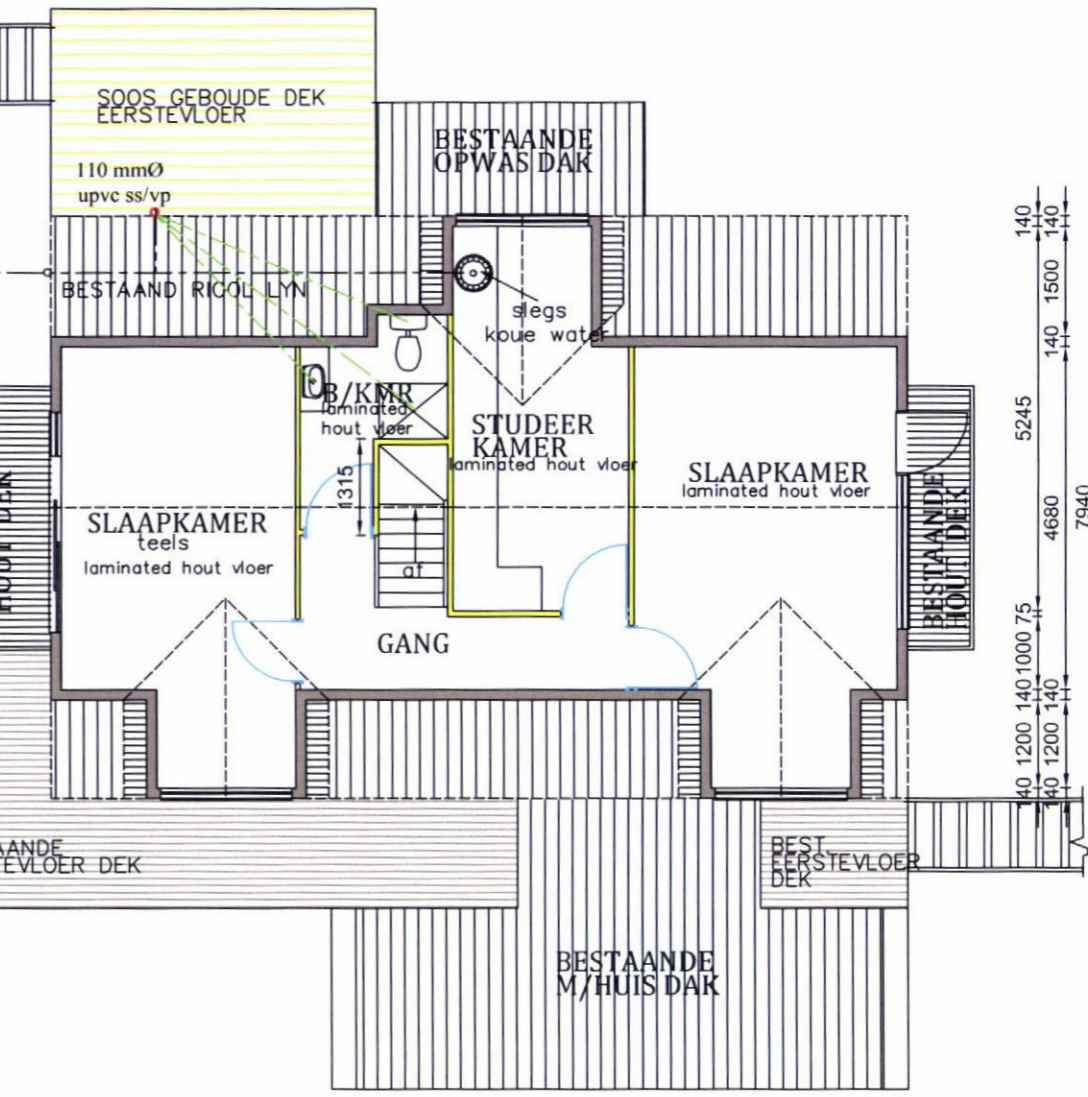


EERSTEVLOER

1:100

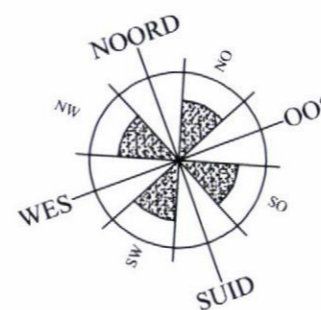
GEEN AFWYKINGS TEN OPSIGTE VAN DAKHELLING, DAKOORHANGE, PLAFONHOOGTES, BALKONBREEDTES, VENSTERGROOTTES EN DIEPTE OF GLASBESKRYWING MAG PLAASVIND SONDER DIE SKRYFTELIKE GOEDGEURING VAN DIE ONTWERPER NIE. ONTWERPER NEEM GEEN VERANTWOORDELIKHEID VIR KLIENTE/BOUERS WAT BEGIN BOU VOOR BOUPLANNE GOEDGEKEER IS NIE.

- TRAPPE
voorsien trappe met min 270 mm loopstukke en maks 180mm stygstukke
voorsien handreling 850 mm hoog
BALKONNE
- voorsien balkonne en stoepe wat hoër is as 1,0met min 1,0 m hoë Balustrades met 100 mm maksimum openinge

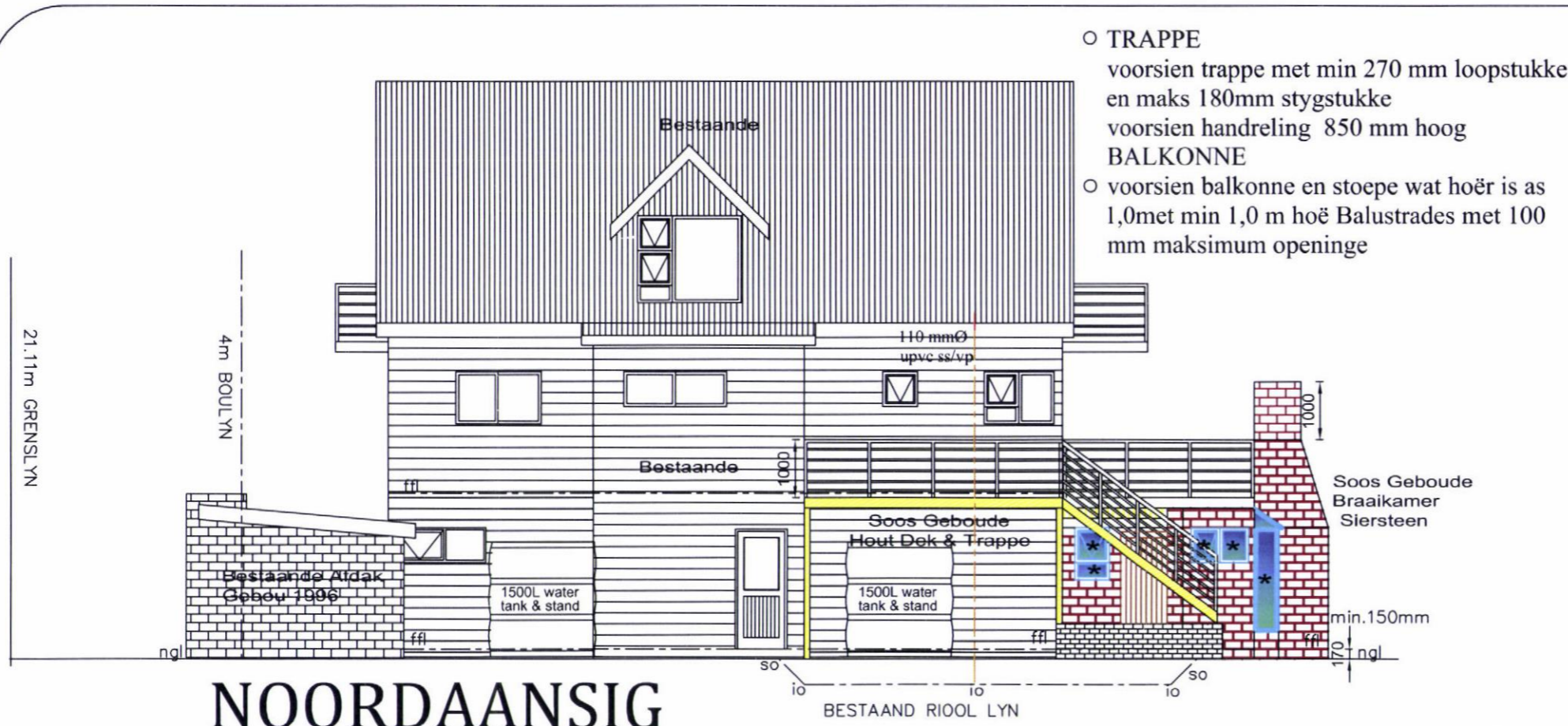


TWEEDEVLOER

1:100



| | |
|--|--|
| Geteken: Nicky de Swardt sacap nr: D0276 | Bladsy: 3 |
| SOOS GEBOU JAMANIST TRUST ERF B024 DANABAAI | OWNER/POA SIGNATURE <i>N de Swardt</i> |
| Datum: APRIL 2024 | Plan no: 12.15 |
| Skaal: 1:100,50 | |



NOORDAANSIG

1:100

- TRAPPE
voorsien trappe met min 270 mm loopstukke en maks 180mm stygstukke
voorsien handreling 850 mm hoog
- BALKONNE
voorsien balkonne en stoepe wat hoër is as 1,0met min 1,0 m hoë Balustrades met 100 mm maksimum openinge

FENESTRATION CALCULATIONS:
Location is Mossel Bay, Latitude is -34.129

Window to floor area ratio for Storey 1 is 15.56 %
West, North-West, North, North-East and East Sectors
Max shaded SHGC is Any solution, max unshaded SHGC is Any solution

Totals for West, North-West, North, North-East and East Sectors:
Storey fenestration area for these sectors: 11.61

South-West, South and South-East Sectors
Max shaded SHGC is Any solution, max unshaded SHGC is Any solution

Totals for South-West, South and South-East Sectors:
Storey fenestration area for these sectors: 11.4

Total Ground Floor area is 147.900404
Total Storey Fenestration area is 23.01
Max U value for storey is Any solution
U Value for storey is 7.9
SEE SOLUTION AS PER TABLE E1: SINGLE CLEAR

Window to floor area ratio for Storey 2 is 15.78 %
West, North-West, North, North-East and East Sectors
Max shaded SHGC is Any solution, max unshaded SHGC is Any solution

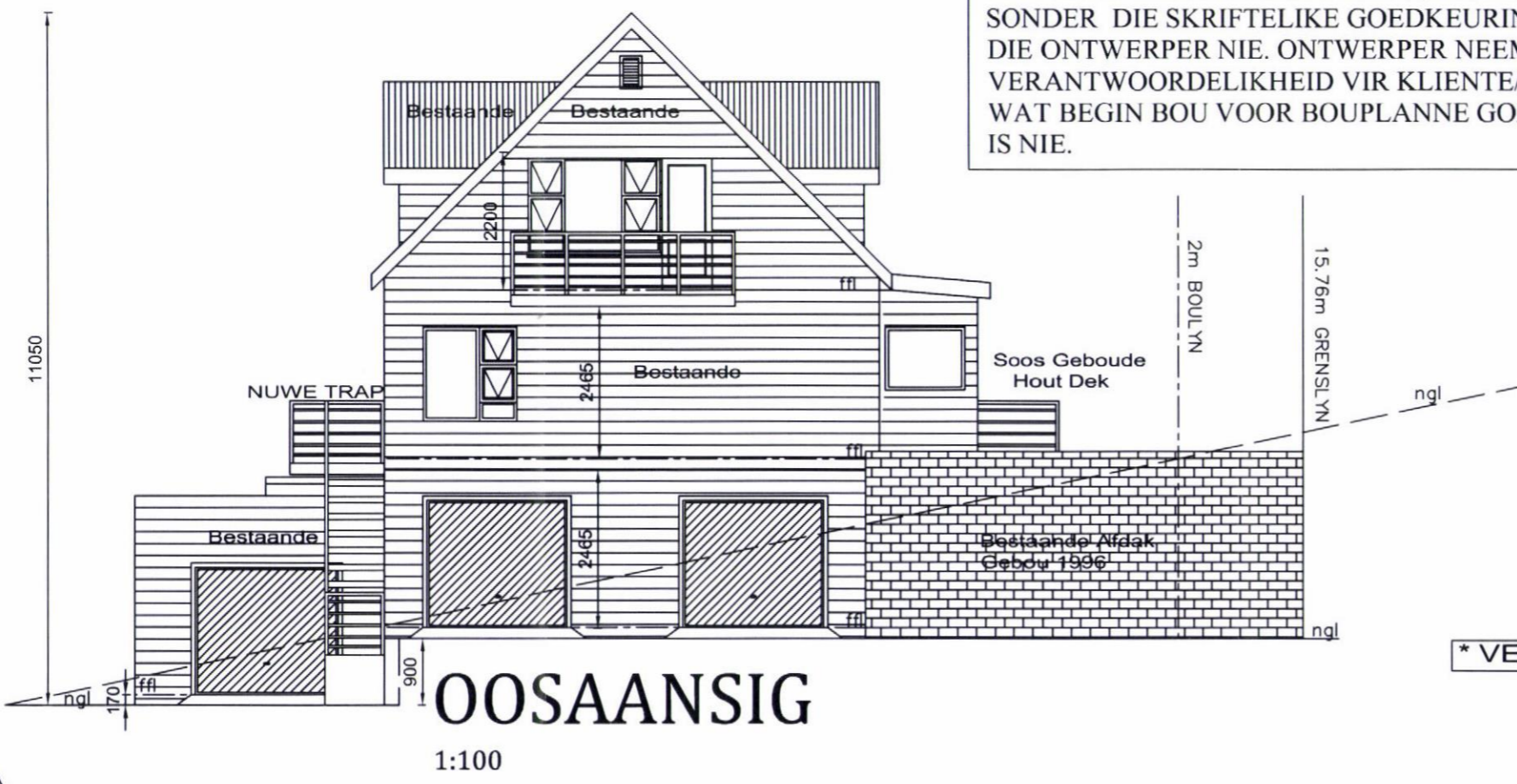
Totals for West, North-West, North, North-East and East Sectors:
Storey fenestration area for these sectors: 7.38

South-West, South and South-East Sectors
Max shaded SHGC is Any solution, max unshaded SHGC is Any solution

Totals for South-West, South and South-East Sectors:
Storey fenestration area for these sectors: 8.1

Total First Floor area is 98.1088
Total Storey Fenestration area is 15.48
Max U value for storey is Any solution
U Value for storey is 7.9
SEE SOLUTION AS PER TABLE E1: SINGLE CLEAR

GEEN AFWYKINGS TEN OPSIGTE VAN DAKHELLING, DAKOORHANGE, PLAFONHOOGTES, BALKONBREEDTES, VENSTERGROOTTES EN DIEPTE OF GLASBESKRYWING MAG PLAASVIND SONDER DIE SKRIFTELIKE GOEDKEURING VAN DIE ONTWERPER NIE. ONTWERPER NEEM GEEN VERANTWOORDELIKHEID VIR KLIENTE/BOUERS WAT BEGIN BOU VOOR BOUPLANNE GOEDGEKEER IS NIE.



OOSAANSIG

1:100

Window to floor area ratio for Storey 3 is 19.48 %
West, North-West, North, North-East and East Sectors
Max shaded SHGC is Any solution, max unshaded SHGC is Any solution

Totals for West, North-West, North, North-East and East Sectors:
Storey fenestration area for these sectors: 7.74

South-West, South and South-East Sectors
Max shaded SHGC is Any solution, max unshaded SHGC is Any solution

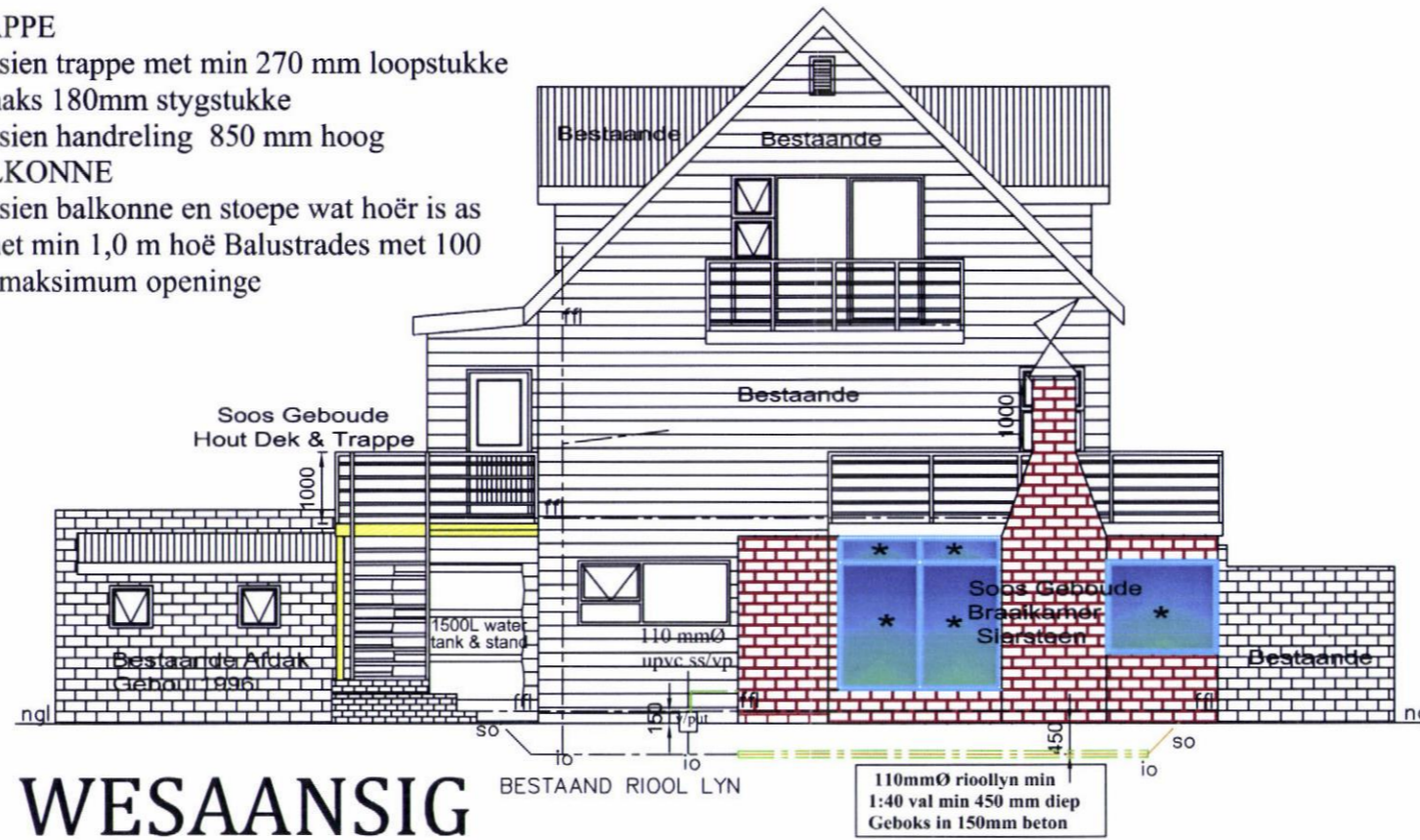
Totals for South-West, South and South-East Sectors:
Storey fenestration area for these sectors: 5.4

Total Second Floor area is 67.45688
Total Storey Fenestration area is 13.14
Max U value for storey is Any solution
U Value for storey is 7.9
SEE SOLUTION AS PER TABLE E1: SINGLE CLEAR

* VEILIGHEIDSGLAS

| | |
|--|--|
| Geteken: Nicky de Swardt sacap nr: D0276 | Bladsy: 4 |
| SOOS GEBOU JAMANIST TRUST ERF 8024 DANABAAI | OWNER/POA SIGNATURE <i>N de Swardt</i> |
| Datum: APRIL 2024 | Plan no: 12.15 |
| Skool: 1;100,50 | |

- TRAPPE
voorsien trappe met min 270 mm loopstukke en maks 180mm stygstukke
voorsien handreling 850 mm hoog
- BALKONNE
voorsien balkonne en stoepe wat hoër is as 1,0met min 1,0 m hoë Balustrades met 100 mm maksimum openinge

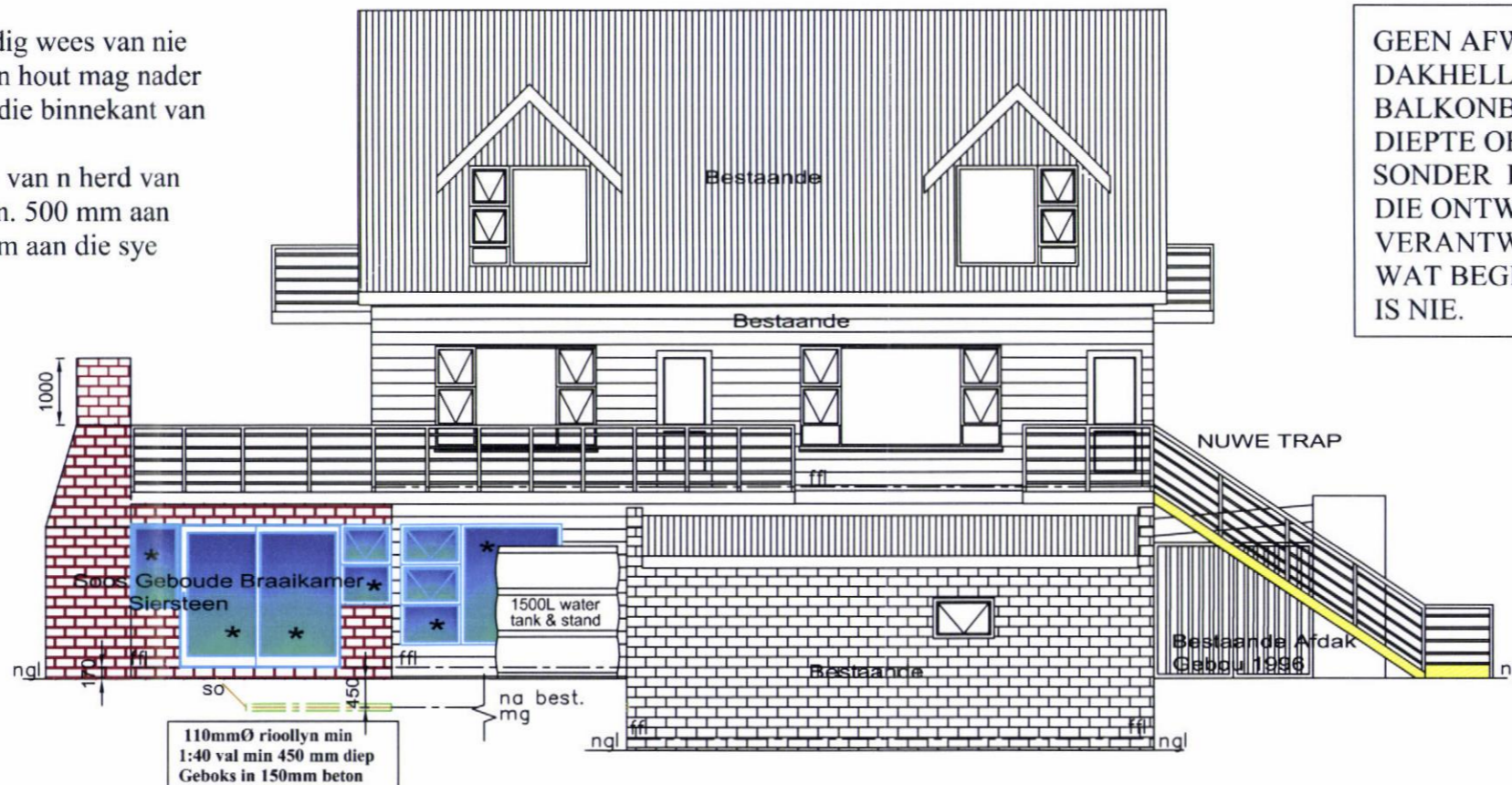


WESAANSIG

1:100

* VEILIGHEIDSGLAS

- KAGGELS & BRAAIE
bogenoemde moet vervaardig wees van nie brandbare materiaal en geen hout mag nader wees as 200 mm wees van die binnekant van n skoorsteen nie.
- Kaggels moet versien wees van n herd van nie brandbare materiaal min. 500 mm aan die voorkant en min 300 mm aan die sye van die kaggel.



SUIDAANSIG

1:100

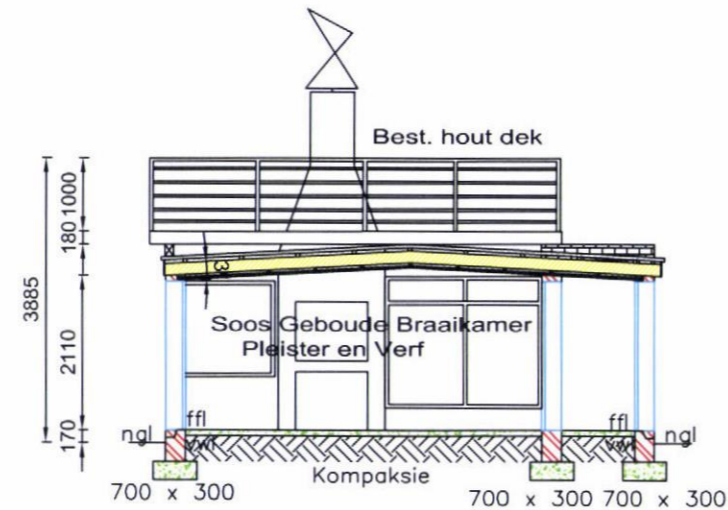
GEEN AFWYKINGS TEN OPSIGTE VAN DAKHELLING, DAKOORHANGE, PLAFONHOOGTES, BALKONBREEDTES, VENSTERGROOTTES EN DIEPTE OF GLASBESKRYWING MAG PLAASVIND SONDER DIE SKRIFTELIKE GOEDKEURING VAN DIE ONTWERPER NIE. ONTWERPER NEEM GEEN VERANTWOORDELIKHEID VIR KLIENTE/BOUERS WAT BEGIN BOU VOOR BOUPLANNE GOEDGEKEER IS NIE.

| | |
|--|--|
| Geteken: Nicky de Swardt sacap nr: D0276 | Bladsy: 5 |
| SOOS GEBOU JAMANIST TRUST ERF 8024 DANABAAI | OWNER/POA SIGNATURE <i>N de Swardt</i> |
| Datum: APRIL 2024 | Plan no: 12.15 |
| Skaal: 1:100,50 | |

Spesifikasie

Roof Assemblies:

| | |
|---|-----------|
| R-Value required: | 3.7m-k/w |
| Climatic zone: | 4 |
| Direction of heat flow: | up |
| R-Value (m-k/w) of Sheet roof ceiling material: | 0.35 |
| R-Value of ceiling: | 0.05 |
| Added R-Value of Acrolite 135mm Isolation: | 3.35 |
| R-Value achieved: | 3.75m k/w |



SNIT A-A

1:100

ALLE FONDASIES VOLGENS
INGENEURS ONTWERP

GEEN AFWYKINGS TEN OPSIGTE VAN DAKHELLING, DAKOORHANGE, PLAFONHOOGTES, BALKONBREEDTES, VENSTERGROOTTES EN DIEPTE OF GLASBESKRYWING MAG PLAASVIND SONDER DIE SKRIFTELIKE GOEDKEURING VAN DIE ONTWERPER NIE. ONTWERPER NEEM GEEN VERANTWOORDELIKHEID VIR KLIENTE/BOUERS WAT BEGIN BOU VOOR BOUPLANNE GOEDGEKEER IS NIE.

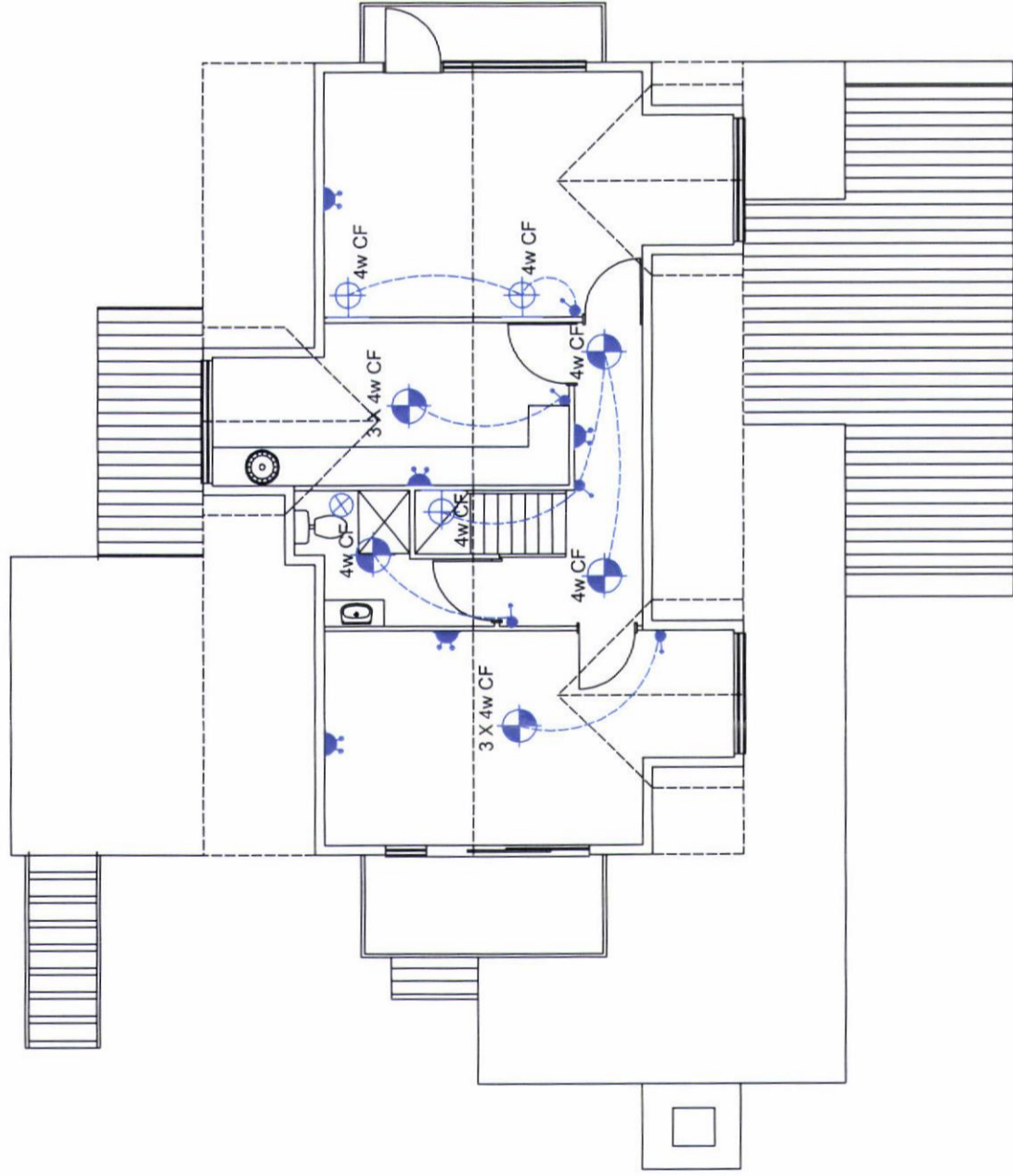
- DAK
Langspan CHROMADEK dakplate teen 3@ op 76x50 mm daklatte teen 1100 mm hth op 228x38 mm doelgemaakte dakkappe deur spesialis teen 950 mm hth bevestig op 114x38 mm muurplaat ingebou in muur met hoepelyster
Voorsien Sisolation FR 430 en Lamdaboard soos per spesifikasie.
- REENWATERGOEDERE
bevestig naatlose aluminium reënwatergeute teen 200x10 mm veselsementfassie
- PLAFON
4 mm Nutec plafonborde bevestig teen 38x38 mm plafonlatte teen 450 mm h/h teen onderkant van dakbalke
- DAKOORHANG
200mm met toegemaakte soffiete toegemaak met 4 mm Nutec geverfdeveselsement borde
- MURE-buite
Siersteen
- MURE-binne
gepleister en geverf met n goedgekeurde onderlaag en 2 lae PVA
- TEELS
badkamers, Kombuis en stort word geteël tot teen plafon
- VLOERE Algemeen
25 mm vlaklaag op 75mm betonblad op 250 mikron ondervloerse vogweringsmembran op sand op goedgekompakteerde vulmateriaal
Voorsien maasdraad onder gedeeltes wat opgevol word
- VENSTERS en DEURE
voorsien "Powder coated" brons geanodiseerde alum. vensterrame soos
- TRAPPE
voorsien trappe met min 270 mm loopstukke en maks 180mm stygstukke
voorsien handreling 850 mm hoog
BALKONNE
- voorsien balkonne en stoepe wat hoër is as 1,0met min 1,0 m hoë Balustrades met 100 mm maksimum openinge
- WISPECO om aan te pas by ander wonings
MUURVERSTERKING
bou draadbinte in mure teen 2,5 per m voorsien draadversterking elke 5de laag
KAGGELS & BRAAIE
bogenoemde moet vervaardig wees van nie brandbare materiaal en geen hout mag nader wees as 200 mm wees van die binnekant van n skoorsteen nie.
Kaggels moet versien wees van n herd van nie brandbare materiaal min. 500 mm aan die voorkant en min 300 mm aan die sye van die kaggel.

ALGEMEEN

- Alle materiaal wat gebruik word vir strukturele stabiliteit van die gebou moet deur n Prof. Ingenieur beskryf word en is onderhewig aan sy goedkeuring.
- Geen afwykings of veranderinge mag aangebring word aan die ontwerp sonder die skriftelike goedkeuring van die Argitek of ontwerper nie
- BEGLASING
Alle glas moet voldoen aan die vereistes van SABS 0137.
- Alle toegangsdeure en syligte moet voorsien word van veiligheidsglas.
- Alle vensters laer as 500 vanaf die afgewerkte vloervlak en laer as 1800 mm as die hoogtelyn van trappe

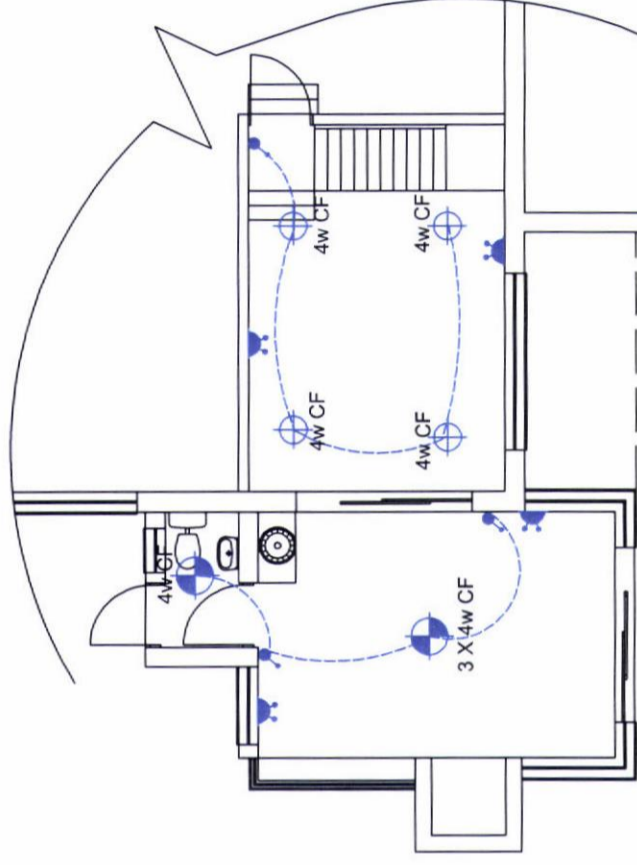
| | |
|--|--|
| Geteken: Nicky de Swardt sacap nr: D0276 | Bladsy: 6 |
| SOOS GEBOU JAMANIST TRUST ERF 8024 DANABAAI | OWNER/POA SIGNATURE <i>N de Swardt</i> |
| Datum: APRIL 2024 | Plan no: 12.15 |
| Skaal: 1:100,50 | |

GEEN AFWYKINGS TEN OPSIGTE VAN
 DAKHELLING, DAKOORHANGE, PLAFONHOOGTES,
 BALKONBREEDTES, VENSTERGROOTTES EN
 DIEPTE OF GLASBESKRYWING MAG PLAASVIND
 SONDER DIE SKRIFTELIKE GOEDKEURING VAN
 DIE ONTWERPER NIE. ONTWERPER NEEEM GEEN
 VERANTWOORDELIKEID VIR KLIENTE/BOUERS
 WAT BEGIN BOU VOOR BOUPLANNE GOEDGEKEER
 IS NIE.



TWEDEVLOER ELEKTRIES

1:100



GRONDVLOER ELEKTRIES

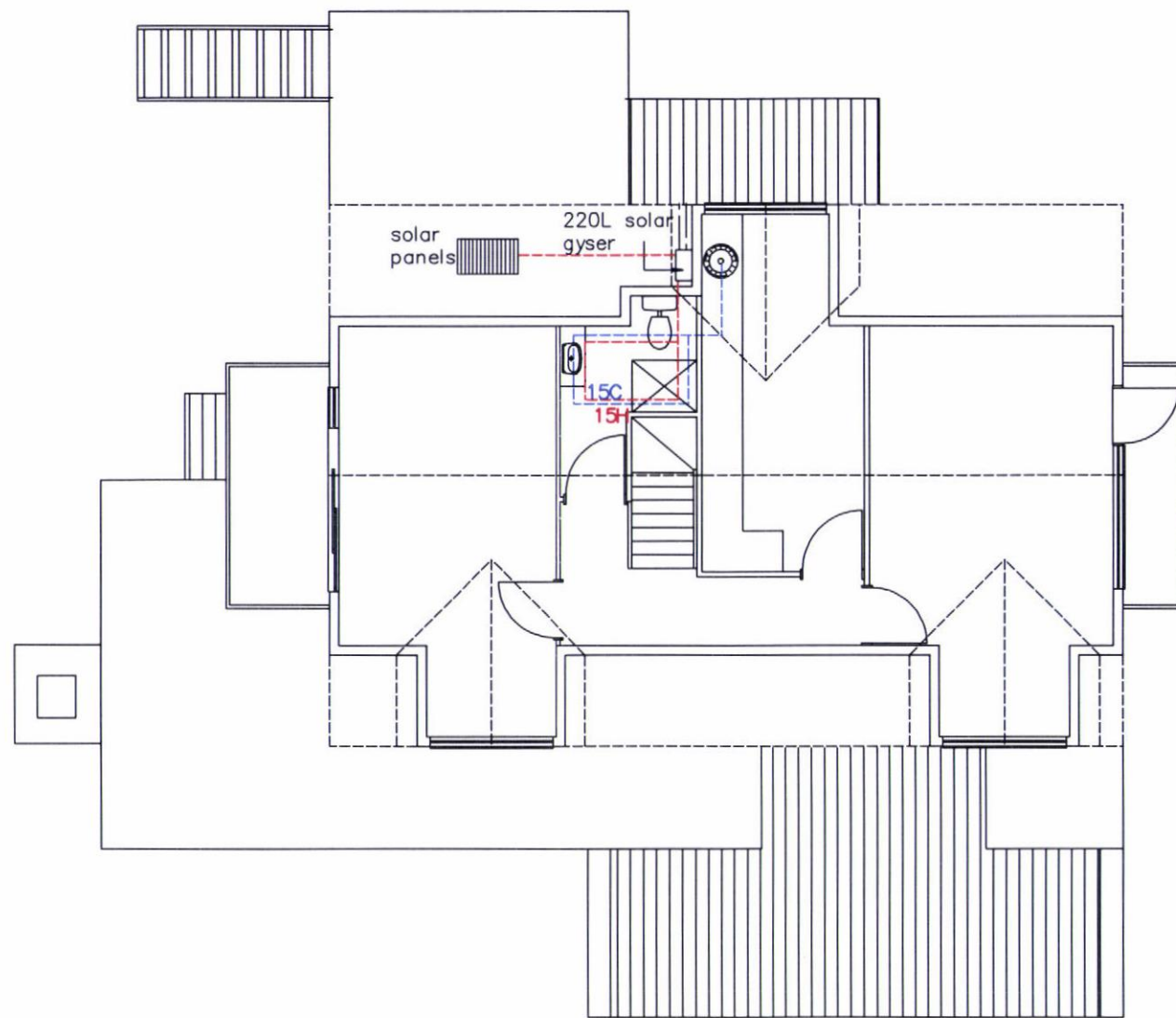
1:100

ENERGIEVERBRUIK

| LIGHTING | | | |
|-------------------------------|---------|-------|-------|
| Energy Demand | 4W x m2 | | |
| Amount Allowed | 97.75 | m2 | |
| Floor area | 391 | Watts | |
| Max. Watts Allowed | 72 | Watts | Qty : |
| Lamps Used | 4 | 72 | 18 |
| CFL | | | |
| Total Watts Used | | 72 | Watts |
| Does Energy Demand Comply? OK | | | |

- skeerpunt
- enkel kragprop
- dubbel kragprop
- tv punt
- telefoon
- warmwatersilinder
- distrubisieboard
- verdeelbord
- eenrigting skakelaar
- tweerigting skakelaar
- muurlig
- plafonlig
- kollig
- buitelig
- fluresseerlig
- stooftpunt
- dubbel kragprop in waterdigte kas
- klokkie druk
- klokkie lui

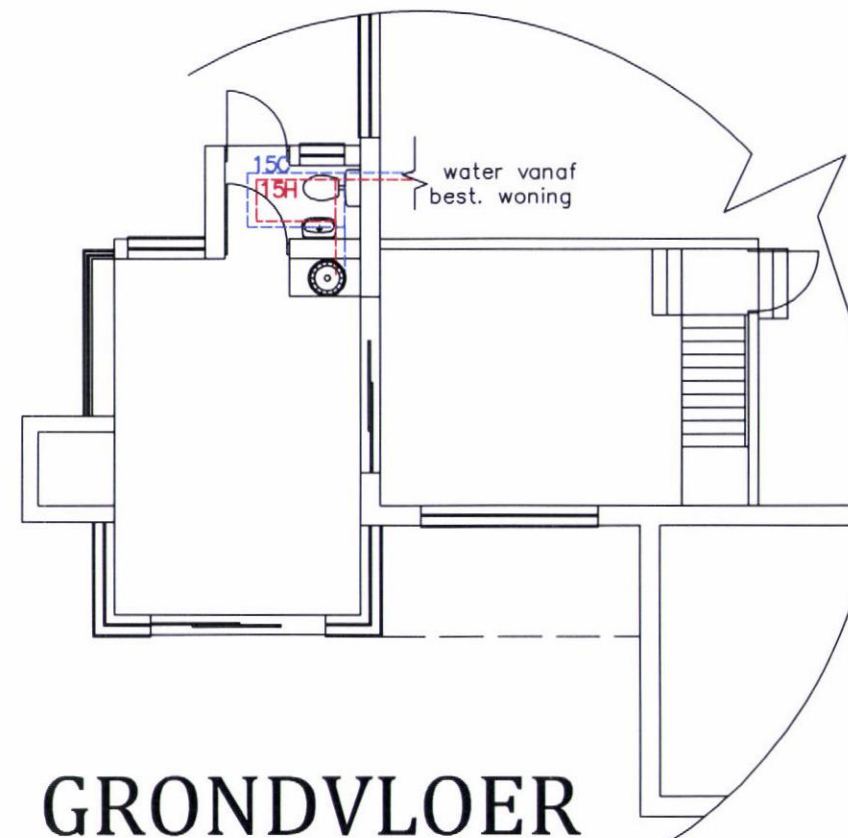
| | |
|--|--|
| Getekener: Nicky de Swardt sacap nr: D0276 | Bladsy: 7 |
| SOOS GEBOU JAMANIST TRUST ERF 8024 DANABAAI | OWNER/POA SIGNATURE <i>N de Swardt</i> |
| Datum: APRIL 2024 | Plan no: 12.15 |
| Skaal: 1:100,50 | |



TWEEDEVLOER WATERUITLEG

1:100

Geyser
40mm Dripbak met oorloop pyp.
Veiligheidsklep van 22mm met oorloopyp



GRONDVLOER WATERUITLEG

1:100

GEEN AFWYKINGS TEN OPSIGTE VAN DAKHELLING, DAKOORHANGE, PLAFONHOOGTES, BALKONBREEDTES, VENSTERGROOTTES EN DIEPTE OF GLASBESKRYWING MAG PLAASVIND SONDER DIE SKRIFTELIKE GOEDKEURING VAN DIE ONTWERPER NIE. ONTWERPER NEEM GEEN VERANTWOORDELIKHEID VIR KLIENTE/BOUERS WAT BEGIN BOU VOOR BOUPLANNE GOEDGEKEER IS NIE.

SANS 10252-1 WATER LEGEND

| | |
|--|---|
| | Pipe carrying cold water |
| | Pipe carrying hot water |
| | Pipe carrying hot water (return) |
| | Lagged pipe |
| | Pipe crossing (not connecting) |
| | Riser pipe (plan view) |
| | Dropper pipe (plan view, pipe cross section) |
| | Tap (external) |
| | Tap (internal) |
| | Mixer (single manual controls, single lever) |
| | Shower (fixed) |
| | Stop cock |
| | Water meter |
| | Storage water heater (domestic type) |
| | Expansion control valve |
| | Expansion control valve (incorporating vacuum relief) |
| | Air release valve |
| | Non-return valve |
| | Heat Pump |

SANS 20252-1 ABBREVIATIONS

| FIXTURES AND FITTINGS | |
|-----------------------|-------------------------|
| HSTO | Hot water storage tank |
| NRV | Non-return valve |
| PCV | Pressure control valve |
| PRV | Pressure reducing valve |
| PU | Pump |
| STO | Cold water storage tank |
| WCS | shut-off flush valve) |
| WH | Water heater |
| V | Valve |

| | |
|---|--|
| Geteken: Nicky de Swardt sacap nr: D0276 | Bladsy: 8 |
| SOOS GEBOIU JAMANIST TRUST ERF 8024 DANABAAI | OWNER/POA SIGNATURE <i>N de Swardt</i> |
| Datum: APRIL 2024 | Plan no: 12.15 |
| Skaal: 1:100,50 | |

Annexure I

Status Report



agriculture, land reform
& rural development

Department
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

SURVEYOR-GENERAL'S OFFICE: WESTERN CAPE

90 Plein Street / Private Bag X9028, CAPE TOWN, 8000; Tel: 021 465 7358; Fax: 021 4653008; Email: sgdatawc@dalrrd.gov.za

RS TOWN PLANNING CONSULTANTS

Enquiries : TJ HEATH

My Reference: Mos.B.245 V.4

Your Reference: Email dd 2024/11/12

2024-11-14

Dear Sir/Madam

STATUS REPORT: Portions of Remainder Erf 6170 and Erf 7970 Mossel Bay

According to my records, the land shown on the attached plan:

- Shown as portion A represents Erf 7970 Mossel Bay vide General Plan TP 9844 (SG No.4021/1976)

It is shown as Public Place in our records

- Shown as portion B represents Remainder Erf 6170 Mossel Bay vide General Plan No. TP 9844 (SG No.4021/1976)

It is shown as Public Road in our records

Yours faithfully

TJ HEATH
for Surveyor-General: Cape Town

TEL: 691 2215

THE MUNICIPALITY OF MOSSEL BAY

POSBUS 25

19 DEPARTURES

DATE REQUIRED: 10/01/25

NAME AND ADDRESS OF OWNER:

SERVICES CHARGES:

JAMANIST TRUST
NONE

S19 - PERMANET DEPARTURE (SEC 15 (2)1900.00

TOTAL DUE: 1900.00

TEL: 0825720260

SIGNATURE

FOR OFFICE USE ONLY

JOB NUMBER: 888316, CAPTURED BY USER NM3 (NALEDI C MOSOLA) ON 10/01/25

2948521

BANK STATEMENT

14/01/2025

RECEIPT NUMBER

CASHIER

RECEIPT DATE

STREET ADDRESS: E OVINASINGEL, 16

ACCOUNT NUMBER: 860080240017 ERF: 8024000

>>>>>>>>Notice<<<<<<<<<<

The application fee/s are payable at the Municipal Offices in Marsh Street, Mossel Bay. Applications will not be registered before proof of payment has been received. The applicable fees are only valid for the present financial year ending end of June. Late payments will be charged in accordance with the new tariffs.

Your cooperation will be appreciated.

COMMENTS:

