

REMAINDER OF THE FARM ZANDHOOGTE NO. 139, MOSSEL BAY (TERGNIET)

SPECIALIST PLANNING REPORT FOR NEMA AUTHORISATION PURPOSES



CLIENT:
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SECTION A :**BACKGROUND****1. PURPOSE OF THE REPORT**

Remainder of the Farm Zandhoogte No. 139 is situated in Tergniet, Mossel Bay Municipality. The subject property is currently zoned 'Agricultural Zone I1' in terms of the Mossel Bay Municipality: Integrated Zoning Scheme By-Law; and is approximately 38,2309 ha in extent.

Development rights as well as an Environmental Authorisation was granted for development on this property in the past, but the "Planning" as well as the "Environmental" approvals have lapsed.

Ideal Trading 301 CC recently acquired the land, and now wishes to apply for development rights on a portion of this property.

The application area is bisected by various roads: N2 National Road, the Old National Road (Now R102 Provincial Road) and Impala Street (municipal street). These roads divide the application area into three (3x) development areas south of the N2 National Road. The development proposal is to develop two (2x) residential areas with different housing typologies. This includes group housing, townhouses as well as general residential apartments.

The development of the proposed new housing development will require Environmental Authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as well as a land development approval from Mossel Bay Municipality in terms of the Mossel Bay By-law on Municipal Land Use Planning, 2015.

CapeEAPrac Environmental Consultancy has been appointed to apply for Environmental Authorisation and Marika Vreken Urban and Environmental Planners have been appointed by **Ideal Trading 301 CC** to apply for the required development rights from the applicable authorities.

This report serves as the Specialist Planning Report for the Environmental Authorisation application on Remainder of the Farm Zandhoogte No. 139. The objective of this Specialist Planning Report is to provide a description of the proposed development and to "contextualize" the envisaged project within the administrative, legal and policy planning framework. These policies are not prescriptive legal requirements, but rather guidelines to inform detailed planning and design, and to be interpreted and applied at the level of an individual project.

2. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A copy of the Title of Remainder of the Farm Zandhoogte No. 139, Division Mossel Bay, containing the details outlined below are contained in **ANNEXURE B**. The Surveyor General Diagram for the application area (A1632/1924) is included in **ANNEXURE C**.

¹ **Page 34:** Mossel Bay Municipality: Integrated Zoning Scheme By-Law (January 2018)

| | |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Title Deed Number: | T17938/2019 |
| Title Deed Description: | Remainder of the Farm Zandhoogte Nr 139, situated in the Mossel Bay Municipality, Division of Mossel Bay, Western Cape Province |
| Property Owner | Ideal Trading 301 CC Registration Number 2010/122651/23 |
| Title Deed Restrictions: | There are no title deed restrictions that could prevent the proposed development. |
| Bonds: | There is no bond registered to the property. |
| Property Size: | 38,2309 ha (Thirty-Eight Comma Two Three Zero Nine Hectares) |
| Servitudes: | <p>The following servitudes are registered over the subject property, and are shown in the figure below:</p> <ol style="list-style-type: none">1. SG No. 1519/1985 – Electric Powerline servitude 20m wide ANNEXURE D.2. SG No. 1512/2018 – Sewer pipeline servitude 6m wide ANNEXURE D.3. SG No. 9314/1991 – Water Pipeline servitude 10m wide & a Water Pipeline Servitude Area ANNEXURE D.4. SG No. 5192/1998 – Water Pipeline servitude 4m wide ANNEXURE D.5. SG No. 2658/2012 – Sewer pipeline servitude 5m wide ANNEXURE D. <p>These servitudes have been taken into consideration in the proposed layout</p> |

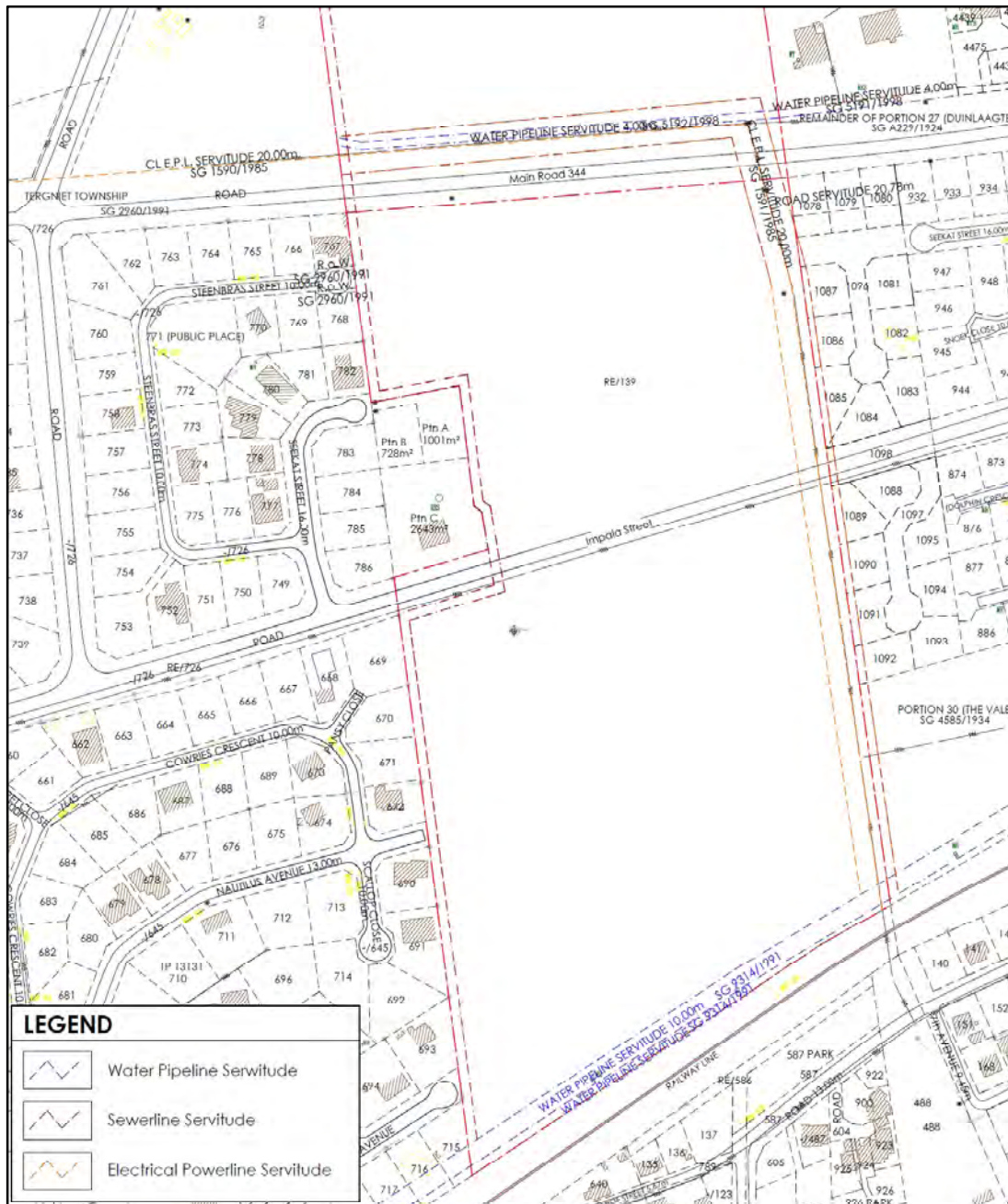


FIGURE 1: EXISTING SERVITUDES

SECTION B :**DEVELOPMENT PROPOSAL****3. DEVELOPMENT ALTERNATIVES**

(Refer to Plan 2 & 3: Layout Plan & Site Development Plan)

Section 24(O) (1) (b) (iv) of the National Environmental Management Act, 1998 (Act 107 of 1998) as amended states that:

"...where appropriate, any feasible and reasonable alternatives to the activity which is the subject of the application and any feasible and reasonable modifications or changes to the activity that may minimise harm to the environment..."

The following development alternatives were investigated for the application area:

- **Alternative 1 (Preferred Alternative):** Development of a residential development, on 10,2 ha. The preferred layout consists of mixed housing typologies: medium density group housing, townhouses and higher density flats. The proposed development will take place on the two southern "thirds" of the farm. This proposal consists of:
 - 3 erven with 48 flats in total
 - 24 semi-detached duplex units
 - 137 x group housing units
 - Private open space and private roads
 - Storm water detention pond
- **Alternative 2:** The proposed development will contain no flats, and only group housing and duplex units. It will consist of
 - 46 semi-detached duplex units
 - 134 x group housing units
 - Private roads and limited private open spaces
- **Alternative 3:** No go Alternative.

These development alternatives are discussed in more detail hereunder:

3.1. Preferred Alternative: Mixed Residential Development with access east of Existing Main Dwelling

The portion of the application area that is located south of the N2 National Road, is divided into 3 portions: A portion between MR344 and the N2 National Road, a portion between MR344 and Impala Street and then a portion between Impala Street and the southern boundary of the application area, that is the railway line. The development proposal will take place to the south of Main Road 344.

The Preferred Alternative development proposal is a gated group housing development with a mixture of housing typologies, as shown in the figure below:



FIGURE 2: PREFERRED LAYOUT

The preferred layout, consists of the following:

3.1.1. Access

Access to the proposed development is directly east of the existing farm house on the application area. The access is proposed further west on Impala Road, than Alternative 1, as this access is less steep, and more desirable from an engineering perspective. This access point was discussed with the Municipal Engineers of Mossel Bay Municipality and accepted and supported. A copy of the correspondence from the Mossel Bay Municipality is attached as **ANNEXURE E**.

3.1.2. Group Housing Component

The development parameters of the preferred development proposal include the following:

- 146 x General Residential Zone I erven (of which 24x are duplex units)
- 3x Open Space Zone II
- 12m – 16m wide road reserves for landscaping and recreation purposes
- Building Lines: 3m on the outer perimeter, 0m inside
- Coverage: 50%
- Density: 18 units / ha
- Parking Requirement: 322 Parking Bays

The preferred development alternative complies with the prescribed development parameters for a "Group Housing" development, as set out in the Mossel Bay Integrated Zoning Scheme By-Law.

The size of the group housing erven between 265m² (duplex units); ± 300m² for the group housing sites, and approximately 450m²-550m² for the units along Impala Street.

Erf 35 is a higher density group housing site, with one central access on the southern portion of the site. The proposed density here is 35 units / ha.



FIGURE 3: PROPOSED GROUP HOUSING UNITS

3.1.3. General Residential Zone III (Flats)

Three (3x) general residential zoned properties are proposed south of MR 344. The purpose of these flats are to provide more affordable accommodation opportunities for first time buyers. Access to these flats will be from within the group housing development. These flats will be alienated on a sectional title basis. A mixture between 2 & 3 bedroom units are proposed, and the flats will be 3x storeys high. A total of 48 flats are proposed. The general residential flats are provided as follows:

- Erf 125 (2823m²) – 12x units
- Erf 134 (3290m²) – 24x units
- Erf 135 (2588m²) – 12 units

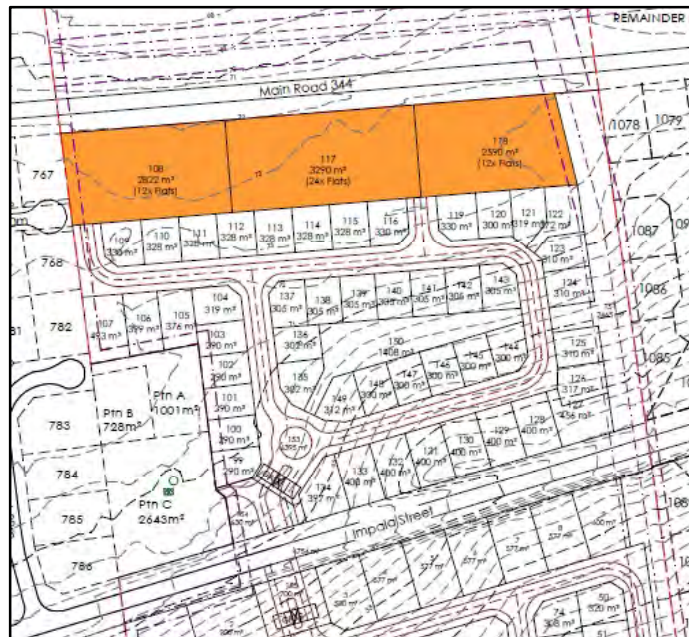


FIGURE 4: PROPOSED GENERAL RESIDENTIAL ZONE III PROPERTIES

3.1.4. Private Open Spaces

Three (3x) private open spaces are provided in the proposed development. These private open spaces are for landscaping and recreational purposes. A storm water retention pond is proposed in the south eastern corner of the application area.

It should be noted that the Mossel Bay Integrated Zoning Scheme does not prescribe a requirement for the provision of private open spaces. The Zoning Scheme Bylaw does however state that the minimum road width should be 8m, whereas the road width in the proposed development vary between 12m and 16m, to allow for additional space for landscaping, walk ways, etc.

It is the considered opinion that ample space is provided for recreational purposes within the proposed development.



FIGURE 5: PRIVATE OPEN SPACES

3.1.5. Proposed Land Development Application

In order to obtain land development rights for the proposed housing development, the following land development application will have to be lodged to Mossel Bay Municipality:

- (i) The rezoning of the Remainder of the Farm Zandhoogte No 139, from "agriculture Zone" to "Subdivisional Area", in terms of Section 15(2)(a) of Mossel Bay Municipality Standard By-Law on Municipal Land Use Planning;
- (ii) The subdivision of the Remainder of the Farm Zandhoogte No 139, in the following Portions:
 - a. 1x Remainder;
 - b. 146x General Residential Zone I erven;
 - c. 3x General Residential Zone III erven;
 - d. 3x Open Space Zone II erven;
 - e. 1x Transport Zone I erf (public street);
 - f. 4x Transport Zone III erven (private street);

3.2. Alternative 1: Mixed Residential Development

The portion of the application area that is located south of the N2 National Road, is divided into 3 portions: A portion between MR344 and the N2 National Road, a portion between MR344 and Impala Street and then a portion between Impala Street and the southern boundary of the application area, that is the railway line. The development proposal will take place to the south of Main Road 344.

This Alternative development proposal is a gated group housing development with a mixture of housing typologies, as shown in the figure below:



FIGURE 6: PREFERRED LAYOUT

The preferred layout, consists of the following:

3.2.1. Access

During May 2019, a meeting was held with Mossel bay Municipality, as well as the Provincial and District Roads Authorities. The purpose of this meeting was to obtain confirmation of the access points for the proposed development. The Provincial Roads Authorities have indicated that no direct access will be allowed from Main Road 344, and that the current access to the main house can be retained. The access north and south of Impala Street should be opposite each other, and preferably at a point, half way between the eastern property boundary and the access point of the main house. These access points are shown in the figure below:



FIGURE 7: ALLOWED ACCESS POINTS

3.2.2. Group Housing Component

The development parameters of the preferred development proposal include the following:

- 161 x General Residential Zone I erven (of which 24x are duplex units)
- 3x Open Space Zone II
- 12m – 16m wide road reserves for landscaping and recreation purposes
- Building Lines: 3m on the outer perimeter, 0m inside
- Coverage: 50%
- Density: 18 units / ha
- Parking Requirement: 322 Parking Bays

The preferred development alternative complies with the prescribed development parameters for a "Group Housing" development, as set out in the Mossel Bay Integrated Zoning Scheme By-Law.

The size of the group housing erven between 265m² (duplex units); ± 300m² for the group housing sites, and approximately 450m²-550m² for the units along Impala Street.



FIGURE 8: PROPOSED GROUP HOUSING UNITS

3.2.3. General Residential Zone III (Flats)

Three (3x) general residential zoned properties are proposed south of MR 344. The purpose of these flats are to provide more affordable accommodation opportunities for first time buyers. Access to these flats will be from within the group housing development. These flats will be alienated on a sectional title basis. A mixture between 2 & 3 bedroom units are proposed, and the flats will be 3x storeys high. A total of 48 flats are proposed. The general residential flats are provided as follows:

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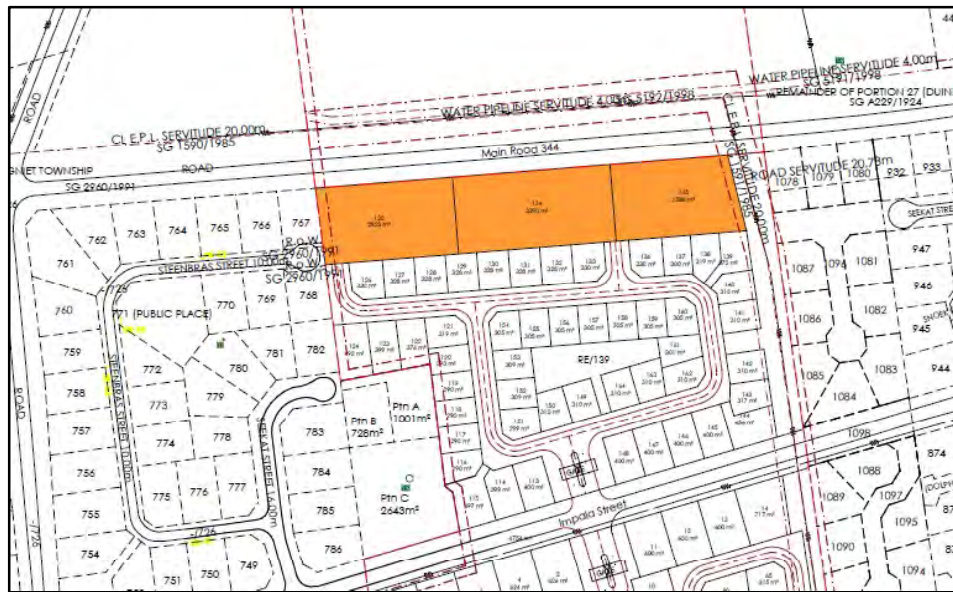


FIGURE 9: PROPOSED GENERAL RESIDENTIAL ZONE III PROPERTIES

3.2.4. Private Open Spaces

Three (3x) private open spaces are provided in the proposed development. These private open spaces are for landscaping and recreational purposes. A storm water retention pond is proposed in the south eastern corner of the application area.

It should be noted that the Mossel Bay Integrated Zoning Scheme does not prescribe a requirement for the provision of private open spaces. The Zoning Scheme Bylaw does however state that the minimum road width should be 8m, whereas the road width in the proposed development vary between 12m and 16m, to allow for additional space for landscaping, walk ways, etc.

It is the considered opinion that ample space is provided for recreational purposes within the proposed development.

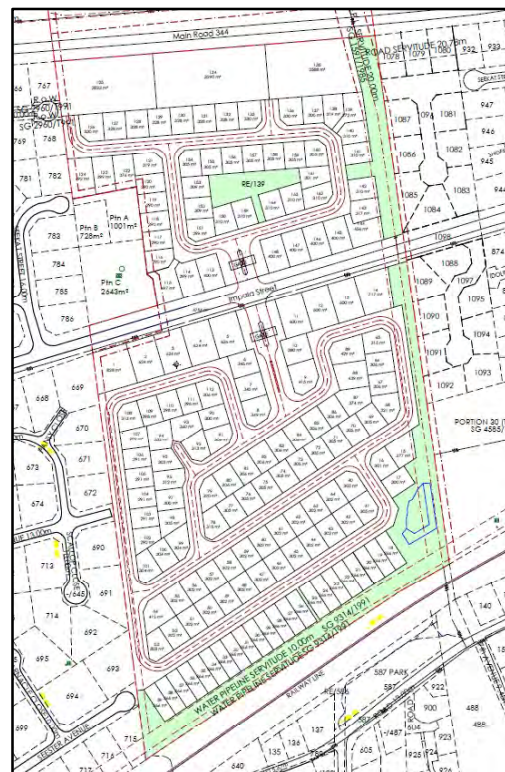


FIGURE 10: PRIVATE OPEN SPACES

3.2.5. Proposed Land Development Application

In order to obtain land development rights for the proposed housing development, the following land development application will have to be lodged to Mossel Bay Municipality:

- (iii) The rezoning of the Remainder of the Farm Zandhoogte No 139, from "agriculture Zone" to "Subdivisional Area", in terms of Section 15(2)(a) of Mossel Bay Municipality Standard By-Law on Municipal Land Use Planning;
- (iv) The subdivision of the Remainder of the Farm Zandhoogte No 139, in the following Portions:
 - a. 1x Remainder;
 - b. 161x General Residential Zone I erven;
 - c. 3x General Residential Zone III erven;
 - d. 3x Open Space Zone II erven;
 - e. 1x Transport Zone I erf (public street);
 - f. 2x Transport Zone II erven (private street);

3.3. Alternative 2: No Go Alternative

This alternative is not to do any development on the Remainder of Farm No 139. The no-go alternative is not desirable, as it means that a very strategic, centrally located piece of land in Tergniet will stay vacant, and undeveloped. The implication being that there will be more pressure for urban sprawl on other land parcels.

SECTION C :

CONTEXTUAL INFORMANTS

4. LOCALITY

(Refer to Plan 1: Locality Plan)

Remainder of the Farm Zandhoogte No. 139 is located in Tergniet, Mossel Bay Municipality. The subject property is split by the N2 highway; with a portion of approximately 18.62ha north of the highway and a portion of approximately 19.90ha south of the highway. The GPS co-ordinates for the centre of the proposed development are 34°3'42.31"S and 22°11'23.52"E.



FIGURE 11: LOCALITY

5. CURRENT LAND USE AND ZONING

5.1. Land Use

The majority of Remainder of the Farm Zandhoogte No. 139 is currently vacant. However, there is an existing farmhouse on the southern portion (below the N2 highway) used for residential purposes. The existing farmhouse will be accommodated on Portion C (as per the proposed subdivision).

The existing farm house is not part of the application area, as there is a separate, pending land development application to subdivide the farm house and the area directly north of the farm house, from the application area.



FIGURE 12: EXISTING FARMHOUSE

5.2. Zoning

Remainder of the Farm Zandhoogte No. 139 is currently zoned 'Agricultural Zone I' in terms of the Mossel Bay Municipality: Integrated Zoning Scheme By-Law.



FIGURE 13: EXTRACT OF MOSSEL BAY ZONING MAP

6. SITE CHARACTERISTICS

The site characteristics of the application area are shown in the figure below:



FIGURE 14: SITE CHARACTERISTICS

6.1. Topography

The application area displays a moderate topography that slopes in a south eastern direction. The height of the site is at approximately 72m above MSL just south of Main Road 344, and it drops down to a minimum height of approximately 31m above MSL to the south east of the application area.

The slope of the application area varies between 1:4 and 1:10. The topography of the application area is ideal for development purposes.

6.2. Vegetation

The application area was previously used for agricultural purposes and grazing, and is mostly therefore completely transformed.



FIGURE 15: VEGETATION – TRANSFORMED SITE

A Botanical specialist report was prepared by Regalis Environmental Services (refer **ANNEXURE G**), and this report concluded that: *"...that the vegetation of the proposed development area is highly transformed and of little significance to conservation. The proposed development area does not contain sensitive habitat types (e.g. wetlands) or act as an important ecological corridor. The proposed development area is surrounded by residential areas, with the northern boundary consisting of highly transformed vegetation that is transected by two major road systems..."*

It is therefore clear that the proposed development will not have any detrimental impacts on the botanical status of the application area.

6.3. Agricultural Potential

The application area has marginal agricultural potential. According to the Cape Farm mapper, the grazing capacity of the site is 1 large cattle unit per 35 ha, this means that the application area in total (38 ha) can sustain only 1x large stock unit.

It should be noted, that the application area has been earmarked for urban development since 1991 when the former Mossel Bay Riverdale Urban Guide Plan has been approved. The implication being that the application area, south of the N2 National Road, is exempted from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970). A copy of the letter from the Provincial Department of Environmental Affairs and Development Planning, confirming this statement, is attached as **ANNEXURE H**.

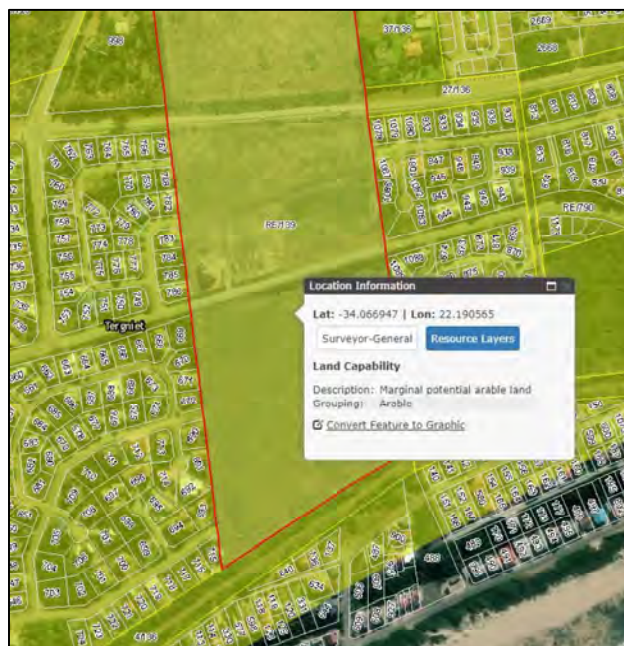


FIGURE 16: MARGINAL AGRICULTURAL POTENTIAL

6.4. Built Environment / Improvements

Except for the existing farm house, that is not part of this application, the site is vacant. The only improvements are municipal services (water, sewer and electricity) services that bisect the application area.

7. CHARACTER OF THE AREA

Remainder of the Farm Zandhoogte No. 139 is located within the suburb of Tergniet, Mossel Bay Municipality. The farm is one of the few 'vacant / undeveloped' properties in the suburb (Tergniet). The subject property sits basically in the middle of Tergniet, and currently split the existing developed areas, which is situated directly east and west of the subject property.

REMAINDER OF THE FARM ZANDHOOGTE NO 139, MOSSEL BAY: SPECIALIST PLANNING REPORT

Mossel Bay Municipality approved the rezoning and subdivision of Remainder of the Farm Zandhoogte No 139, during November 2009. Mossel Bay Municipality granted approval for the extension of the validity of the approval during 2015, and this approval lapsed on 21 May 2017. Since no further application for extension was submitted prior to the lapsing date, the rights have lapsed.

Since the subject property is within the urban edge, it was (and still is) envisaged by the Municipality to allow urban development on it. Thus, even though the immediate character of the area is vacant the greater area is characterised as urban development and in particular a residential character.

The character of Tergniet is residential of nature, with a few 'vacant / undeveloped' parcels in between, one of them being the subject property (Remainder of the Farm Zandhoogte No. 139).

The figure below illustrates the boundaries of Tergniet; it is clear that the area is characterised with a residential land use and that the subject property is one of few left undeveloped. The subject property is earmarked for urban development; and when the property is developed in future, it will connect the two existing developed areas of Tergniet.



FIGURE 17: CHARACTER OF THE AREA

SECTION D :**SPATIAL PLANNING POLICIES****8. EXISTING POLICY FRAMEWORKS**

This section will discuss the applicable policy frameworks that have an influence on any development proposal on the application area. These include:

8.1. Western Cape Provincial SDF (2014)

The Western Cape Provincial SDF was approved in 2014 by the Western Cape Parliament and serves as a strategic spatial planning tool that “communicates the provinces spatial planning agenda”.

The PSDF puts in place a coherent framework for the Province’s urban and rural areas that:

- Gives spatial expression to National and provincial development agendas.
- Serves as basis for coordinated and integrated planning alignment on National and Provincial Departmental Programmes.
- Supports municipalities to fulfil their mandates in line with national and provincial Agendas.
- Communicates government’s spatial development agenda.

The Western Cape Province’s Strategic objectives include:

- ***Educating Cape:*** Everyone has access to a good education, and the cities, towns and rural villages are places of innovation and learning
- ***Working Cape:*** There are livelihood prospects available to urban and rural residents, and opportunities for them to find employment and develop enterprises in these markets.
- ***Green Cape:*** All households can access basic services that are delivered resource efficiently, residents use land and finite resources prudently, and safeguard their ecosystems.
- ***Connecting Cape:*** Urban and rural communities are inclusive, integrated, connected and collaborate.
- ***Living Cape:*** Living and working environments are healthy, safe, enabling and accessible, and all have access to the region’s unique lifestyle offering.
- ***Leading Cape:*** Urban and rural areas are effectively managed.
- **Resources:** Sustainable use of spatial assets and resources
- **Space Economy:** Opening up opportunities in the Space Economy
- **Settlement:** Developing Integrated and sustainable settlements.

The Western Cape’s agenda for spatial transformation and improved efficiencies in the use of natural resources are closely linked. The PSDF states that the paradigm that economic growth implies the on-going depletion of the Province’s natural capital needs to be broken. This is the rationale for the PSDF embracing a transition to a Green Economy. The so-called ‘decoupling’ of economic growth strived for, requires reductions/substitutions and/or replacements in the use of limited resources, while avoiding negative environmental impacts.

The recent shift in legislative and policy frameworks have clearly outlined the roles and responsibility of provincial and municipal spatial planning and should be integrated towards the overall spatial structuring plan for the province to create and preserve the resources of the province more effectively through sustainable urban environments for future generations. This shift in spatial planning meant that provincial inputs are in general limited to provincial scale planning.

The table below contains a summary of the key transitions promoted in the PSDF:

| PSDF THEME | FROM | TO |
|---------------|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| RESOURCES | Mainly curative interventions | More preventative interventions |
| | Resource consumptive living | Sustainable living technologies |
| | Reactive protection of natural, scenic and agricultural resources | Proactive management of resources as social, economic and environmental assets |
| SPACE-ECONOMY | Fragmented planning and management of economic infrastructure | Spatially aligned infrastructure planning, prioritisation and investment |
| | Limited economic opportunities | Variety of livelihood and income opportunities |
| | Unbalanced rural and urban space economies | Balanced urban and rural space economies built around green and information technologies |
| SETTLEMENT | Suburban approaches to settlement | Urban approaches to settlement |
| | Emphasis on ‘greenfields’ development and low density sprawl | Emphasis on ‘brownfields’ development |
| | Low density sprawl | Increased densities in appropriate locations aligned with resources and space-economy |
| | Segregated land use activities | Integration of complementary land uses |
| | Car dependent neighbourhoods and private mobility focus | Public transport orientation and walkable neighbourhoods |
| | Poor quality public spaces | High quality public spaces |
| | Fragmented, isolated and inefficient community facilities | Integrated, clustered and well located community facilities |
| | Focus on private property rights and developer led growth | Balancing private and public property rights and increased public direction on growth |
| | Exclusionary land markets and top-down delivery | Inclusionary land markets and partnerships with beneficiaries in delivery |
| | Limited tenure options and standardised housing types | Diverse tenure options and wider range of housing typologies |
| | Delivering finished houses through large contracts and public finance and with standard levels of service | Progressive housing improvements and incremental development through public, private and community finance with differentiated levels of service |

FIGURE 18: KEY TRANSITIONS FOR THE PSDF

The proposed development compliments the SDF’s spatial goals that aim to take the Western Cape on a path towards:

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

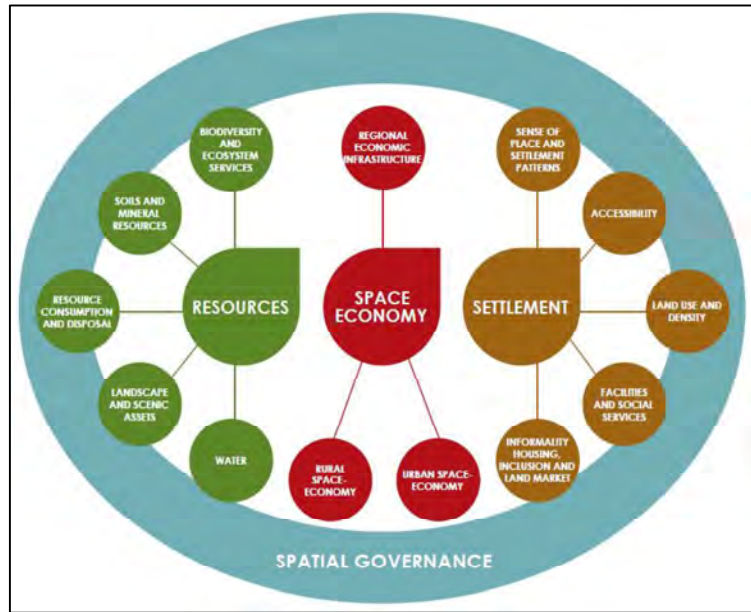


FIGURE 19: POLICIES APPLICABLE TO THE PROPOSED DEVELOPMENT

However, it is important to note some of the key policies laid down by the PSDF have a bearing on the proposed development:

POLICY E3: REVITALISE AND STRENGTHEN URBAN SPACE-ECONOMIES AS THE ENGINE OF GROWTH

| Policy Statement | Development’s response |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Whilst public investment in the built environment to be spatially targeted to complement <u>new regional economic infrastructure investments</u> (in the dominant and emerging regional growth centres as identified), it will also be made available <u>to any settlement that makes a business case for delivering on the Provincial Strategic Objectives</u>. In this regard the Growth Potential Study (GPS) to be used as a tool to inform spatial investment decisions</p> | <ul style="list-style-type: none"> ▪ <i>Mossel Bay and environs is identified as one of the growth nodes in the Southern Cape.</i> |
| <p>5. Existing economic assets (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) to be targeted to lever the regeneration and revitalisation of urban economies</p> | <ul style="list-style-type: none"> ▪ <i>This is a strategically located underdeveloped site that will be developed with an appropriate use, creating additional employment opportunities and a range of housing opportunities in the Mossel Bay / Tergniet / Grootbrak area.</i> |

POLICY S1: PROTECT, MANAGE AND ENHANCE SENSE OF PLACE, CULTURAL AND SCENIC LANDSCAPES

| Policy Statement | Development's response |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Promote smart growth ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill, intensification and redevelopment within settlements.</p> | <ul style="list-style-type: none"> ▪ <i>This is an infill development, preventing urban sprawl.</i> |
| <p>3. Respond to and enhance an economically, socially and spatially meaningful settlement hierarchy that takes into account the role, character and location of settlements in relation to one another while preserving the structural hierarchy of towns, villages, hamlets and farmsteads in relation to historical settlement patterns.</p> | <ul style="list-style-type: none"> ▪ <i>Tergniet-Grootbrak is one of the main settlements in the Mossel Bay Municipality, with high development potential. It is therefore appropriate to locate this proposed development in this area.</i> |

S3: PROMOTE COMPACT, MIXED USE AND INTEGRATED SETTLEMENTS

| Policy Statement | Development's response |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Target existing economic nodes (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) as levers for the regeneration and revitalisation of settlements.</p> | <ul style="list-style-type: none"> ▪ <i>Even though this application area is not within walking distance from business nodes (except for the nearby nursery), the proposal constitutes infill development within an existing urban environment.</i> |
| <p>2. Promote <u>functional integration and mixed use</u> as a key component of achieving <u>improved levels of settlement liveability</u> and counter apartheid spatial patterns and decentralization through densification and infill development</p> | <ul style="list-style-type: none"> ▪ <i>The proposal will contribute to mixed housing opportunities: medium to high density housing, on arterial roads.</i> |

POLICY S5: PROMOTE SUSTAINABLE, INTEGRATED AND INCLUSIVE HOUSING IN FORMAL AND INFORMAL MARKETS

| Policy Statement | Development's response |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. Achieve a wider range of housing opportunities with regards to diversity of tenure, size, density, height and quality in order to promote a ladder of upward mobility for households to progress as economic circumstances change over time | <ul style="list-style-type: none"> ▪ <i>The proposed mixed housing typologies indeed provide for a ladder of upward mobility.</i> |
| 6. Increase densities of settlements and dwelling units in new housing projects | <ul style="list-style-type: none"> ▪ <i>The proposed density of 20 units / ha is denser than the existing single residential areas, and consistent with the densities of the surrounding group housing developments.</i> |

Planning Implication:

From the above it is clear that the proposed development is consistent with the Western Cape Provincial SDF.

8.2. Eden Spatial Development Framework (2017)

The Eden District Spatial Development Framework was approved in 2017 and aims to establish a strong strategic direction and vision, towards increasing levels of detail in the spatial recommendations that are directive rather than prescriptive and providing guidance to local municipalities in the District regarding future spatial planning, strategic decision-making and regional integration.

This vision and strategic direction identify the four key drivers of spatial change within the District. These drivers are defined in terms of spatial legacies, current challenges, future risks and prospects. The four drivers of change around which this SDF are framed are”

Strategy 1: The economy is the environment; a strategy founded on the principle that a sustainable economy in Eden District is an economy that is positioned for growth.

Strategy 2: Regional accessibility for inclusive growth; a strategy that is based on the notion that improved regional accessibility is essential to achieving inclusive growth

Strategy 3: Coordinated growth management for financial sustainability; a strategy informed by the realities of global fiscal austerity and the need for responsible growth management that does more with less to secure future social and economic resilience.

Strategy 4: Planning, budgeting and managing as one government, this strategy highlights that real intergovernmental cooperation is essential to achieving the spatial transformation goals of SPLUMA and the three spatial strategies above.

These strategies lie at the heart of this SDF and the problem statement, spatial concept, spatial proposals and implementation are organised around these directives.

The following Spatial Policy Statements & Guidelines are applicable to the proposed land development planning application:

| STRATEGY: GROWTH MANAGEMENT | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy 3.3. Optimise existing infrastructure capacity and economic opportunity by directing mixed-use, higher density development to areas of opportunity | |
| Guideline 3.3.7. Promote compact development | Compliance with the land development application |
| <ul style="list-style-type: none"> ▪ Density should occur within 800-1600 m or 10- 20 minutes from transport hubs and areas with mixed-use activity. ▪ The promotion of a more compact city form requires an increase in average gross density. However, an increase in density should maintain the character and form of certain heritage areas and natural environments so as to not damage or negatively impact the surroundings. ▪ Appropriate urban density is key to achieving the Eden SDFs policy objectives | <ul style="list-style-type: none"> ▪ The proposed development is infill development, on arterial routes, within close proximity to Groot Brak and Reebok business nodes. ▪ The proposed development will therefore result in an integrated and compact urban form for Tergniet. |

Further to the above, according to this regional SDF, Tergniet is categorised as a “hamlet” and Grootbrak as a “specialised coastal centre” that has a residential and tourism role, and therefore the proposed housing development will strengthen this existing role of Tergniet and the nearby Grootbrak.

Planning Implication:

The proposed development of the Remainder of the Farm Zandhoogte No 139 is regarded as being consistent with the Eden District SDF.

8.3. Mossel Bay Municipality Spatial Development Framework (June 2018)

The Mossel Bay Municipality has accepted and implemented a new Spatial Development Framework during (June 2018). The Spatial Vision of the municipality is to create a long-term, sustainable land use pattern that:

- conserves Mossel Bay municipality’s significant rural resources for the biodiversity conservation of its:
 - rivers, wetlands, estuaries and coastline,
 - natural vegetation,
 - scenic landscapes, and

- extensive and intensive agriculture resources,

to support rural tourism and agricultural economic growth and employment creation. The municipality places a greater focus on leveraging its history, heritage and sense of place of the natural scenic areas and old town to revive its underperforming tourism economy; and,

- promotes inclusionary, efficient, urban growth that provides comfortable and convenient access to urban opportunities and livelihoods for all of its existing and future residents.

According to the Mossel Bay Municipality Spatial Development Framework (SDF) the application area is located within the urban edge for Mossel Bay, therefore the site has been identified as within the desired envelope of development for the settlement.

Impala Street has been earmarked as a Non-Motorised Transport Route, whilst the application area is earmarked as a “new development area” located inside the urban edge.

It is important to note that the SDF identified the realignment of the Sorgfontein road along the western boundary of the application area. During the meeting that was held with the Provincial Roads Authority, it was clearly stated that this will not be supported, as the DR 1578 road is currently being upgraded. In terms of the Access Management Plan, the access of such a new road, will be too close to DR 1578, and therefore is cannot be supported.

The SDF further recommends a new business node and railway station towards the south western corner of the application area. This proposal is not practical as (i) it will not be possible to provide direct access to this node, and (ii) there is an existing public railway platform, a mere 900m east of the application area. Therefore, for site specific reasons, this proposal is not the most practical and desirable option.

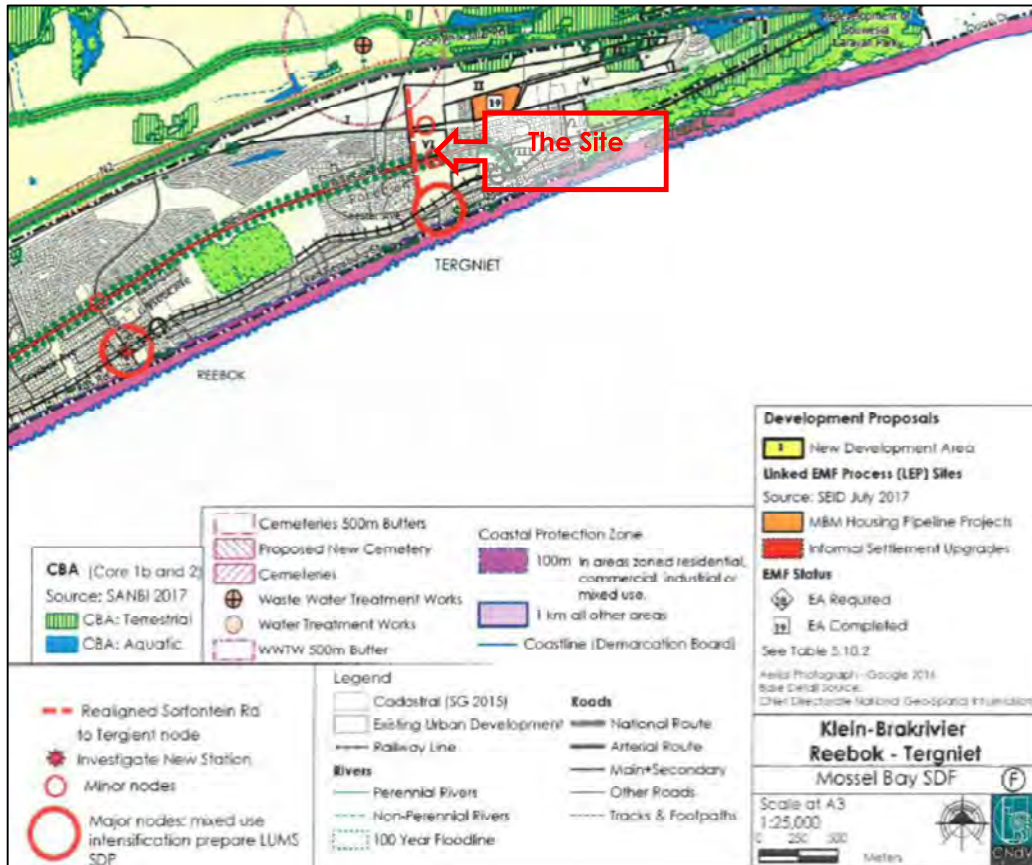


FIGURE 20: EXTRACT MOSSEL BAY SDF – TERGNIET

Planning Implication:

Since the application area is earmarked as a new development area, that is inside the urban edge, the proposal can be regarded as being consistent with the Municipal SDF. There are site specific reasons, outside the control of the applicant, why the Sorgfontein Road cannot be re-aligned along the western boundary, and why the proposed railway stop cannot be provided in the south western corner of the site.

8.4. Mossel Bay Municipality: Integrated Development Plan (2017-2022)

The Integrated Development Plan (2017-2022) is the fourth generation of strategic development plans adopted and implemented by this Municipality. This IDP serves as an enabler for mutual accountability towards the attainment of the agreed development priorities, hence it constitutes a social contract between the Council and residents of the greater Mossel Bay. It is therefore one of the most critical plans in ensuring equitable distribution of municipal resources and seamless development of infrastructure and upliftment of all communities.

The Municipal Key Performance Areas (KPA'S) and Strategic Objectives set the strategic tone and pave the direction for future developments, investments and public/private partnership interventions. The Key Performance Areas and Strategic Objectives will inform and guide service delivery and development over the prescribed five-years.

Key Performance Areas (KPA'S) and Strategic Objectives applicable to area is listed below:

| KEY PERFORMANCE AREA | BASIC SERVICES DELIVERY AND INFRASTRUCTURE DEVELOPMENT |
|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| STRATEGIC OBJECTIVES | FOCUS AREA |
| SO 1 Create an inclusive, responsive, and healthy environment conducive for living and sustainable growth | <ul style="list-style-type: none"> Water provision Sewerage and Sanitation Services Household Electricity and lighting Housing and Serviced Site Opportunities Provide Public Transport and Road Infrastructure Solid Waste Management |
| SO 2 To manage land-use and development in line with the Spatial Development Framework | <ul style="list-style-type: none"> Land-use Management |
| SO 6 To facilitate economic and tourism development to the benefit of the town and all residents | <ul style="list-style-type: none"> Red-Tape Reduction SMME Development Tourism Development Manage and Maintain Caravan Parks and Beaches |

The development proposal will comply with all the above-mentioned Strategic Objectives by providing additional housing opportunities in the Little Brak / Reebok / Tergniet area, allowing people to live in close proximity to various tourist attractions in surrounding area. According to the IDP the application area is located in WARD 5. The following development need/priorities are listed for the area:

| DEVELOPMENT NEED / PRIORITY | DEVELOPMENT NEED / PRIORITY |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>MOSSEL BAY MUNICIPALITY</p> <ul style="list-style-type: none"> Upgrade Gravel Roads & Paving of Sidewalks. Resealing of Tar Roads with Bad Surface Storm Water Drainage Infrastructure. Upgrade Sewerage Network (Mid Brak) Speed Humps "Traffic Calming" Play Parks with Tar Surface for the Heuwel Area Soccerfield for Toekoms Community Community Hall for Toekoms Improve Street Lighting Replace Overhead Electricity Infrastructure Beautification of Main Town Entrances Dune Protection Disable Friendly Steps Beaches Cleaning of Road Reserves and Deforestation <p>HEALTH</p> <ul style="list-style-type: none"> Mobile Clinic for Jonkersberg Rural Settlement | <p>MBM / AGRICULTURE</p> <ul style="list-style-type: none"> Food Gardens and Water Tanks Toekoms <p>MBM / ESKOM / DOE</p> <ul style="list-style-type: none"> Prepaid Electricity Jonkersberg <p>MBM / SOCIAL DEVELOPMENT</p> <ul style="list-style-type: none"> Youth Programmes and Soupkitchens Crèche for Jonkersberg Rural Settlement <p>MBM / HUMAN SETTLEMENT (DHS)</p> <ul style="list-style-type: none"> Rectification of houses in Toekoms New houses for Toekoms (PHP Project) <p>MBM / CULTURAL AFFAIRS AND SPORT</p> <ul style="list-style-type: none"> Upgrade Ellen van Rensburg Library Improve Mobile Library Toekoms <p>TRANSPORT AND PUBLIC WORKS</p> <ul style="list-style-type: none"> Upgrade of Roads under Provincial Authority |

FIGURE 21: DEVELOPMENT NEED/PRIORITY – WARD 5 (IDP)

Accept that the subject property is located in Ward 5, the proposed rezoning and subdivision application does not have a direct link to the strategic objectives set out in the IDP, as the proposed development is on a too small scale to contribute or to deviate from the strategic objectives as set out in the IDP.

SECTION E :**STATUTORY REQUIREMENTS****9. THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (107 OF 1998)**

The National Environmental Management Act (NEMA) requires that all aspects of potential impacts of a proposed development are assessed within an Environmental Impact Assessment (EIA), with many specialists involved in order to investigate these potential impacts. From a Town Planning perspective, one of the most important considerations when providing input into the wider EIA process is the 'Need and Desirability' of a potential project.

The Guideline on Need and Desirability published by the Department of Environmental Affairs and Development Planning (DEADP) goes to great lengths to explain that the 'Need' for a project relates to its 'timing', where the 'Desirability' related to the 'placing' of the proposed development; i.e. is this the right time and is it the right place for locating the type of land-use/activity being proposed.

9.1. Need

Need, as defined by DEADP refers to the timing of the proposal, as such the question 'do we need this development now?'. In answering this question, the forward planning and land use policy of the area must be examined. Therefore, the consistency with the existing approved Spatial Development Framework (SDF), the current Integrated Development Plan (IDP) and other municipal planning policy are important in the consideration of need.

Further considerations of need include the need of the community/area of the activity & land use – is the development "a societal priority"?

9.1.1. "Societal Priority"

There is a huge market demand for more affordable, middle income housing in the Tergniet area. The Casa Grande and the Portdello apartments further west of the application area.

9.2. Desirability

The desirability of a proposed development also relies heavily on the consistency with policy documentation but has a distinctly spatial focus. The guideline on Need and Desirability specifically poses the question "*Would the approval of this application compromise the integrity of the existing approved and credible municipal IDP and SDF as agreed to by the relevant authorities?*"

NEMA also links the desirability of development to the concept of the "*best practicable environmental option*"; this refers to the option that provides the most benefit and *causes the least damage to the environment, at a cost acceptable to society, in the long term as well as in the short term.* The consideration of alternatives is therefore closely related to this concept.

9.3. Planning Evaluation

The above boxes for need and desirability can be ticked. The current Municipal Spatial Development Framework earmarks the subject property for future urban development and locates the subject property inside the urban edge of Tergniet.

The development proposal is consistent with all the applicable policy guidelines, it is consistent with the Hessequa IDP and consistent with the character of the area. It is therefore the considered opinion that it is indeed desirable.

10. THE NATIONAL HERITAGE RESOURCES ACT, 1999 (25 OF 1999)

The National Heritage Resources Act states in Section 38 of this Act, that the rezoning, of a property of more than 1 ha in extent, requires the permission from Heritage Western Cape.

In order to obtain permission, an application (Notice of Intent to develop – (NID), has to be submitted to Heritage Western Cape (HWC). A suitably qualified Heritage consultant has been appointed to comply with the requirements of the Heritage Act.

The NID form was submitted to Heritage Western Cape, and on 29 November 2019, Heritage Western Cape confirmed that the proposal is authorised in terms of this Act, and that no further Heritage Studies are required. Refer to **ANNEXURE I** for a copy of the correspondence from Heritage Western Cape.

11. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)

Section 42 of SPLUMA prescribe certain aspects that have to be taken into consideration when deciding on a land development application. These are:

- (1). Development principles set out in Chapter 2 of SPLUMA
- (2). Protect and promote the sustainable use of agricultural land
- (3). National and provincial government policies the municipal spatial development framework; and take into account: —
 - (i) the public interest;
 - (ii) the constitutional transformation imperatives and the related duties of the State;
 - (iii) the facts and circumstances relevant to the application;
 - (iv) the respective rights and obligations of all those affected;
 - (v) the state and impact of engineering services, social infrastructure and open space requirements; and
 - (vi) any factors that may be prescribed, including timeframes for making decisions.

12. WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014)

The purpose of this Provincial legislation is to consolidate legislation in the Province pertaining to provincial planning, regional planning and development, urban and rural development, regulation, support and monitoring of municipal planning and regulation of public places and municipal roads arising from subdivisions; to make provision for provincial spatial development frameworks; to provide for minimum standards for, and the efficient coordination of, spatial development frameworks; to provide for minimum norms and standards for effective municipal development management; to regulate provincial development management; to regulate the effect of land development on agriculture; to provide for land use planning principles; to repeal certain old-order laws; and to provide for matters incidental thereto.

Section 59 of this Act prescribe the Land Use Planning Principles that are applicable to all land development in the Province. These are summarised in the tables below.

The tables below aim to summarise how the proposed development on Stilbaai-Wes Erf 4784 complies with these planning principles.

12.1. Spatial Justice

| Criteria | Compliance | Planning Implication |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Past spatial and other development imbalances must be redressed through improved access to and use of land. | COMPLY | The proposed mixed housing typologies of the preferred alternative, will provide more affordable, middle income housing, for income groups that could previously not access land / housing in this area. |
| Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation. | Not applicable | This policy is not applicable to the application area. Not a Spatial Development Framework or Policy. |
| Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons. | Not applicable | This policy is not applicable to the application area. |
| Land use management systems should include all areas of a municipality and specifically include provisions that are flexible and appropriate for the | Not applicable | This policy is not applicable to the application area. |

| Criteria | Compliance | Planning Implication |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| management of disadvantaged areas and informal settlements. | | |
| Land development procedures must include provisions that accommodate access to, and facilitation of, security of tenure and the incremental upgrading of informal areas. | Not applicable | The municipality should process this application within the prescribed guidelines of the Land Use Planning By-Law for Hessequa Municipality, 2015. |
| A competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application. | COMPLY | The municipality should process this application within the prescribed guidelines of the Land Use Planning By-Law for Hessequa Municipality, 2015. |
| The right of owners to develop land in accordance with current use rights should be recognised. | Not applicable | The applicant does not want to develop the property in accordance with the current agricultural rights. |

12.2. Spatial Sustainability

| Criteria | Compliance | Planning Implication |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Promote land development that is spatially compact, resource-frugal and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority; | COMPLY | <ul style="list-style-type: none"> ▪ The proposed development can be regarded as infill development, hence spatially compact development for Tergniet. ▪ The proposal will contribute to additional capital income in the form of development contributions as well as an increased rates base for the municipality. |
| Ensure that special consideration is given to the protection of prime, unique and high potential agricultural land. | COMPLY | Low potential agricultural land, earmarked for urban development since 1991. |
| Uphold consistency of land use measures in accordance with environmental management instruments. | COMPLY | Currently busy with an environmental authorisation process. |
| Promote and stimulate the effective and equitable functioning of land markets. | COMPLY | <ul style="list-style-type: none"> ▪ Development is occurring in the area and change of land use is not an irregular occurrence. ▪ The proposal to rezone will not influence the functioning of the land markets in the area. |

| Criteria | Compliance | Planning Implication |
|------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <ul style="list-style-type: none"> The proposal will provide a range of housing opportunities, supporting the functioning of land markets in the area. |
| Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments. | COMPLY | <ul style="list-style-type: none"> Any service upgrades at the cost of the applicant. Civil and electrical services report is to be provided with the land use application. Municipal sewer mains bisect the application area, hence no extension of the municipal services networks are required to accommodate the proposed development. |
| Promote land development in locations that are sustainable and limit urban sprawl. | COMPLY | <ul style="list-style-type: none"> The application area is located within the urban edge of Tergriet, on land that has been previously approved for development purposes. |
| Result in communities that are viable. | COMPLY | <ul style="list-style-type: none"> The proposed development will result in additional rate payers that will support the existing retail businesses in the area. The proposed development will create additional temporary and permanent employment opportunities for the area. |
| Strive to ensure that the basic needs of all citizens are met in an affordable way. | Not Applicable | This principle is not applicable to the applicant or this development. |
| The sustained protection of the environment should be ensured. | COMPLY | <ul style="list-style-type: none"> Currently busy with an environmental authorisation process. The site is mostly transformed, flat and no water courses exist on the site. |

12.3. Spatial Efficiency

| Criteria | Compliance | Planning Implication |
|-----------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Land development should optimise the use of existing resources, infrastructure, agriculture, land, minerals and facilities. | COMPLY | <ul style="list-style-type: none"> Given the strategic location of the application area, the proposed development will support the existing community uses and business activities in the area. |
| Integrated cities and towns should be developed. | COMPLY | <ul style="list-style-type: none"> Given access constraints, the application area cannot be developed for commercial / business uses. However, the intersection of DR 1578 with MR 344 is an ideal locality for future business activities that will contribute to a more integrated town and community. |
| Policy, administrative practice and legislation should promote speedy land development. | Not Applicable | When the land development application is submitted, the municipality should process this application within the prescribed time frames of the Land Use Planning By-Law for Mossel Bay Municipality. |

12.4. Spatial Resilience

| Criteria | Compliance | Planning Implication |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. | COMPLY | <p>The proposal is in line with all the various spatial plans, zoning scheme and policies, as motivated by the report.</p> <p>Currently busy with the Environmental authorisation process.</p> <p>The proposed application complies with the requirements of the Land Use Planning By-Law for Mossel Bay Municipality.</p> |

12.5. Good Administration

| Criteria | Compliance | Planning Implication |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| All spheres of government should ensure an integrated approach to land use planning. | Applicable to Mossel Bay Municipality | <p>This principle has no direct bearing on the application; however, the Mossel Bay Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.</p> <p>What is however important is that all decision making is aligned with sound policies based on nation, provincial and local development policies.</p> |
| All government departments must provide their sector inputs and comply with any other statutory requirements during the preparation or amendment of spatial development frameworks. | | |
| The requirements of any law relating to land development and land use must be met timeously. | | |
| The preparation and amendment of spatial plans, policy, zoning schemes and procedures for land development and land use applications, should include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them. | | |
| The legislation, procedures and administrative practice relating to land development should be clear, promote predictability, trust and acceptance in order to inform | | |

| Criteria | Compliance | Planning Implication |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------|
| and empower members of the public. | | |
| A spatial development framework, zoning scheme or policy should be developed in phases and each phase in the development thereof should include consultation with the public and relevant organs of state and should be endorsed by the relevant competent authority. | | |
| Decision-making procedures should be designed to minimise negative financial, social, economic or environmental impacts. | | |
| Development application procedures should be efficient and streamlined and timeframes should be adhered to by all parties. | | |
| Decision-making in all spheres of government should be guided by and give effect to statutory land use planning systems. | | |

13. CONCLUSION

The purpose of this specialist report was to identify the administrative process, legal requirements and policies that are directly applicable to the proposed development and to ensure compliance with the principles contained therein as far as reasonably possible.

In summary, the proposed development as envisaged:

1. Requires a land use approval for a rezoning from "Agriculture Zone" to "Subdivisional Area" to allow the property to be developed as housing development with various housing typologies;
2. No approval is required in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).
3. This application obtained approval from Heritage Western Cape in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999).

4. No development is proposed on environmentally sensitive areas. Development is proposed on the portions of land with a flat topography which is suitable for urban development;
5. Is consistent with the character of the area;
6. Is consistent with the various applicable spatial planning policies and land use management legislation;
7. There is a great need for the proposed development and it is highly desirable and suitable for the area.

It is the considered opinion that the proposed development will achieve a sensitive balance between the natural environment, the built environment, and the social economic environment, that is imperative to ensure sustainable development.

Marika Vreken Urban and Environmental Planners
December 2019

ANNEXURE A.

Power of Attorney & Company Resolution

ANNEXURE A:

Power of Attorney & Company Resolution

SPECIAL POWER OF ATTORNEY

I/~~we~~. CHRISTO SPIES

..... the undersigned,

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

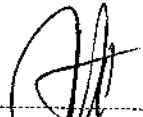
REZONING & SUBDIVISION

on

**REMAINDER FARM NO 139, ZANDHOOGTE, MUNICIPALITY AND DIVISION OF
MOSSEL BAY**

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

Signed at Mossel Bay on this 14 day of June 2019

SIGNED: 

SIGNED: _____

SIGNED: _____

In the presence of the undersigned witnesses:

AS WITNESSES:

1. _____

2. _____

IDEAL TRADING 301 CC
Reg No 201012265123

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

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in Mossel Bay on the 14 day of June 2019.

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

DESCRIPTION OF PROPERTY:

**REMAINDER FARM NO 139, ZANDHOOGTE, MUNICIPALITY AND DIVISION OF
MOSSSEL BAY**

NATURE OF APPLICATION:

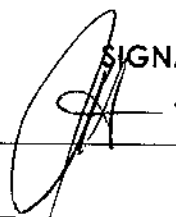
REZONING AND SUBDIVISION

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:

CHRISTO SPIES

SIGNATURE:



ANNEXURE B:

Copy of Title Deed

**EXECUTION/
UITVOERING**

VISAGIEVOS.

TELEPHONE : 021 591 9221

Deeds Reg. A/C No: CTN. **153** ASO Cont. Ref. Nr.

Ref No / Verv. Nr. 17130119

A. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:

Datum van indiening / Date of filing: _____

LOGGED 2019-04-11

INGEDIEN 06 MAY 2019

LOGGED 2019-04-11

INGEDIEN 06 MAY 2019

update title.

WAG 14/19

| Onsoekers / Examiners | Kamers / Rooms | Skatting / Linking | Reject / Verwerp | Posteer / Pass |
|-----------------------|----------------|--------------------|------------------|----------------|
| 1. BAARDI 1228 | | 1 | | |
| C.A.J. VAN AARDE 1171 | | 1 | | |

B. VIR AKTEKANTOOR GEBRUIK / FOR CONVEYANCER'S USE:

Aard van Akte / Nature of Deed: **TRANSKRYP**

blw. C. JAMES van BENSING

tdv. lito. **Jacob Trading & C.C.**

Skatting / Linking: 1

Titelaktes / Title deeds within: T 000017938 / 2019

| NO. in stel/Batch | Kode / Code | Name van Partye / Names of Parties | Naam van Firma / Name of Firm | Firma / Firm No. |
|-------------------|-------------|------------------------------------|-------------------------------|------------------|
| 1 | | | | |
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| 11 | | | | |
| 12 | | | | |

GELYKTYDIGES / SIMULS

EXAMINER'S NOTES INSIDE

REGISTERED FOR SIMULS

REGISTERED FOR SIMULS

06 MAY 2019

080007104860

Registrasie versoek deur / Registration requested by: _____

Datum / Date: _____

A. VIR AKTESOESGER SE GEBRUIK / FOR CONVEYANCER'S USE:

| (a) | Gelyktydiges met ander registrasiekantore / deeltliks: Simuls with other registries / sectional titles: | Kantoor / Office |
|-----|---------------------------------------------------------------------------------------------------------|------------------|
| 1 | | |
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| 3 | | |
| 4 | | |

(b) Klient afskrifte van aktes permanent in Aktekantoor gelaas: Client copies of deeds filed permanently in Deeds Office:

Aard en nommer van akte / Nature and number of deed: _____

Cover No. / Omstig Nr. _____

Parowse van ondersoeker / Initials of Examiner: _____

(c) Notas / Notes: _____

B. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:

| Interdikte nagesien / Interdicts checked | Paraaf / Initials | Opmerkings / Remarks |
|---------------------------------------------------------------------|-------------------|----------------------|
| Datum / Date: 06 MAY 2019 | | |
| BLAKBOEK | | |
| (1) Dorp goedgekeur (geproklameer) / Township approved (proclaimed) | | |
| (2) Begijningsawwe / Endowment sworn | | |
| (3) Begijnings / Proclamation | | |
| (4) Voorwaardes / Conditions | | |
| (5) Mikro / Micro | | |
| (6) Algemene Plan / General Plan | | |
| (7) Titelakte / Title Deed | | |
| (8) Verbode teen dangstiet / Bonds against township title | | |
| (9) Datum nagesien / Date checked | | |

Kantoor / Instructions/Office instructions:

Seksie / Section: **Purge I 1020/93C**

WAG 14/19

CAJ. VAN AARDE 1171

EX 16/2018

EX 26/2017 +

EX 9/2015

431/2018C

438/2018C

443/2018C

(Kon beskrywing van eiendom (legs para 1 in Akte) / Brief description of property (merely para 1 in Deed)

Restant van die Plas Zandhagte Nr 139

9

① Search 21. Locality
L. BAARDT 1228
Done

② DIC
- Update title.
- CR. BAARDT 1228
06/05/19
for property.

③ EX 961/72 has been
superceded vide 135355/76
omit from deed
L. BAARDT 1228
Done

For Information Only

| Fee endorsement | | |
|-----------------------------------------------------------|-----------------|---------------|
| | Amount | Office fee |
| Purchase price/Value | R 10 200 000 00 | R 3190 00 |
| 153 VISAGIE VOS & VENNOTE P O Box 90, Goodwood-7469 | | |
| Amount | | R |
| Exemption for | | Exempt i.d. @ |
| Cat | section | Ant |

Prepared by me,

David Erasmus Roux

Conveyancer
JOHANN FRANCOIS VOS

David Erasmus Roux

DATA / VERIFY
10-05-2019
FATGEYAH LARNEY

DEED OF TRANSFER NO T.

T 000017938 / 2019

KNOW ALL MEN WHOM IT MAY CONCERN :

THAT **PETRUS JOHANNES CILLIE** appeared before me, Registrar of Deeds, at Cape Town, he/she, the said Appearer, being duly authorised thereto by a Power of Attorney, granted to him/her by

THE EXECUTORS IN THE ESTATE LATE CINCHONA JANSE VAN RENSBURG NUMBER 7011/2018

dated the 10th February 2019
and signed at MOSSEL BAY

DATA / CAPTURE
10-05-2019
MARLYN BARLOW

B

J

And the said Appearer declared that the transferor/s had on **24 January 2019** truly and legally sold by Private Treaty, and that he/she, in his/her capacity as attorney aforesaid, did by virtue of these presents cede and transfer to and on behalf of

**IDEAL TRADING 301 CC
REGISTRATION NUMBER 2010/122651/23**

its Successors in Title, Administrators or Assigns, in full and free property

**REMAINDER OF THE FARM ZANDHOOGTE NR 139, IN THE MUNICIPALITY
AND DIVISION OF MOSSEL BAY, PROVINCE OF THE WESTERN CAPE;**

**IN EXTENT: 38,2309 (THIRTY EIGHT COMMA TWO THREE ZERO NINE)
HECTARES**

FIRST TRANSFERRED by Deed of Transfer Nr T13407/1926 with Diagram Nr 1632/24 relating thereto and held by Deed of Transfer Nr T21913/1970.

- A. **SUBJECT** to the conditions which are referred to in Deed of Transfer dated 7 February 1951, Nr 1633.
- B. **SUBJECT FURTHER** to the conditions which are referred to in the endorsement dated 18 July 1919, recorded against Deed of Transfer Nr 2600 dated 5 April 1898, which refers to a Right of Way.
- C. **SUBJECT FURTHER** to the terms of an endorsement dated 27 October 1965 on Deed of Transfer dated 7 February 1951, Nr 1633, which reads as follows:

"ENDOSSEMENT KRAGTENS ARTIKEL 31(6) VAN WET 47 VAN 1937 (SOOS GEWYSIG)

"n Gedeelte van die eiendom hierin vermeld, groot ± 0,6987 morges is onteien deur Artikel 130 van Ordonnansie 15/1952 (soos gewysig). Vide onteieningskennisgewing Nr 5(D) dd 5/4/1965 geliasseer as onteieningscaveat 242/65, planne geliasseer hiermee."

- D. **SUBJECT FURTHER** to the terms of an endorsement dated 8 June 1976 on Deed of Transfer Nr T21913/1970, which reads as follows:

"ENDORSEMENT IN TERMS OF SECTION 31(6) OF ACT 47 OF 1937 (AS AMENDED)

A portion of the hereinmentioned property, measuring ± 0,4710 hectares has been expropriated by the Divisional Council of Mossel Bay in terms of Section 130 of Ordinance 15/1952 (as amended). Vide Notice of Expropriation Nr 5/D dated 30 August 1972 filed as expropriation caveat 767/72, plans in duplicate filed herewith."

- E. **SUBJECT FURTHER** to the following endorsement dated recorded against Deed of Transfer Nr T21913/1970, which reads as follows:

"ENDOSSEMENT KRAGTENS ARTIKEL 32(5) VAN WET 47 VAN 1937 (SOOS GEWYSIG)

Kragtens onteieningskennisgewing Nr B14/2/214(19) is Notariële Akte van Sessie van Serwituut Nr K82/1993S gesedeer aan die Republiek van Suid-Afrika, wat betref (1) 'n ewigdurende waterpyplynserwituut oor 'n strook grond 10 meter wyd waarvan die suidelike grens aangetoon word deur die lyn DBE en (2) 'n ewigdurende waterpyplynserwituutgebied wat aangetoon word deur die figuur DBEFGH; oor die Restant van die plaas Zandhoogte Nr 139, Mosselbaai, soos aangedui op Kaart LG Nr 9314/91, onderhewig aan voorwaardes."

- F. SUBJECT FURTHER** to the terms of an endorsement dated on Deed of Transfer Nr T21913/1970, which reads as follows:

"ENDORSEMENT IN TERMS OF SECTION 31(6) OF ACT 47 OF 1937 (AS AMENDED)

A portion of the hereinmentioned property, measuring $\pm 0,7435$ hectares has been expropriated by the Premier of the Provincial Administration: Western Cape in terms Section 27 of the Roads Ordinance, Nr 19 of 1976. Vide Notice of Expropriation Nr TPW 16/8/2/2-11/MR544/20 dated 15 December 2017, filed as expropriation caveat EX9/2018, plans in duplicate filed herewith."

- G. SUBJECT FURTHER** to the terms of an endorsement dated on Deed of Transfer Nr T21913/1970, which reads as follows:

"ENDORSEMENT IN TERMS OF SECTION 31(6) OF ACT 47 OF 1937 (AS AMENDED)

A portion of the hereinmentioned property, measuring $\pm 2,4121$ hectares has been expropriated by the Premier of the Provincial Administration: Western Cape in terms Section 27 of the Roads Ordinance, Nr 19 of 1976. Vide Notice of Expropriation Nr TPW 16/8/2/2-11/DR1578/18 dated 15 December 2017, filed as expropriation caveat EX16/2018, plans in duplicate filed herewith."

- H. SUBJECT FURTHER** to the terms of an endorsement dated on Deed of Transfer Nr T21913/1970, which reads as follows:

"ENDORSEMENT IN TERMS OF SECTION 31(6) OF ACT 47 OF 1937 (AS AMENDED)

A portion of the hereinmentioned property, measuring $\pm 0,7797$ hectares has been expropriated by the Premier of the Provincial Administration: Western Cape in terms Section 27 of the Roads Ordinance, Nr 19 of 1976. Vide Notice of Expropriation Nr TPW 16/8/2/2-11/DR1583/1 dated 15 December 2017, filed as expropriation caveat EX26/2018, plans in duplicate filed herewith."

WHEREFORE the Appearer, renouncing all the right and title the said

**ESTATE LATE CINCHONA JANSE VAN RENSBURG
NUMBER 7011/2018**

heretofore had to the premises, did, in consequence, also acknowledge the transferor/s to be entirely dispossessed of, and disentitled to the same; and that by virtue of these presents the said


**IDEAL TRADING 301 CC
REGISTRATION NUMBER 2010/122651/23**

its Successors in Title, Administrators or Assigns, now is/are and henceforth shall be entitled thereto, conformably to local custom; The State, however, reserving its rights; and finally acknowledging the whole of the purchase price amounting to **R10 200 000,00 (Ten Million Two Hundred Thousand Rand)** to have been duly paid or secured.

IN WITNESS whereof I, the said Registrar, together with the Appearer, q.q., have subscribed to these presents, and have caused my Seal of Office to be affixed thereto.

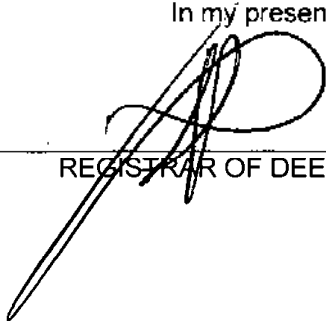
THUS DONE AND EXECUTED at the Office of the Registrar of Deeds, at Cape Town on

- 7 MAY 2019



q.q. Signature of Appearer

In my presence,



REGISTRAR OF DEEDS

10

8

Kleine Libertas 1
33 Church Street
Mossel Bay

Prepared by me


CONVEYANCER
IMKE DEKKER

POWER OF ATTORNEY TO PASS TRANSFER

We, the undersigned

**DEWALD BENJAMIN JANSE VAN RENSBURG AND EBEN OTTO
JANSE VAN RENSBURG**, in our capacities as Executors in the Estate
Late **CINCHONA JANSE VAN RENSBURG**, acting under Letters of
Executorship Number 007011/2018 issued by the Master of the High
Court of South Africa (Western Cape Division, Cape Town) at Cape
Town on 12 May 2018

do hereby nominate and appoint **JOHANN FRANCOIS VOS** and/or **DAVID
ERASMUS ROUX** and/or **WERNER GREEFF** and/or **ELENE GOOSEN** and/or
PETRUS JOHANNES CILLIE and/or **GABRIEL GIDEON CILLIE** and/or **IMKE
DEKKER**

with power of substitution to be our true and lawful Attorney and Agent in our name,
place and stead to appear at the Office of the REGISTRAR OF DEEDS at CAPE
TOWN or any other competent official in the Republic of South Africa and then and
there to act as our Attorney and Agent and

to pass transfer to:

IDEAL TRADING 301 CC
Number 2010/122651/23

the property described as:

**REMAINDER OF THE FARM ZANDHOOGTE NO. 139
IN THE MUNICIPALITY AND DIVISION OF MOSSEL BAY
WESTERN CAPE PROVINCE**

**IN EXTENT 38,2309 (THIRTY EIGHT COMMA TWO THREE ZERO NINE)
Hectares**

HELD BY Deed of Transfer T21913/1970

Handwritten mark resembling a stylized '2' or a signature.

MASTER OF THE WESTERN
CAPE TOWN
2019-03-19
A.M. DECEASED EST.
MEESTER VAN DIE WES KA.

| SERTIFIKAAT | CERTIFICATE |
|-----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| Ek bevestig hiermee, in terme van Artikel 42(2), Wet No. 68 van 1965, dat daar geen bewaar is teen transport soos hierin vermeld. | I hereby certify, in terms of Section 42(2), Act No. 68 of 1965, that there is no objection to transfer as stated therein. |
| MEESTER VAN DIE HOË HOF MASTER OF THE HIGH COURT | |
| KAAPSTAD/CAPE TOWN | 4/3 20 19 |



04
ES 1
HOE HOE
19E HIGH COURT


the said property having been sold by us on **24 January 2019**, to the said transferee for the sum of **R10 200 000,00 (Ten Million Two Hundred Thousand and)**

and further cede and transfer the said property in full and free property to the said Transferee; to renounce all right, title and interest which the Transferor heretofore had in and to the said property, to promise to free and warrant the said property and also to clear the same from all encumbrances and hypothecations according to law, to draw, sign and pass the necessary acts and deeds, or other instruments and documents; and generally, for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, to all intents and purposes, as the Transferor might or could do if personally present and acting therein; hereby ratifying, allowing and confirming all and whatsoever the said Agent/s shall lawfully do or cause to be done in the premises by virtue of these presents.

Signed at **MOSELBAY** on **10/02/2019** in the presence of the undersigned witnesses.


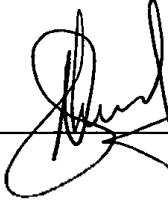
AS WITNESSES:

1. 
2. 


DEWALD BENJAMIN JANSE VAN RENSBURG

Signed at **Mossel Bay** on **10 February 2019** in the presence of the undersigned witnesses.

AS WITNESSES:

1. 
2. 


EBEN OTTO JANSE VAN RENSBURG





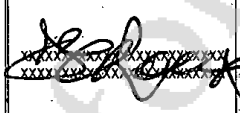
Transfer Duty Declaration **TDREP**

Reference Details

Transfer Duty Reference Number: TDE030BF2B

| Details | | | |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------|
| Details of Seller / Transferor / Time Share Company | | | |
| Surname / Registered Name | JANSE VAN RENSBURG (007011/2018) | Full Name | CINCHONA (ESTATE LATE) |
| ID Number | 4002105005005 | Date of Birth (CCYYMMDD) | 1940-02-10 |
| Company / CC / Trust Reg No. | | Marital Status | NOT MARRIED |
| Details of Purchaser / Transferee | | | |
| Full Name | | Surname / Registered Name | IDEAL TRADING 301 CC |
| Company / CC / Trust Reg No. | 201012265123 | Marital Notes if applicable | |
| Details of the Property | | | |
| Date of Transaction/Acquisition (CCYYMMDD) | 2019-01-24 | Total Fair Value | R 10200000.00 |
| | | Total Consideration | R 10200000.00 |
| Calculation of Duty and Penalty / Interest | | | |
| Transfer Duty Payable on Natural Person | R 10200000.00 | | |
| Property Description | | | |
| 1 | REMAINDER OF THE FARM ZANDHOOGTE NO. 139 IN THE MUNICIPALITY AND DIVISION OF MOSSEL BAY WESTERN CAPE PROVINCE IN EXTENT 38,2309 (THIRTY EIGHT COMMA TWO THREE ZERO NINE) HECTARES | | |

| Receipt | |
|--------------------------------|-------------|
| Receipt Details | |
| Transfer Duty Reference Number | TDE030BF2B |
| Receipt No. | 1200637122 |
| Receipt Amount | R 959000.00 |

| Declaration by Conveyancer / Attorney | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.</p> <p>David ERASMUS ROUX</p> |  <p>Please ensure you sign over the 2 lines of 'X's above</p> <p>0d1bca22ec60f49a80d92 0ddc9f38395847bdfa5</p> |
| Date (CCYYMMDD) | 20190323 |
| For enquiries go to www.sars.gov.za or call 0800 00 SARS (7277) | |



MOSSEL BAY LOCAL MUNICIPALITY

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT No. 32 OF 2000)
(AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY MOSSEL BAY LOCAL MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), it is hereby certified that all amounts that became due to Mossel Bay Local Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid.

DESCRIPTION OF PROPERTY (see definition of property in section 1 of Act 32 of 2000)

21 Digit Code (or Municipal Reference Number): 370001390012
Erven: REMAINDER OF THE FARM ZANDHOOGTE NO. 139
Portion: 0
Extension: MOSSEL BAY
Zoning:
Registration division / Administrative District:
Suburb:
Town:
Sectional Title unit number:
Exclusive use area and number as referred to on the registered plan:
Real right:
Scheme registration number:
Sectional Title Scheme Name:
Registered owner: CINCHONA JANSE VAN RENSBURG (4002105005088)
Name and Identity/ Registration Number of all purchaser/s: IDEAL TRADING 301 CC (2010/122651/23)

This Certificate is valid until: 19/05/2019
Given under my hand at MOSSEL BAY on 20/03/2019

Digitally signed by Mossel Bay Municipality
Signee: Hetta Dauth
Sign date: 20/03/2019 01:19:33.920 PM
Expiration date: 10/05/2019 12:02:18 PM

MUNICIPAL MANAGER
Mossel Bay Local Municipality

Date issued: 20/03/2019

Authorised Officer: Hetta Dauth

Certificate By Conveyancer:

I David ERASMUS ROUX (full name and surname) hereby certify that this is a print-out of a data message in respect of the original clearance certificate electronically issued by the Mossel Bay Local Municipality.

Conveyancer

Date

23/3/2019

5

CERTIFICATE

I, the undersigned, certify herewith, according to information obtained, that the property hereby transferred does not form part of a joint estate.



CONVEYANCER
DAVID ERASMUS ROUX

For Inform

on Only

6

TRACK NUMBER : 89007104860
BLACK-BOOKING ENQUIRY ON NAME - RENSBURG CINCHONA JANSE VAN
ID NUMBER - 4002105005005
BIRTH DATE - 0
MARITAL STATUS -
MAIDEN NAME -
TYPE OF PERSON - PRIVATE PERSON

PERSON NAME AND ID

RENSBURG CINCHONA JANSE VAN

CONTRACTS/INTERDICTS

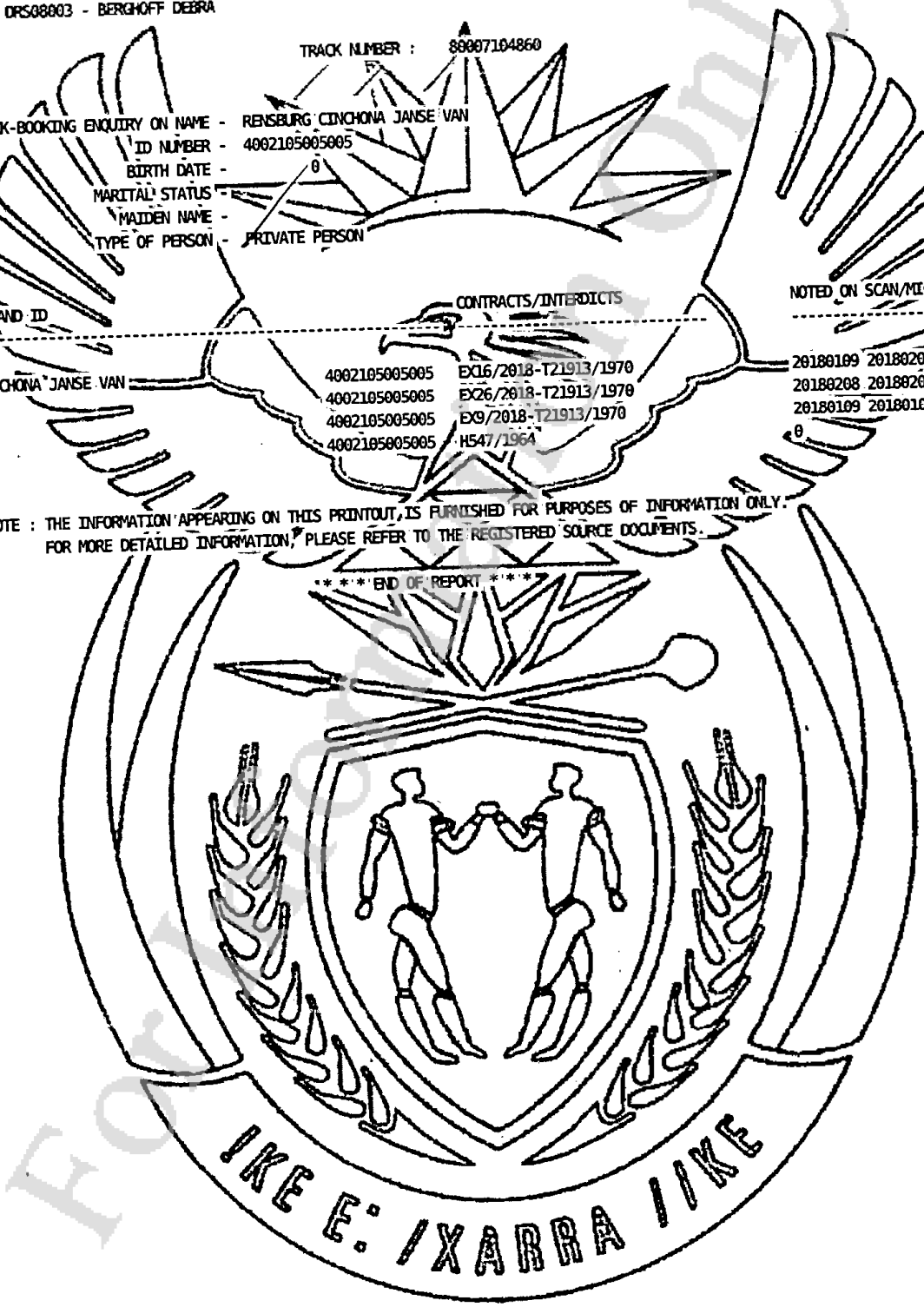
4002105005005 EX16/2018-T21913/1970
4002105005005 EX26/2018-T21913/1970
4002105005005 EX9/2018-T21913/1970
4002105005005 H547/1964

NOTED ON SCAN/MICRO REF

20180109 20180208110428
20180208 20180208105206
20180109 20180109094712

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT, IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***



7

TRACK NUMBER : 80067104860

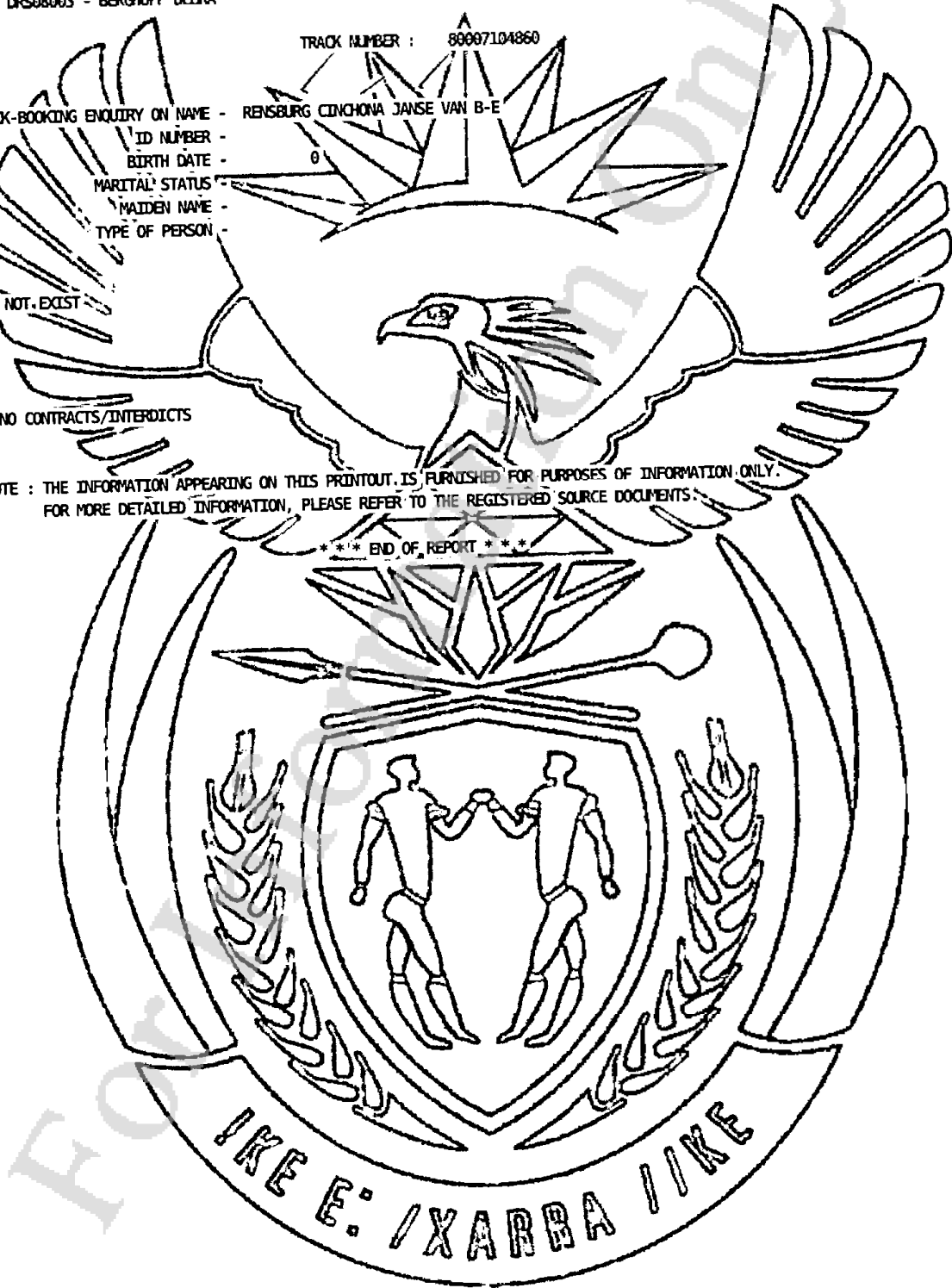
BLACK-BOOKING ENQUIRY ON NAME - RENSBURG CONCHONA JANSE VAN B-E
ID NUMBER -
BIRTH DATE - 0
MARITAL STATUS -
MAIDEN NAME -
TYPE OF PERSON -

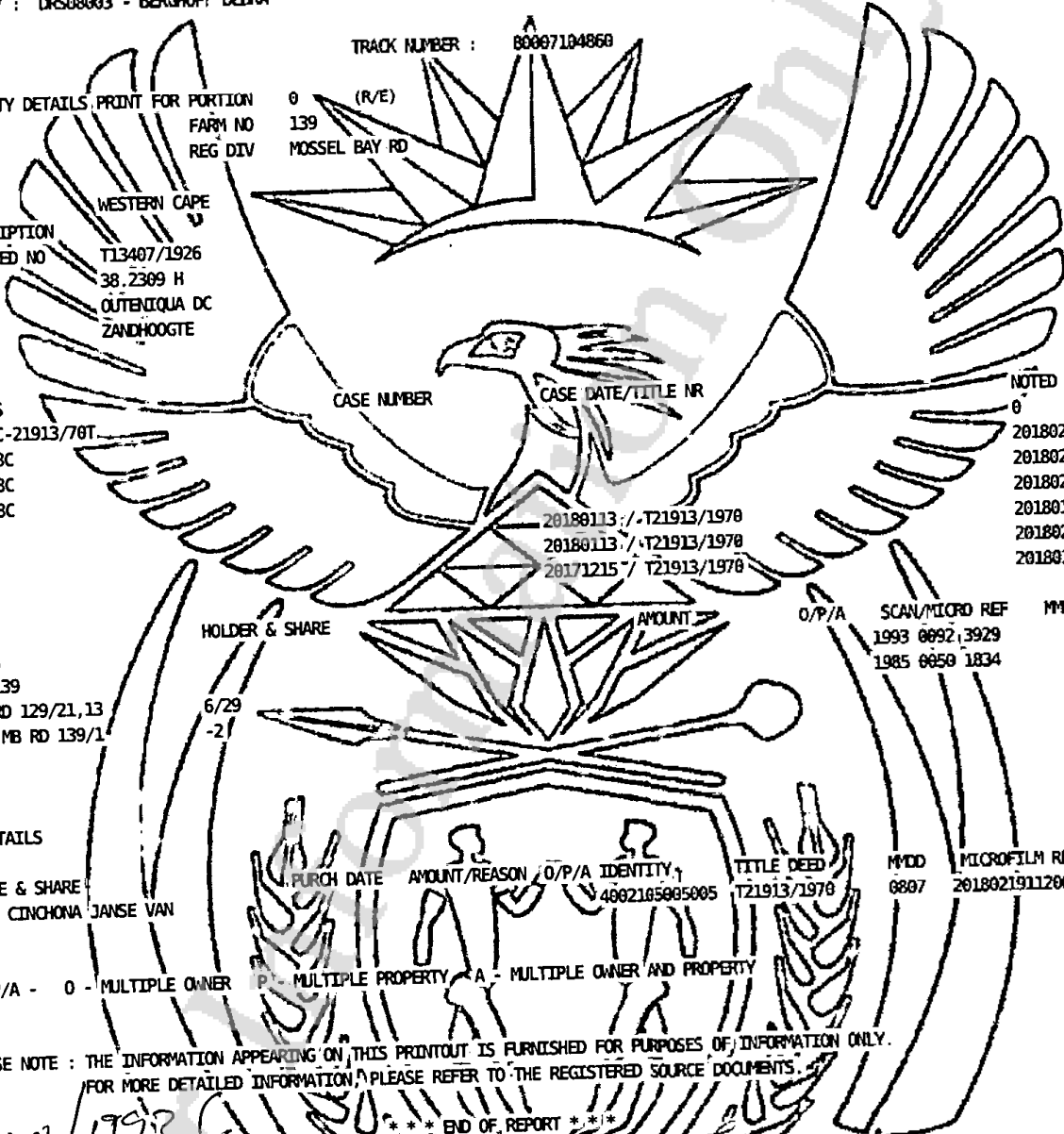
PERSON DOES NOT EXIST

PERSON HAS NO CONTRACTS/INTERDICTIONS

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***





TRACK NUMBER : 80067104860

PROPERTY DETAILS PRINT FOR PORTION 0 (R/E)
 FARM NO 139
 REG DIV MOSSEL BAY RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION
 DIAGRAM DEED NO T13407/1926
 EXTENT 38.2309 H
 CLEARANCE OUTENIQUA DC
 FARM NAME ZANDHOOGTE

INTERDICTS
 I-1020/93C-21913/78T
 I-431/2018C
 I-438/2018C
 I-443/2018C
 EX06/2018
 EX26/2018
 EX9/2018

DOCUMENTS
 K82/1993S
 FARM MB 139
 FROM MB RD 129/21, 13
 PTN'S OF MB RD 139/1

OWNER DETAILS

FULL NAME & SHARE
 REISBURG CINCHONA JANSE VAN

* O/P/A - 0 - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

CASE NUMBER

CASE DATE/TITLE NR

20180113 / T21913/1970
 20180113 / T21913/1970
 20171215 / T21913/1970

NOTED ON

20180215
 20180215
 20180215
 20180109
 20180208
 20180109

HOLDER & SHARE

AMOUNT

O/P/A

SCAN/MICRO REF

MDD

6/29
 -21

1993 0092 3929
 1985 0050 1834

PURCH DATE AMOUNT/REASON O/P/A IDENTITY
 4002185005005

TITLE DEED

MDD

MICROFILM REF

0807

20180219112007

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
 FOR MORE DETAILED INFORMATION PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

I 1020/1993 C
CINCHONA JANSE VAN REISBURG
ROSTANT V/D BOSCH ZANDHOOGTE
129/21, 13/1970
139
Kwinté a/srif enersel ARPA enerselment KRATERS
ART. 32(5) wet 47/1977 - Franke anteceden, van
skrif enersel van n/wk/1970
ex 9/2018 eksprokriation of land
= 0,7435 HA Rem. of Farm Zandhoogte no. 139
ex 16/2018 eksprokriation of additional land. P-19

EX 26/2018

Notice of expropriation

= 0,7797 MA Rem. of Farm ZANDHOOGTE NO. 139

I 438/2018 C

Rem. Farm ZANDHOOGTE NO. 139 Mosselbaai
As enclosure with copy with EX 16/2018

I 443/2018 C

Rem. of the Farm ZANDHOOGTE NO. 139 Mosselbaai
Client copy enclosure with EX 26/2018

ANNEXURE C:

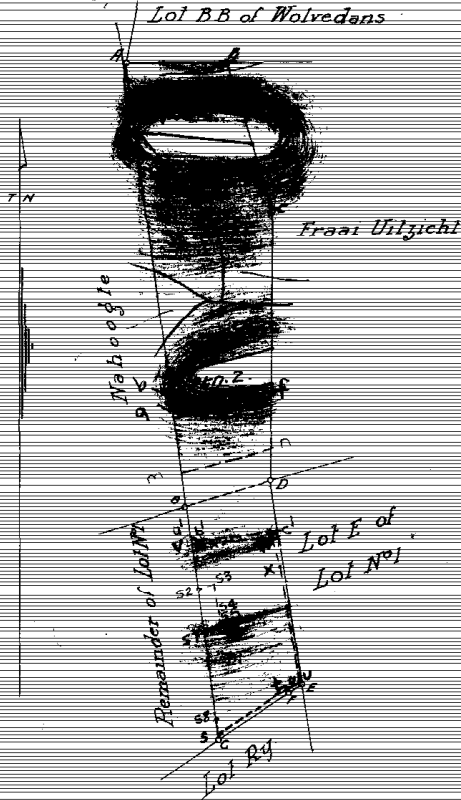
SG Diagram (A1632/1924)

No. 11999, 1924

Approved

J. R. Brooke

Surveyor-General. 9.6.24



| Sides | | Angles | |
|---------------|---------|--------|--------|
| Cape Roods | | | |
| AB | 69.30 | A | 22.50 |
| BC | 108.81 | B | 106.31 |
| CD | 188.08 | C | 162.49 |
| DE | 144.12 | D | 188.28 |
| EF | 11.42 | E | 112.26 |
| FG | 58.40 | F | 182.51 |
| GA | 476.58 | G | 64.05 |
| Figure ABCD a | | | |
| Da | 62.27 | D | 106.51 |
| aA | 512.26 | a | 80.57 |
| Figure DEFG a | | | |
| Ga | 164.32 | D | 81.84 |
| | | a | 39.2 |
| CO-ORDINATES | | | |
| | Y | | X |
| A | -233.81 | - | 127.53 |
| B | -217.47 | - | 59.57 |
| C | -108.76 | - | 53.86 |
| D | +73.61 | - | 99.91 |
| E | +217.01 | - | 114.34 |
| F | +220.29 | - | 125.28 |
| G | +239.84 | - | 180.31 |

THE FARM Zandhoogte No. 139

Scale: 100 Cape Roods = 1 Eng. Inch

1:16 000

The above diagram lettered **A B C D E F G** represents
 54 Morgen 47 Square Roods 0 Square Feet of Land situate in the
 Division of Mossel Bay being ZANDHOOGTE comprising (i) Figure
 ABCD a in extent 38 Mor 46 Sq Roods part of Lot B, of WOLVEDANS
 transferred to J. J. van Rensburg H/son 28th January 1871 (ii) Figure DEF
 G a in extent 16 Mor. 1 Sq Rood part of Lot N^o 1, granted to
 J. J. van Rensburg H/son 7th February 1876.

C

Bounded as indicated above

(a portion of Portion) of the farm

THE FARM

No. 139

MOSSEL BAY

MOSSEL BAY

This diagram belongs to the Transfer made this day in favour of

Surveyed and beaconed by me according to regulations.

J. J. van Rensburg

31. 12. 1926 15407

W. J. van der Merwe

Deeds Office

19....

Government Land Sur

FOR ENDORSEMENTS
SEE BACK OF DGM.

628

February 19

Farm 139/

SERVITUDES/LEASEHOLD AREAS

| SURVEY RECORD | DIAGRAM NO. | DESCRIPTION | DEED | INITIALED |
|---------------|-------------|--------------------------------------------------------------------------------------|------|-----------|
| 793/2018 | 1512/2018 | The line abcdef represents the centre line of a sewer pipeline servitude 6.00 m wide | | |

Professional's Print 0,4400/10 35350/10 Q.
 E1829/15 6078/15 Ho. 1. 5,6889 16522/16600 ill

| SURVEY RECORD | DIAGRAM No. | DESCRIPTION | DEED | INITIALED |
|---------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----------|
| E636/82 | 1531/85 | The lines mn, r, v, w, x, y represent a electric power line servitude 20m wide | | |
| E674/91 | 9314/91 | The line stu represents the southern boundary of a water pipeline servitude 10.00m wide and the figure stu tfg represents a water pipeline servitude area | 82/92 | MS |

E224/98 5192/1998 The line a represents

1224/2012 2658/2012 The lines s1, s2 and s3, s4 and s5, s6 and s7, s8 is the western boundary, line s2, s3 is the southern boundary, line s4, s5 is the southwestern boundary, s6, s7 is the northern boundary of a 50m wide sewer servitude

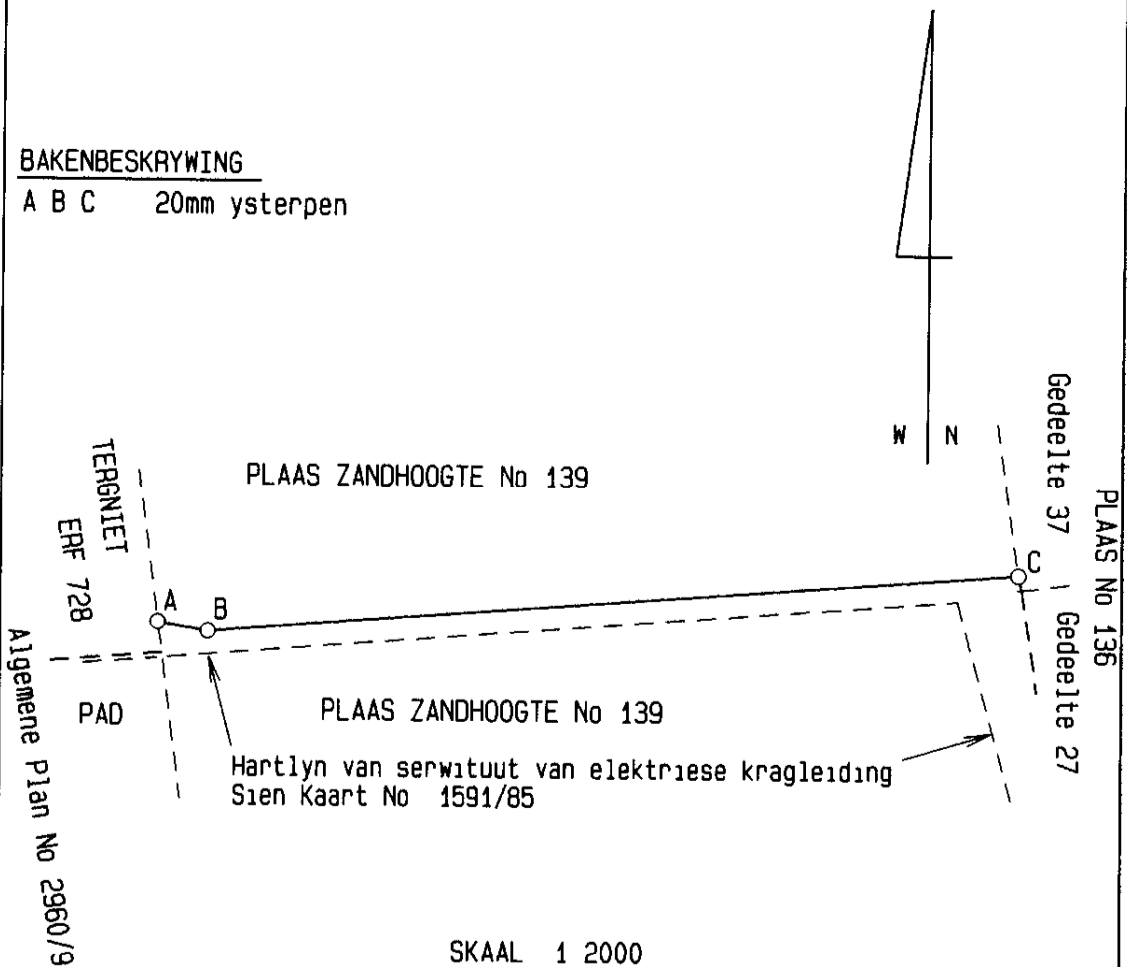
ANNEXURE D:

Servitude Diagrams

| SYE Meter | | RIGTINGS -HOEKE | KOORDINATE Y Stelsel Lo 23° X | | | L G Nr |
|-----------|--------|-----------------|-------------------------------|-------------|---------------|-----------------------------------------------------------------|
| | | Konstante | | + 0,00 | +3 700 000,00 | 5192/1998 |
| AB | 13 83 | 279 53 50 | A | + 74 823 58 | + 70 835 88 | Goedgekeur <i>A Louw</i> Landmeter-Generaal 1998 09 09 |
| BC | 220 79 | 265 33 20 | B | + 74 809 95 | + 70 838 26 | |
| | | | C | + 74 589 82 | + 70 821 15 | |
| | | Δ (88) ZAND | | + 75 251 88 | + 69 593 15 | |
| | | Δ (434) ZHWT | | + 75 327 24 | + 69 596 59 | |

BAKENBESKRYWING

A B C 20mm ysterpen



Die lyn A B C stel voor die noordelikegrens van n waterpyplynserwituit 4 00 meter wyd oor die PLAAS ZANDHOOGTE No 139

gelee in die Administratiewe Distrik Mosselbaai Provinsie van die Wes Kaap Opgemeet in Julie 1998

deur my *A Louw* A LOUW (PLS0356) Professionele Landmeter

N
 EFA UGS
 9 U
 AVW
 ARTIKEL 2 (a)

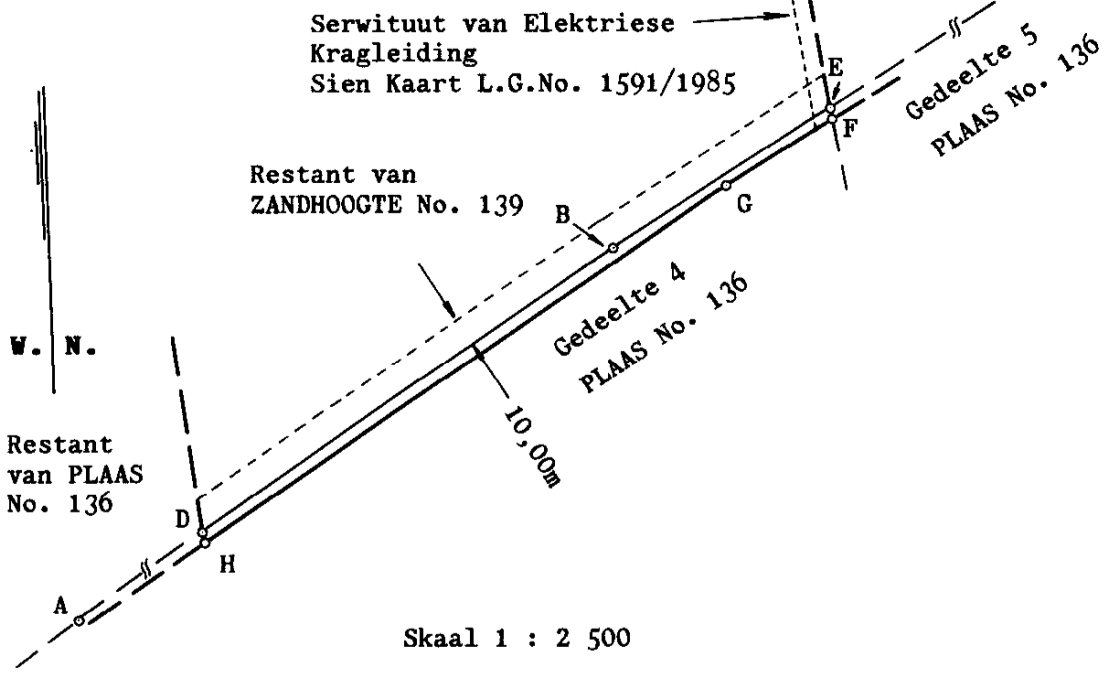
| | | |
|----------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------|
| Hierdie kaart is geheg aan Nr gedateer t g v | Die oorspronklike kaart is Nr A1632/1924 Transport 1926 290 13407 | Leer Nr Mos B139 M S Nr E 2214/1998 Komp AL-1AD/V32 (628) |
| Registrateur van Aktes | | |

| SYE METER | | RIGTINGS-HOEKE | KOÖRDINATE | | | L.G. No. |
|-----------|------------|----------------|------------|------------|-------------|----------|
| | | | Y | Stelsel | Lo 23° | X |
| | | Konstante | | +0,00 | +3700000,00 | |
| AB | 330,00 | 236 38 56 | A | +74 883,72 | +71 466,74 | |
| BC | 166,16 | 239 03 26 | B | +74 608,07 | +71 285,31 | |
| | | | C | +74 465,55 | +71 199,87 | |
| | Zandhoogte | ▲ 088 | | +75 251,88 | +69 593,15 | |
| | Geo 23 | ▲ 135 | | +70 214,59 | +67 890,45 | |

Goedgekeur
[Handwritten Signature]
 nms Landmeter-generaal
 1992-06-19

Bakenbeskrywing

- A, B, C Betonpilaar 100mm x 100mm x ongeveer 1 meter hoog
- D, E Geen baken



- Die lyn D B E stel voor die suidelike grens van 'n WATERPYPLYSERWITUUT 10,00 meter wyd soos aangetoon en
- Die figuur D B E F G H stel voor 'n WATERPYPLYSERWITUUTGEBIED soos aangetoon oor die **RESTANT** van die plaas **ZANDHOOGTE No. 139** geleë in die Administratiewe Distrik Mosselbaai Provinsie Kaap die Goeie Hoop.

Opgemeet in Januarie tot Maart 1991,
 deur my

BvdWalt

B. van der Walt Landmeter

| | | |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| Hierdie kaart is geheg aan No. 82/92. gedateer t.g.v. Registrateur van Aktes | Die oorspronklike kaart is. No. 1632/1924 geheg aan Transport/ Grond brief No. 1926-290-13407 | Lêer No. Mos. B. M.F. M.S. No. E674/91 Komp. AL-1AD/V32(628) ALNA-4291(M4443) |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|

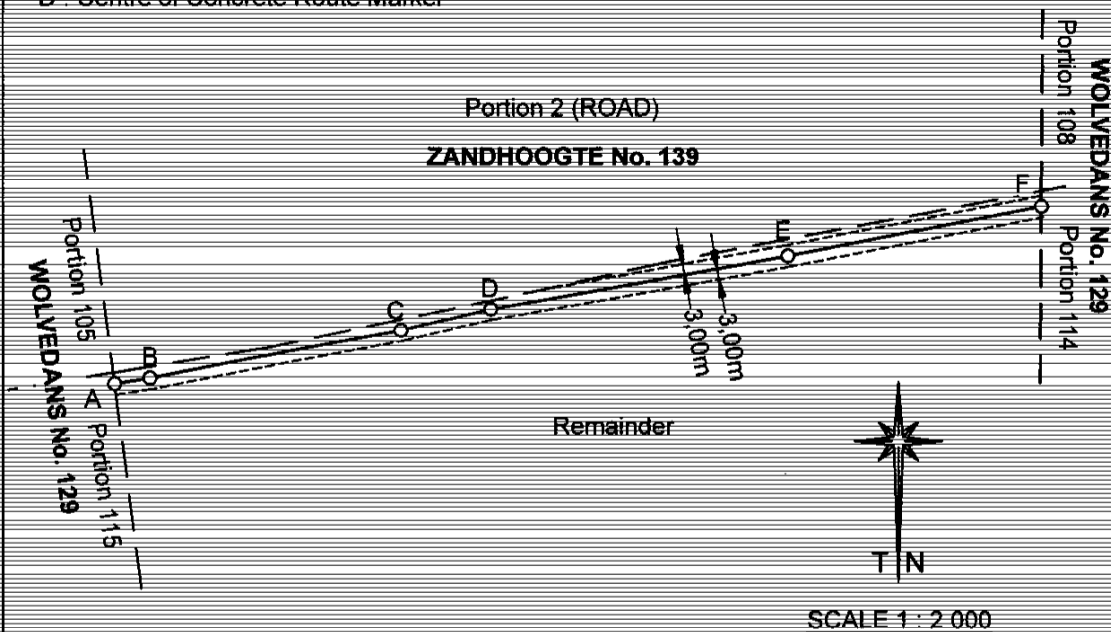
B

SERVITUDE DGM.

| SIDES Metres | | ANGLES OF DIRECTION | | CO-ORDINATES Y System: WG 23° X | | S.G. No. 1512/2018 |
|-----------------|----------|------------------------|------------|------------------------------------|-------------------------------------------|--------------------------|
| | | Constants: | | ± 0,00 | ± 0,00 | Approved |
| AB | 10,00 | 261.20.20 | A | +74 913,73 | +3 770 810,52 | <i>M. J. G. J. G. J.</i> |
| BC | 71,66 | 259.16.00 | B | +74 903,85 | +3 770 809,01 | |
| CD | 25,93 | 256.11.00 | C | +74 833,44 | +3 770 795,67 | |
| DE | 84,98 | 259.46.00 | D | +74 808,26 | +3 770 789,47 | |
| EF | 72,89 | 259.01.00 | E | +74 724,64 | +3 770 774,38 | |
| | | | F | +74 653,09 | +3 770 760,49 | |
| ZANDHOOGTE WT | 3422-434 | Δ | +75 375,40 | +3 769 892,37 | for | |
| TERGNIET RES | 3422-444 | Δ | +75 707,82 | +3 771 618,81 | SURVEYOR- GENERAL <i>16.07.2018</i> | |

DESCRIPTION OF BEACONS

- A, F : 12mm Round Iron Peg
- B : Centre of Round Manhole Cover
- C, E : Centre of Valve Cover
- D : Centre of Concrete Route Marker



The line **A B C D E F** represents the center line of a sewer pipeline servitude 6,00 meters wide - except where restricted by the property boundary - over

THE REMAINDER OF THE FARM ZANDHOOGTE No. 139

Situate in the Municipality and Administrative District of Mossel Bay, Western-Cape Province

Surveyed in June 2018 by me

T. VISAGIE (PLS 1036)
Professional Land Surveyor

EXEMPT FROM PROVISIONS OF ACT 70 OF 1970 SECTION 6A 1(a)

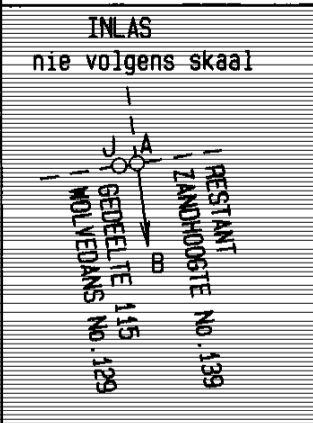
Exempt i.t.o Section 24 Of Municipal Bylaw of Act 3/2014 Ref: 16/4/4/3/F Kruger Date: 26 June 2018

| | | |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| This diagram is annexed to No. d.d. i.f.o. Registrar of Deeds | The original diagram is S.G. No. : A1632/1924 Deed of Transfer No. 1926.290.13407 | File No. Mos B. M.F. 139 v.2 S.R. No. : 793/2018 Comp. AL-1ABD (3576) LPI C0510000 |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|

| SYE Meter | | RIGTINGS -HOEKE | KООRDINATE Y Steisel W623° X | | | L.G. Nr. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|----------------------------|------------------------------------------|------------------------|---------------|----------------------------------------------------------------------------------|
| | | Konstante | + | 0,00 | +3 700 000,00 | 2658/2012 |
| AB | 468,70 | 352 34 13 | A | + 74 914,00 | + 70 807,48 | Goedgekeur <i>[Handwritten Signature]</i> Landmeter-Generaal 2012.12.04 |
| BC | 47,36 | 259 25 50 | B | + 74 853,39 | + 71 272,24 | |
| CD | 64,04 | 352 59 30 | C | + 74 806,84 | + 71 263,55 | |
| DE | 5,16 | 307 57 20 | D | + 74 799,03 | + 71 327,12 | |
| EF | 39,15 | 350 25 30 | E | + 74 794,96 | + 71 330,29 | |
| FG | 52,65 | 72 57 40 | F | + 74 788,44 | + 71 368,89 | |
| GH | 248,66 | 352 34 13 | G | + 74 838,78 | + 71 384,32 | |
| | | | H | + 74 806,62 | + 71 630,90 | |
| Aanduidings data | | | | | | |
| AJ | 0,09 | 80 59 50 | J | + 74 914,09 | + 70 807,49 | |
| | | Δ (135) GE023 | + | 70 262,85 | + 68 186,22 | |
| | | Δ (148) GE036 | + | 78 272,46 | + 73 106,56 | |
| <p>Die lyn A B stel voor die westelikegrens, die lyn B C die suidelikegrens, die lyn C D die westelikegrens, die lyn D E die suidwestelikegrens, die lyn E F die westelikegrens, die lyn F G die noordelikegrens en die lyn G H die westelikegrens van n VUILRIJOL SERWITUUT 5m wyd op Restant van die Plaas ZANDHOOGTE No.139 geleë in die Munisipaliteit en Administratiewe Distrik MOSSELBAAI Provinsie van die Wes Kaap Opgemeet in Julie - Oktober 2012</p> | | | | | | |
| deur my | | | A.LOUW (PLS0356) Professionele Landmeter | | | |
| Hierdie kaart is geheg aan | | Die oorspronklike kaart is | | Leer Nr. Mos B 139 | | |
| Nr. | | Nr. A1632/1924 | | M.S. Nr. 1226/2012 | | |
| gedateer | | Transportakte | | Komp. AL-1AD/V32 (628) | | |
| t.g.v. | | Nr. 1926- -13407 | | AL-1ABD (3576) | | |
| Registrateur van Aktes | | | | ALNA-4291 (M4443) | | |
| | | | | LPI C0510000 | | |

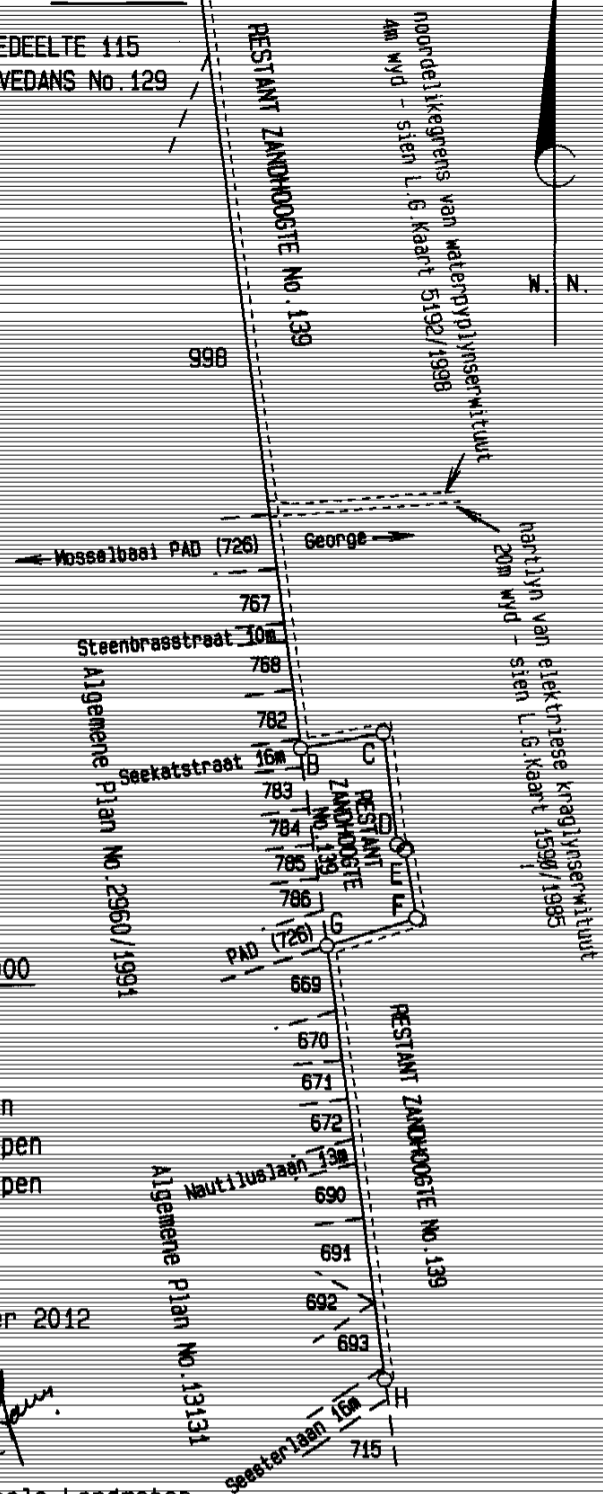
VUILRIOL SERWITUUT op Restant van die Plaas
ZANDHOOGTE No.139
geleë in die Munisipaliteit en
Administratiewe Distrik MOSSELBAAI
Provinsie van die Wes Kaap

L.G. Nr.
2658/2012
Goedgekeur
[Handwritten Signature]
Landmeter-Generaal
2012.12.04
BLADSY 2 VAN 2 BLADSYE



GEDEELTE 105 WOLVEDANS No.129
GEDEELTE 115 WOLVEDANS No.129
GEDEELTE 2 ZANDHOOGTE No.139

Sien Inlas



Skaal 1: 4 000

Bakenbeskrywing:

- A nie gebaken
- G, J 20mm ysterpen
- B, C, D, E, F, H 16mm ysterpen

Opgemeet in Julie - Oktober 2012
deur my

[Handwritten Signature]

A.LOUW (PLS0356) Professionele Landmeter

SERWITUUTKAART

KANTOORAFSKRIF

| SYE METER | RIGTINGS- HOEKE | Y | KOÖRDINATE | | L.G. No. |
|---------------------|------------------------------------|---|------------|---------------|-----------------------------------------------------------------------|
| | | | Stelsel | Lo 23° X | |
| | Konstant | ± | 0,00 | +3 700 000,00 | 1591-85 |
| <i>W.d.l.</i> AB | 254 ⁴² 40 30 | A | + 75 280,4 | + 70 801,4 | |
| BC | | B | + 74 553,5 | + 70 602,6 | Goedgekeur <i>Demius</i> nms. Landmeter-generaal 1985-05-15. |
| CD | 265 30 50 | C | + 75 074,0 | + 70 865,2 | |
| DE | 344 44 20 | D | + 74 606,3 | + 70 828,5 | |
| EF | 351 46 10 | E | + 74 583,0 | + 70 913,9 | |
| | | F | + 74 535,1 | + 71 245,0 | |

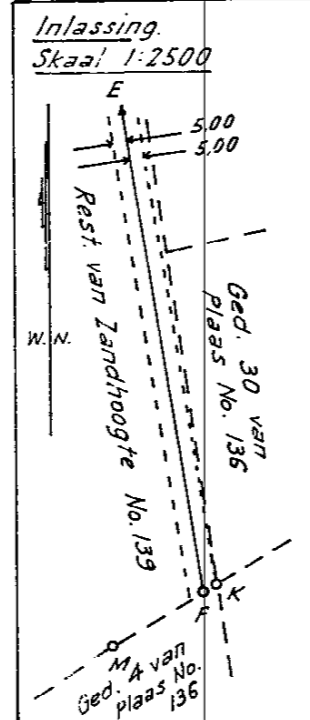
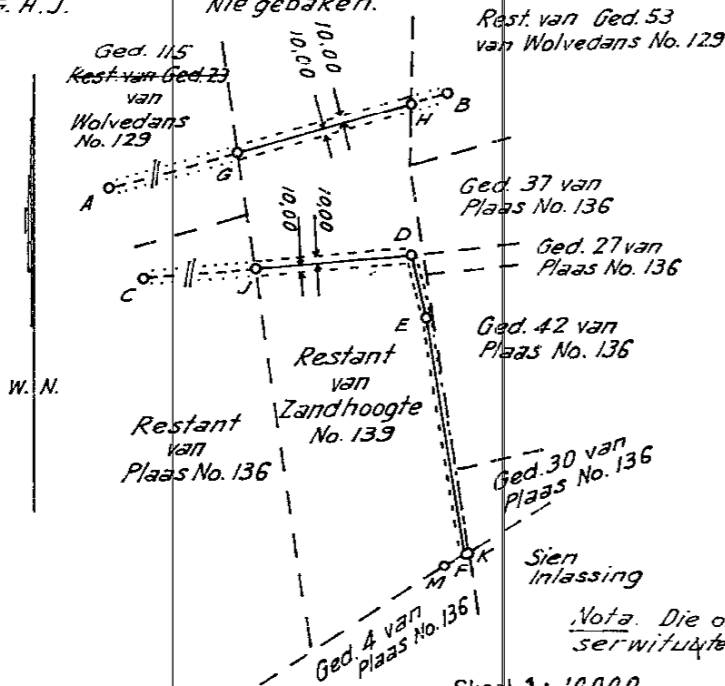
Interseksies.

| | | | | | |
|----|-------|------------|---|-------------|-------------|
| KF | 5,3 | 60 24 30 | K | + 74 530,5 | + 71 242,4 |
| FM | 37,7 | 60 24 30 | M | + 74 567,9 | + 71 263,6 |
| | (258) | Mos 34 | Δ | + 83 433,40 | + 81 263,93 |
| | (88) | Zandhoogte | Δ | + 75 251,88 | + 69 593,15 |

Bakens.

- A, B, C, D, E, F. 18mm. ysterpen.
- K. Ingeplante klip 100 x 250 x 250mm. hoog.
- M. Ysterpaal.
- G, H, J. Nie gebaken.

W.d.l.



Nota. Die omvang en wydte van die serwituteis soos op die figuur aangetoon.

Skaal 1: 10000

Die figuur Die lyne GH en JDEF stel elk die hartlyn van 'n stel voor Serwitut van Elektriese Kragleiding voor grond, synde oor die Restant van die plaas Zandhoogte No. 139,

geleë in

Administratiewe Distrik Mosselbaai,

Provinsie Kaap die Goeie Hoop.

Opgemeet in Febr. 1979 - Maart 1982,

deur my,

W.J. de Lange

Landmeter

Hierdie kaart is geheg aan

Die oorspronklike kaart is.

Lêer No. Mos. B. M. F.

No. gedateer

No. 1632/1924 geheg aan Transport/Grondbrief

M.S. No. E. 636/82

t.g.v.

No. 1926-290-13407

Komp. AL-1AD/V32 (628)

Registrateur van Aktes

ANNEXURE E:

*Comments from Mossel Bay Municipality on
the proposed access*

Marike Vreken

From: Hannes Lourens <hlourens@eceng.co.za>
Sent: 06 October 2019 09:57 PM
To: marike@vreken.co.za
Cc: 'Frans van Aardt'
Subject: FW: Ontwikkeling van Zandhoogte 139, Tergniet: Toegang

Hallo Marike,

Sien asb onderstaande die munisipaliteit se goedkeuring vir die skuif van die toegang nader aan die westelike grens, net oos van die bestaande toegang na die huis. Ek het dit ook in persoon met Christo bespreek, hy is tevrede met sy toegang na sy huis wat dan vanaf die privaat pad, net voor die sekuriteitshek sal wees, presies soos wat ek en jy op terrein bespreek het.

Frans,

Net vir jou kennisname ook skriftelik, soos bespreek in ons telefoniese gesprek, as inset tot die TIA.

Hartlike Groete / Warm Regards

Hannes Lourens PrEng MEng PrCPM

Technical Director & Branch Manager – Southern Cape and Karoo

E: hlourens@eceng.co.za

T: +27 44 8841138 | F: +27 44 8841185 | C: +27 82 7754264 | W: www.eceng.co.za
82 Victoria Street, George, 6529 | PO Box 9962, George, 6530



ISO 9001:2008 CERTIFIED | LEVEL 2 B-BBEE CONTRIBUTOR 125% PROCUREMENT RECOGNITION

From: Eitner, Altus <aeitner@mosselbay.gov.za>
Sent: 04 October 2019 14:59
To: Hannes Lourens <hlourens@eceng.co.za>
Cc: Myburgh, Pieter <pmyburgh@mosselbay.gov.za>; 'Frans van Aardt' <frans@urbanengineering.co.za>
Subject: RE: Ontwikkeling van Zandhoogte 139, Tergniet: Toegang

Hannes

- OK, in prinsiep kan dit werk onderhewig aan n volle TIA se uitkoms
- Solank die twee ontwikkeling se ingange reg oorkant mekaar is en nie verspringend nie
- Solank die erf/plaas eienaar skriftelik sy toestemming verleen vir toegang uit die ontwikkeling
- Onthou hy gaan nie ook n Impala toegang kry nie



[Altus Eitner Pr.Eng](#)

Streets & Stormwater / Project Planning & Management
Mossel Bay Municipality / Mosselbaai Munisipaliteit
101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai
Email/E-pos: aeitner@mosselbay.gov.za
Web: www.mosselbay.gov.za
Tel: +27 44 606-5261

Print this email only if necessary. Go Green / Druk hierdie e-pos net as dit noodsaaklik is. Gaan Groen.

From: Hannes Lourens [<mailto:hlourens@eceng.co.za>]

Sent: Friday, October 4, 2019 2:35 PM

To: Eitner, Altus <aeitner@mosselbay.gov.za>

Cc: Myburgh, Pieter <pmyburgh@mosselbay.gov.za>; 'Frans van Aardt' <frans@urbanengineering.co.za>

Subject: Ontwikkeling van Zandhoogte 139, Tergniet: Toegang

Goeie middag Altus (en Pieter),

Ons gesprek vroeër vanoggend rakende die bostaande ontwikkeling verwys. Ek verwys ook na ons vergadering met julle en die departement in die verband so maand of wat gelede. Die toegang na Zandhoogte 139 aan die suidekant van Impalaweg is baie problematies. Hoe verder oos die toegang geplaas word, hoe groter is die vertikale hoogteverskil tussen Impalaweg en die natuurlike grondvlak. In die middel van die erf is die hoogteverskil 4.0m en die natuurlike grond se val is boonop nog ongeveer 13%, die toegang daar raak dus 'n saak van onmoontlikheid, ons het dit voorlopig ontwerp en dit blyk die pad raak aan 35% om in 'n redelike afstand terug te kom op natuurlike grondvlak om toegang te verleen na die erwe.

Die toegang op die westelike grens van die erf is die beste (enigste) opsie uit 'n geometriese ontwerpsooppunt aangesien die hoogteverskil aan die suidekant daar slegs 1m is en die val van die natuurlike grond daar effens minder steil is teen ongeveer 11%. Hierdie toegangspunt op die westelike grens is ook die toegangspunt wat oorspronklik goedgekeur is in 2009. Aangeheg die terreinontwikkelingsplan wat in 2009 goedgekeur is.

Die bestaande plaashuis aan die noordekant van Impala se toegang sal dan ook verskuif na die nuwe pad wat die ontwikkeling bedien.

Ons is huidiglik besig met die voorbereiding vir die beplanningsaansoek, die EIA, die ingenieursverslag, die TIA asook al die ander spesialis insette. Ons het egter nodig om op hierdie stadium jou skriftelike ondersteuning te verkry vir die toegangspunt op die westelike grens as finale inset tot al bostaande beplanning.

Ek ontvang dus graag jou skriftelike ondersteuning van hierdie voorstel per kerende e-pos. Dankie vir jou tyd en moeite byvoorbaat, dit word waardeer.

Hartlike Groete / Warm Regards

Hannes Lourens PrEng MEng PrCPM

Technical Director & Branch Manager – Southern Cape and Karoo

E: hlourens@eceng.co.za

T: +27 44 8841138 | F: +27 44 8841185 | C: +27 82 7754264 | W: www.eceng.co.za

82 Victoria Street, George, 6529 | PO Box 9962, George, 6530



Mossel Bay Municipality email disclaimer:

<http://www.mosselbay.gov.za/disclaimer.htm>

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

Tel: +27 44 606 5000

www.mosselbay.gov.za

ANNEXURE F:

*Minutes of Meeting with Roads Authorities 14
May 2019*

CONTRACT NO.: Zandvoogte 139
 PROJECT NAME: Zandvoogte 139
 CONTRACTOR: _____
 DATE & TIME: 14/05/2019
 VENUE: MB Nieuw Straatje & Stormwater Boardroom
 MEETING: SDF and Transportations (across) discussions

Attendance Register

| NAME | COMPANY | ADDRESS | TEL. NO. | CELL NO. | SIGNATURE |
|----------------|-------------------|----------------------------------------|---------------|--------------|-----------|
| Jaco Roux | MBM | 101 Marsh Street | 064 606 5071 | 083 74068 98 | |
| P. BROEKHUISZ | KUNST & REKON | | 021 - 4057600 | 0839751639 | |
| A. EITNER | MBM | <u>aitner@</u> | | 0116065261 | |
| E. KUNIGER | MBM | <u>Charger & Laundry</u> | 6065070 | 082 5562177 | |
| P. Molybhu | W/M | <u>pmolybhu@mossloby.gov.za</u> | 011-605252 | | |
| E. Burger | NCCG | <u>Evon. Burger@westerncape.gov.za</u> | 0214832180 | | |
| C. SIES | OWNER REAR | | 0766351979 | | |
| S. Carstens | PCWC Transport | | 083 6415092 | | |
| F. VAN AARHOUT | URBAN ENGINEERING | | 073204 6834 | | |

Hannes Lourens ECE MV TRP
 Marike Vreken MV TRP
 Moured@eceng.co.za 0448841138
 marike@vreken.co.za 044 3820420 082 9215310


PORTION OF REMAINDER OF FARM ZANDHOOGTE NO 13
MEETING HELD AT MOSSEL BAY MUNICIPALITY
14 MAY 2019

1. Attendance

| Name | Organisation | Cell No | Tel No | E-mail |
|------------------|---------------------------------|-------------|-------------|--------------------------------------------------------------------------------------------|
| Jaco Roux | Mossel Bay Municipality | 083-7406898 | 044-6065071 | jroux@mosselbay.gov.za |
| P. Barkhuizen | Kantey & Templer | 083-7751639 | 021-4059600 | pbarkhuizen@ct.kanteys.co.za |
| Eddie Kruger | Mossel Bay Municipality | 082-5562177 | 044-6065070 | ekruger@mosselbay.gov.za |
| Altus Eitner | Mossel Bay Municipality | | 044-6065261 | aitner@mosselbay.gov.za |
| Pieter Myburgh | Mossel Bay Municipality | | 044-6065252 | pmyburgh@mosselbay.gov.za |
| Evan Burger | Western Cape Government - Roads | | 021-4832180 | evan.burger@westerncape.gov.za |
| C Spies | Owner | 076-6351997 | | christo@cobrafuel.co.za |
| S Carstens | PCWC Transport | 083-6415092 | | Schalk.carstens@westerncape.gov.za |
| F van Aardt | Urban Engineering | 073-2046834 | | frans@urbanengineering.co.za |
| Hannes Lourens | Element Consulting Engineers | | 044-8841138 | hlourens@eceng.co.za |
| Marike Vreken | MV TRP | 082-9275310 | 044-3820420 | marike@vreken.co.za |
| Hans Labuschagne | MV TRP | | 044-3820420 | hans@vreken.co.za |

Discussion

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. <u>Introduction</u> | |
| <p>1.1. MV introduced team. Mr Christo Spies is the new owner of Remainder of Farm No 139, Zandhoogte in Tergniet. The property had development rights in the past. All have lapsed and the new owner intends applying for residential and warehouse uses on the land south of the N2 National Road.</p> <p>1.2. The purpose of the meeting is to obtain clarity on the Mossel Bay SDF proposals for this site and also to obtain confirmation of the allowed access points, before any new layouts can be prepared.</p> | |
| 2. <u>Mossel Bay SDF</u> | |
| <p>2.1. JR explained that the vision of the Mossel Bay SDF is to encourage mobility and trail transport along the existing railway line. Since there is a railway platform approximately 900m east of the application area, there is no need to provide one on the application area, but then no new business nodes can be provided either.</p> <p>2.2. Applicant will have to motivate site specific circumstances why deviating from the SDF proposals. Reasons could be no new access points allowed on Main Road 344 and existing, nearby, railway platforms.</p> | |
| 3. <u>Access Points</u> | |
| <p>3.1. The application area is divided in three nodes by the existing road network.</p> | |

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--|
| <p>3.2. The northern 1/3 of the application area is between the N2 National Road and Main Road 344. No access off Main Road 344 will be allowed. Access to this land parcel should be from DR 1578, across Portion 2 of Farm 139.</p> <p>3.3. The applicant will have to negotiate an access servitude with the owners of Portion 2 of Farm No 139. Failing which the Municipality will assist with expropriations.</p> <p>3.4. JR has indicated that there is a pending land development application on Portion 2 of Farm No 139 for storage, and one of the conditions of approval for this could be to allow for an access servitude.</p> |  | |
| <p>3.5. Access to the middle and southern 1/3 parcels should be from Impala Street – evenly spaced between the western and eastern property boundary of the application area.</p> | | |
| <p>3.6. The existing residential access to the existing dwelling house on Rem Farm 139 will remain as a residential access.</p> | | |
| <p>4. <u>Road Reserve widths</u></p> | | |
| <p>4.1. It was confirmed that for layout purposes on Rem Farm No 139, the existing cadastral boundaries of the residential properties to the east and west of the application area will be the guideline for the width of the road reserve for Main Road 344 and Impala Street.</p> | | |
| <p>5. <u>Municipal Services</u></p> | | |
| <p>5.1. PM reiterated that the applicant has to accommodate all existing services and servitudes in the layout, and also accommodate storm water on the application area.</p> | | |
| <p>6. <u>No development Zone surrounding WWTW</u></p> | | |
| <p>6.1. MV informed the meeting that Dept of Health has verbally accepted a 500m radius surrounding the Grootbrak WWTW, measured from the center of the WWTW. A formal application will have to be submitted to the Dept of Health.</p> | | |
| <p>7. <u>Closure</u></p> | | |
| <p>7.1. Meeting closed at 13h00.</p> | | |

ANNEXURE G:

Specialist Botanical Report

Botanical Impact Assessment
for proposed development
of Remainder of Farm 139 (Zandhoogte)
Tergniet, Mossel Bay.

This report was prepared during November 2019 by:

Regalis Environmental Services CC
P.O. Box 1512
6620 Oudtshoorn
Tel: 044-2791987
Email: janvlok@mweb.co.za

INTRODUCTION

A development proposal was approved for Remainder of Farm 139 (Zandhoogte) in the Mossel Bay district, but the approval has lapsed. A botanical impact assessment was done for the previous application by McDonald (2008), but the authorities requested an updated botanical impact assessment.

Regalis Environmental Services was appointed as an independent consultant (see Appendices 1 & 2) and the terms of reference for this assignment was as follows:

- Conduct a **site inspection** to determine the current ecological state of the site and report on the status quo (details of level of invasive alien species, indigenous coverage etc);
- **Compare findings** from the site inspection with the findings of **Dr McDonald** and detail any differences or changes to the ecosystem;
- Identify any **rare/endangered/protected species** and provide a **species list** for them;
- Identify and **map any sensitive environmental features** (critically endangered / endangered vegetation types or wetland areas etc) that may need protection and/or exclusion from the development footprint – sensitivity map must be provided in digital format preferably KML or KMZ;
- Assess the **development proposal** (as well as reasonable and feasible alternatives provided by the Applicant, limited to two (2) development proposals and the Status Quo alternative);
- Identify and describe **positive/negative impacts** (direct, indirect, cumulative) that may arise from the development (compared to the status quo) and the **acceptable level of change** for each impact;
- Recommend any **changes** to the preferred layout, if necessary, to **avoid negative impacts**;
- Recommend **mitigation measures** that may be required to **minimise negative impacts**;
- Recommend **long-term management requirements** for any areas of special interest for **construction phase** as well as the **operational phase**;
- Review and reference all **relevant biodiversity guidelines** applicable to the Western Cape and the Garden Route region in particular (i.e. Western Cape Biodiversity Spatial Framework, Critical Biodiversity Areas Handbook, Western Cape Biodiversity Specialist Guidelines document, Western Cape Fynbos Forum Ecosystem Guidelines etc);
- Ensure that you report complies with **Appendix 6 of the 2014 Environmental Regulations** (as amended in 2017);
- Liaise with CapeNature to verify the findings/recommendations of your **draft report** before submitting it to the Client;
- **Review and respond** to (biodiversity related) issues raised during the stakeholder engagement process of the Basic Assessment process;
- Submit a **final Botanical Impact Assessment Report** to the Client for use in the Basic Assessment Report.

The proposed development area on the property has been enlarged since the previous development application and study by McDonald (2008). The new development layout is shown on Map 1.



Map 1: New development layout proposal for the property.

Jan Vlok of RES surveyed the affected area in November 2019 and the results of my field study and recommendations are provided here.

METHODOLOGY AND UNCERTAINTY REGARDING STUDY RESULTS

The national status of the affected vegetation type was determined by means of consulting Mucina *et al* (2006) and updates thereof [South African National Biodiversity Institute (2006-2018). The Vegetation Map of South Africa, Lesotho and Swaziland, Mucina, L., Rutherford, M.C. and Powrie, L.W. (Editors), Online, <http://bgis.sanbi.org/Projects/Detail/186>, Version 2018]. The regional conservation value of the affected vegetation was determined by means of consulting the updated fine-scale conservation plan for the region by Pence (2017). I am thus confident that the methodology followed complies with:

1. Appendix 6 of the 2014 National Environmental Management Act, 1998 (No. 107 of 1998) (NEMA) Environmental Impact Assessment (EIA) Regulations (and as amended), detailing the requirements for specialist's reports; and,
2. The principals outlined in the *Guideline for Biodiversity Specialists* (WC: DEA&DP, 2005) and those of the *Western Cape Biodiversity Spatial Plan Handbook* (Pool-Stanvliet et al, 2017).

The proposed development area was surveyed on foot to determine the ecological condition of the affected area and to establish if any rare or endangered plant species (*sensu* Raimondo *et al*, 2009 and updates thereof in www.sanbi.redlist) are, or may be present. All the plant species encountered could be identified with certainty as most of the species were still in flower after good recent rain.

I am thus confident that my findings and recommendations comply with the guidelines provided in the *Fynbos Forum Ecosystem Guidelines for Environmental Assessment in the Western Cape* (2nd edition, 2016), the *Guideline for Biodiversity Specialists* (DEA&DP, 2005) and those of the *Western Cape Biodiversity Spatial Plan Handbook* (Pool-Stanvliet et al, 2017).

STUDY RESULTS

Following the national vegetation map the vegetation of the proposed development area was previously mapped as Groot Brak Dune Strandveld (status = Endangered), but is currently mapped as Hartenbos Dune Thicket (status = not determined yet). The regional conservation plan mapped the proposed development area as Other Natural Areas (see Maps 2 & 3).



Map 2. National vegetation of the affected area.



Map 3: Regional conservation plan for the affected area.

The remnant natural vegetation in the immediate area, such as those along the railway line to the south of the property, confirms that the vegetation on the property did consist of Hartenbosch Dune Thicket (Groot Brak Dune Strandveld). The Dune Thicket was, however, removed from the entire proposed development area and the area was used as agricultural lands thereafter. These lands have not been ploughed for many years and some natural vegetation has established on the old lands. In the area south of Impala street the re-established vegetation has not been disturbed much in recent years and some shrubs have established, but the area north of Impala street has been brushcutted frequently (presumably to control alien vegetation and to reduce fire risk) and the vegetation now consists mostly of grasses and herbs (see Photo's 1 and 2). It is estimated that the proposed development area has a cover of about 50% of indigenous species, with an additional cover of about 20% of alien species (mostly *Acacia cyclops* and especially *Pennisetum clandestinum*).

The indigenous species found within the proposed development area are very similar to those listed by McDonald (2008), but several more herb and grass species were found in the larger proposed development area. The 59 species found in the development area are as follows:

Trees and tall shrubs: *Azima tetraacantha*, *Buddleja saligna*, *Carissa bispinosa*, *Diospyros dichrophylla*, *Euclea racemosa*, *Exomis microphylla*, *Grewia occidentalis*, *Lycium cinereum*, *Pittosporum viridiflorum*, *Pterocelastrus tricuspidatus*, *Searsia crenata*, *S. glauca*, *S. pterota*, *Solanum africanum*, *S. guineense*, *Sideroxylon inerme* and *Tarchonathus littoralis*.

Shrubs and Herbs: *Abutilon sonneretianum*, *Carpobrotus edulis*, *Chironia baccifera*, *Chrysocoma tenuifolia*, *Conicosia pugioniformis*, *Crassula expansa*, *C. tetragona*, *Delosperma littorale*, *Dischisma ciliatum*, *Disperago krausii*, *Drosanthemum hispidum*, *Galenia filiformis*, *Hebenstreitia integrifolia*, *Helichrysum littorale*, *H. teretifolium*, *Hermannia velutina*, *Leonotis oxymifolia*, *Mesembryanthemum crystallinum*, *Nemesia versicolor*, *Oncosiphon suffruticosus*, *Osteospermum moniliferum*, *Passerina vulgaris*, *Pelargonium capitatum*, *Pollichia campestris*, *Rumex saggitatus*, *Senecio elegans*, *S. juniperinus*, *Silene undulata*, *Tetragonia fruticosa*, *Wahlenbergia androsacea* and *W. tenella*.

Creepers: *Cynanchum obtusifolium*, *Sarcostemma viminale* and *Rhoicissis digitata*.

Graminoids: *Cynodon dactylon*, *Ehrhata villosa*, *Eragrostis plana*, *E. curvula*, *Ficinia oligantha*, *Hellmuthia membranacea*, *Sporobolus fimbriatus* and *Stenotaphrum secundatum*.

Geophytes: *Albuca cooperi*.

No rare or threatened species were found within the proposed development area, but a small population of *Euchaetis albertiniana* (status = Endangered) was found along the road verge of Impala street (see Map 1).



Photo 1: Frequently disturbed affected vegetation north of Impala street.



Photo 2: Less disturbed natural regeneration of vegetation south of Impala street with some shrubs established. Most of the prominent ones are the alien *Acacia cyclops*.

CONCLUSIONS AND RECOMMENDATIONS

I agree with the finding of the regional conservation plan and those of McDonald (2008) that the vegetation of the proposed development area is highly transformed and of little significance to conservation. The proposed development area does not contain sensitive habitat types (e.g. wetlands) or act as an important ecological corridor. The proposed development area is surrounded by residential areas, with the northern boundary consisting of highly transformed vegetation that is transected by two major road systems.

The only large Milkwood tree (*Sideroxylon inerme* with d.b.h. > 30 cm) present grows along the eastern boundary fence and will not be affected by the proposed development. The only threatened plant that will be affected by the proposed development, *Euchaetis albertiniana* (status = Endangered), consists of a small population (about 10 plants) along the road verge of Impala street. Even if the entrance to the northern part of the proposed development is moved, it is unlikely that this population will survive for an extended period, due to the small size of the population, the limit habitat in which it can survive and the rate at which alien species are invading its habitat. The translocation of these plants is unlikely to be successful and I do not propose any mitigation measures to compensate for the loss of these plants.

As the development of the entire proposed development area will not result in the loss of vegetation of significance to conservation, a significant loss of biodiversity or threaten any important ecological process that sustains the biodiversity of the area, I do not propose any alteration to the proposed layout plan (see Map 1). I find no reason to propose any mitigation actions to limit the impacts of the proposed development. My impact assessment for the proposed development is as follows:

| Impact description | Extent | Magnitude | Duration | Probability | Confidence | Reversibility | Significance |
|-------------------------------------------------------------------|--------|-----------|-----------|-------------|------------|---------------|--------------|
| Loss of sensitive (endangered) vegetation and threatened species. | Local | Medium | Long term | Definite | Certain | Irreversible | Low |
| Soil erosion during construction phase. | Local | Medium | Long term | Probable | Probable | Irreversible | Low |

REFERENCES

McDonald, D.J., 2008. Botanical evaluation, Zandhoogte 139, Tergniet, Groot Brakrivier, Southern Cape. Bergwind Consultancy, Claremont.

Mucina, L., Rutherford, M.C. and Powrie, L.W. (eds.), 2006. Vegetation Map of South Africa, Lesotho and Swaziland. 1:1 000 000 scale sheet maps. SANBI, Pretoria.

Pence, G.Q.K., 2017. Western Cape Biodiversity Framework 2017. Status Update: Critical Biodiversity Areas of the Western Cape. Unpublished CapeNature report.

Pool-Stanvliet, R., Duffel-Canham, A., Pence, G. & Smart, R. 2017. Western Cape Biodiversity Spatial Plan Handbook. Stellenbosch, CapeNature.

Raimondo, D., Von Staden, L., Foden, W., Victor, J.E., Helme, N.A., Turner, R.C.,

Kamundi, D.A. & Manyama, P.A., 2009. Red List of South African plants.

Strelitzia 25, SANBI, Pretoria.

APPENDIX 1: DECLARATION OF INDEPENDANCE

I J.H.J. Vlok as the appointed Specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- in terms of the general requirement to be independent:
 - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the development proposal or application and that there are no circumstances that may compromise my objectivity; or
 - ~~◦ am not independent, but another specialist (the "Review Specialist") that meets the general requirements set out in Regulation 13 has been appointed to review my work (Note: a declaration by the review specialist must be submitted);~~
- in terms of the remainder of the general requirements for a specialist, have throughout this EIA process met all of the requirements;
- have disclosed to the applicant, the EAP, the Review EAP (if applicable), the Department and I&APs all material information that has or may have the potential to influence the decision of the Department or the objectivity of any report, plan or document prepared or to be prepared as part of the application; and
- am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014 (as amended).



Signature of the Specialist:

Name of Company:

Date:

Regalis Environmental Services CC

26th November 2019

CURRICULUM VITAE

Johannes Hendrik Jacobus Vlok

Biographical Information

Birth: 6th December 1957, Calvinia, South Africa.
Identity Number: 571206 5133 089
Criminal Record: None.
Married to Anne Lise Schutte-Vlok and we have one daughter, Marianne Helena Vlok.

Education

1975 Matriculated at Bellville High School.
1982 Diploma in Forestry, Saasveld Forestry College.
1997 MSc (*Cum Laude*), University of Natal.

Employment

1982-1990. Department of Forestry (later Water Affairs, Forestry and Environmental Affairs), as research technician.
1990-1997. Cape Nature Conservation, as regional botanist.
1997-present. Self employed as environmental advisor (Regalis Environmental Services).

Research Output

One book and more than 30 scientific and popular articles published in international & national journals as primary or as co-author. Delivered three keynote and >20 other verbal papers at scientific forums on ecological and floristic studies. Delivered >300 presentations to civil society in public meetings and *via* other media (radio, newspaper and television) on plant ecology and conservation. Current ResearchGate rating >25 with > 1 000 citations of my papers.

Awards

2003. Leslie Hill medal. **Succulent Society of South Africa.**
2006. Gold award. **C.A.P.E.**
2006. Certificate of Appreciation. **Western Cape Conservation Stewardship Association.**
2008. Special Award. **CapeNature**
2010. Marloth medal. **Botanical Society of South Africa.**

Consultation & Advisory Capacity

Consultant to WWF-SA, Cape Nature and SANPARKS to determine conservation status of land. Several of the studies resulted in the purchase of the properties, now amounting to a value of >R100 million.

Consultant to National, Provincial and private institutions for vegetation restoration projects, environmental impact assessment and environmental management plans. Some of these assignments won national awards.

Referee for many international and national scientific articles and donor funded grants.

Classified, described and mapped Forest, Subtropical Thicket, Fynbos and Succulent Karoo vegetation units in four major donor funded projects.

Expert witness in several Magistrate and Supreme Court cases.

Research Associate of Nelson Mandela University.

Prepared > 250 botanical impact assessments for proposed developments.

ANNEXURE H:

*DEA&DP – Act 70 of 1970 (Subdivision of
Agricultural Land)*



Ref: 15/4/2/10

Marike Vreken
Marike Vreken Town Planners CC
PO Box 2180
KNYSNA
6570

SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT 70 OF 1970): CONFIRMATION OF THE DESIGNATION OF A PORTION OF THE REMAINDER OF THE FARM ZANDHOOGTE NO. 139, MOSSEL BAY IN TERMS OF THE MOSSEL BAY/RIVERSDAL REGIONAL GUIDE PLAN

1. The Department has received your request for confirmation of the status and designation of the above-mentioned property in terms of the above Regional Structure Plan, 1993.
2. I hereby confirm that a Portion of the Remainder of the Farm Zandhoogte no. 139, Mossel Bay was indeed included in the Mossel Bay/Riversdal Regional Structure Plan. The farm is split by the N2 highway and the portion to the north is designated as '**Agriculture**' and to the south of the N2 highway as '**Urban development**'.
3. Based on the above information, it is therefore the view of this Department that the portion of the property to the south of the N2 highway is exempted from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).
4. We trust that the above would assist you to finalise the General Plans, received for these properties. Should you require any further information, please do not hesitate to contact Stiaan Carstens from my office on 044 – 805 8603 or on e-mail: Christiaan.carstens@westerncape.gov.za.

Gavin Benjamin

Director: Development Management - Region 3

Date: 14 JUNE 2019

cc. Director: Land Use and Soil Management
Department of Agriculture, Forestry and Fisheries
Private Bag X120
PRETORIA
0001

Attention: Ms. Annette Geertsema (e-mail: AnnetteS@daff.gov.za)

cc. Director Land Use Management
Western Cape: Department of Agriculture
Private Bag X1
ELSENBURG
7607

Attention: Mr Cor van der Walt (e-mail: corvdw@elsenburg.com)

cc. The Surveyor General
Western Cape: Department of Rural Development and Land Reform
Private Bag X9073
CAPE TOWN
8000

Attention: Mr J Williamson (e-mail: julian.williamson@drdlr.gov.za)

cc. The Surveyor General
Western Cape: Department of Rural Development and Land Reform
Private Bag X9073
CAPE TOWN
8000

Attention: Mr Andrew Ballantyne (e-mail: andrew.ballantyne@drdlr.gov.za)

ANNEXURE I:

*Record of Decision from Heritage Western
Cape*

REGISTERED POST

Our Ref: HM/ EDEN/ MOSSEL BAY/ FARM 139
Case No.: 1911121LB1118E
Enquiries: Lwazi Bhengu
E-mail: Lwazi.Bhengu@westerncape.gov.za
Tel: 021 483 9689
Date: 29 November 2019



Ideal Trading 301 CC (Christo Spies)
3 Mossel Street
Fraaiuitsig
Mossel Bay
6500

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38 (8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED HOUSING DEVELOPMENT ON FARM ZANDHOOGTE 139, TERGNIET, SUBMITTED IN TERMS OF SECTION 38 (8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 1911121LB1118E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 11th of November 2019. This matter was discussed at the Heritage Officers meeting held on 25th of November 2019.

You are hereby notified that, since there is no reason to believe that the proposed Housing Development on Farm Zandhoogte 139, Tergniet, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

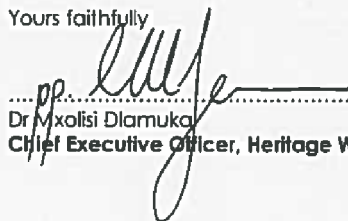
However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully


.....
Dr Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • Postal Address: P.O. Box 1665, Cape Town, 8000
• Tel: +27 (0)21 483 5059 • E-mail: cas@heritage@westerncape.gov.za

Straatadres: Protea Assurancegebou, Groenmarktplein, Kaapstad, 8000 • Posadres: Posbus 1665, Kaapstad, 8000
• Tel: +27 (0)21 483 5059 • E-pos: cas@heritage@westerncape.gov.za

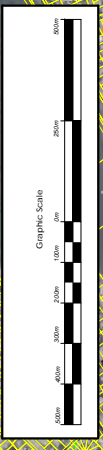
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posibusa 1665, Kaapstad, 8000 • Idilesi yephawo: +27 (0)21 483 5059 • Idilesi yepawo: cas@heritage@westerncape.gov.za

PLAN 1:

Locality Plan




 SCALE 1:17 500



PLAN 1

LOCALITY PLAN

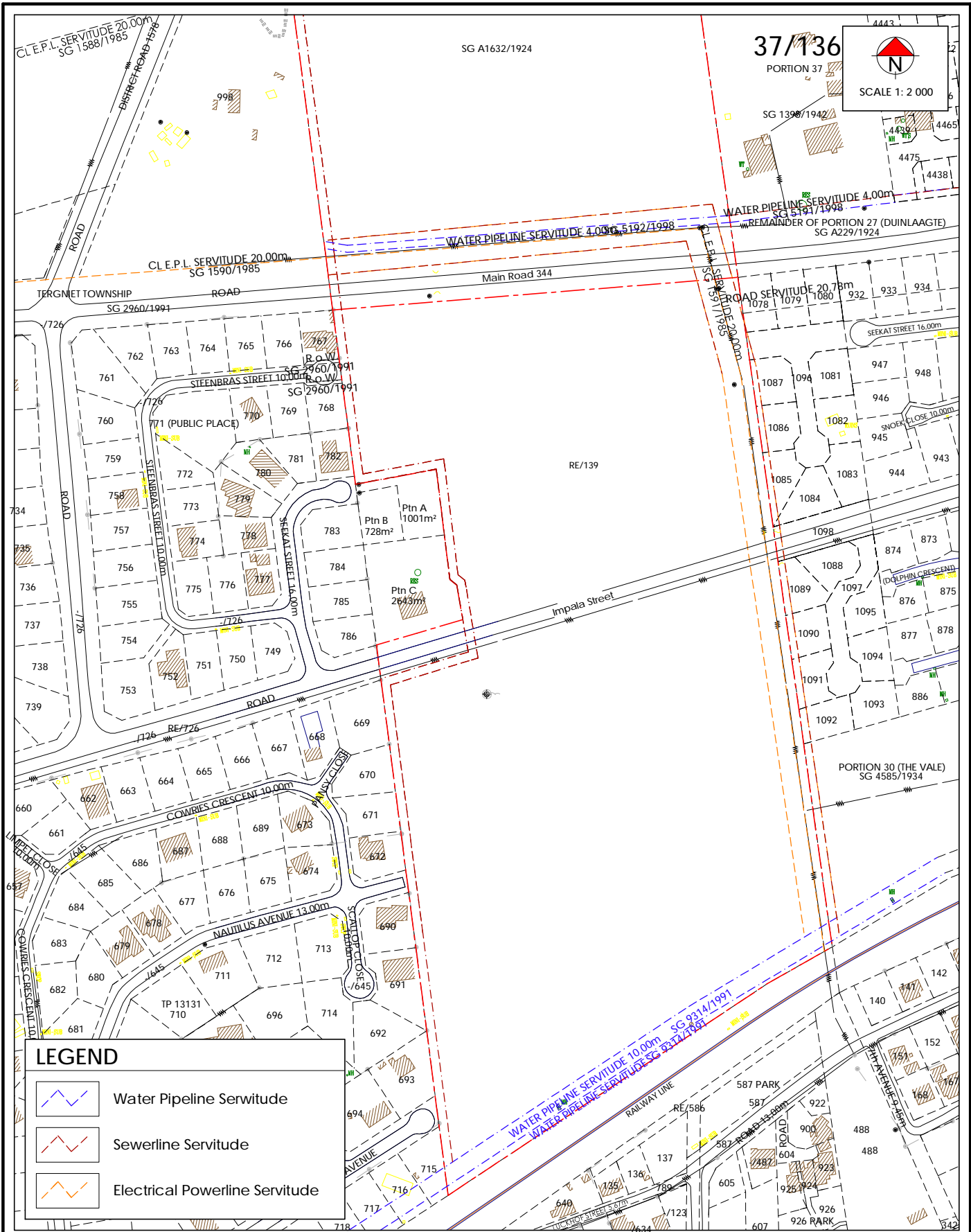
**REMAINDER OF THE FARM ZANDHOOGTE NO 139, TERNIET
MUNICIPALITY AND DIVISION OF MOSSEL BAY**


 URBAN & ENVIRONMENTAL PLANNERS

21 Truter Street, PO Box 21 801
 KINGSNA 65 701
 (044) 382 0420
 086 459 2987
 e-mail: markevreken.co.za
 www.vreken.co.za

PLAN 2:

Servitude Plan



37/136
PORTION 37

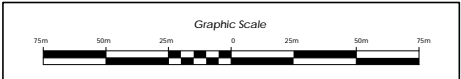
SCALE 1: 2 000

LEGEND

- Water Pipeline Servitude
- Sewerline Servitude
- Electrical Powerline Servitude

PLAN 2

SERVITUDES



REMAINDER OF THE FARM ZANDHOOGTE
NO 139, TERNIET, MUNICIPALITY AND DIVISION
OF MOSSEL BAY

STUDIOS & OPERATIONS/REPRESENTATIVES

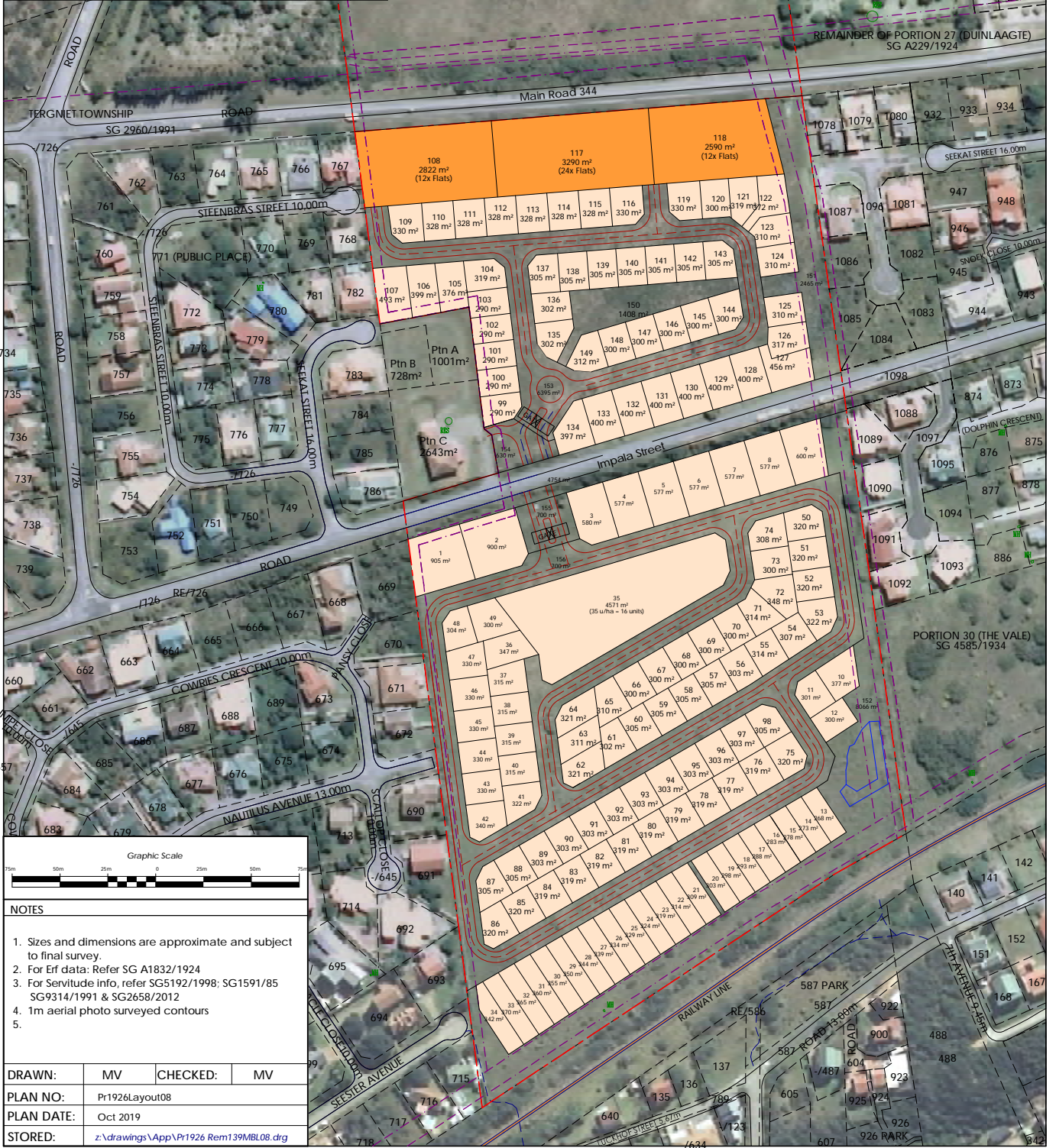
21 Trotter Street, PO Box 2180
KNYSNA 6570

(044) 382 0420
086 459 2987
e-mail: marika@vreken.co.za
www.vreken.co.za

PLAN 3:

Preferred Layout Plan

| LEGEND: | | | | | |
|------------------------|--------------------|------------|----------------|------------|--|
| ZONING | LAND USE | QTY | AREA (HA) | % | |
| General Residential Z1 | Group Housing | 146 | 5,1271 | 50.24 | |
| General Residential Z3 | Flats | 3 | 0,8701 | 8.53 | |
| Open Space Zone II | Private Open Space | 3 | 1,1939 | 11.70 | |
| Transport Zone II | Public Street | 1 | 0,4754 | 4.66 | |
| Transport Zone III | Private Street | 4 | 2,5391 | 24.87 | |
| TOTAL | | 157 | 10,2056 | 100 | |



- NOTES**
- Sizes and dimensions are approximate and subject to final survey.
 - For Erf data: Refer SG A1832/1924
 - For Servitude info, refer SG5192/1998; SG1591/85 SG9314/1991 & SG2658/2012
 - 1m aerial photo surveyed contours
 -

| | | | |
|------------|----------------------------------------|----------|----|
| DRAWN: | MV | CHECKED: | MV |
| PLAN NO: | Pr1926Layout08 | | |
| PLAN DATE: | Oct 2019 | | |
| STORED: | z:\drawings\App\Pr1926 Rem139MBL08.dwg | | |

REMAINDER OF THE FARM ZANDHOOGTE NO 139, TERNIET, MUNICIPALITY AND DIVISION OF MOSSEL BAY

LAYOUT PLAN

APPROVED IN TERMS OF SECTION 23(1) OF THE MOSSEL BAY MUNICIPALITY'S BY-LAW ON MUNICIPAL PLANNING AS PUBLISHED IN P.N. 7473/2015 ON 21 AUGUST 2015

MUNICIPAL MANAGER
DATE:

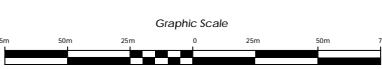
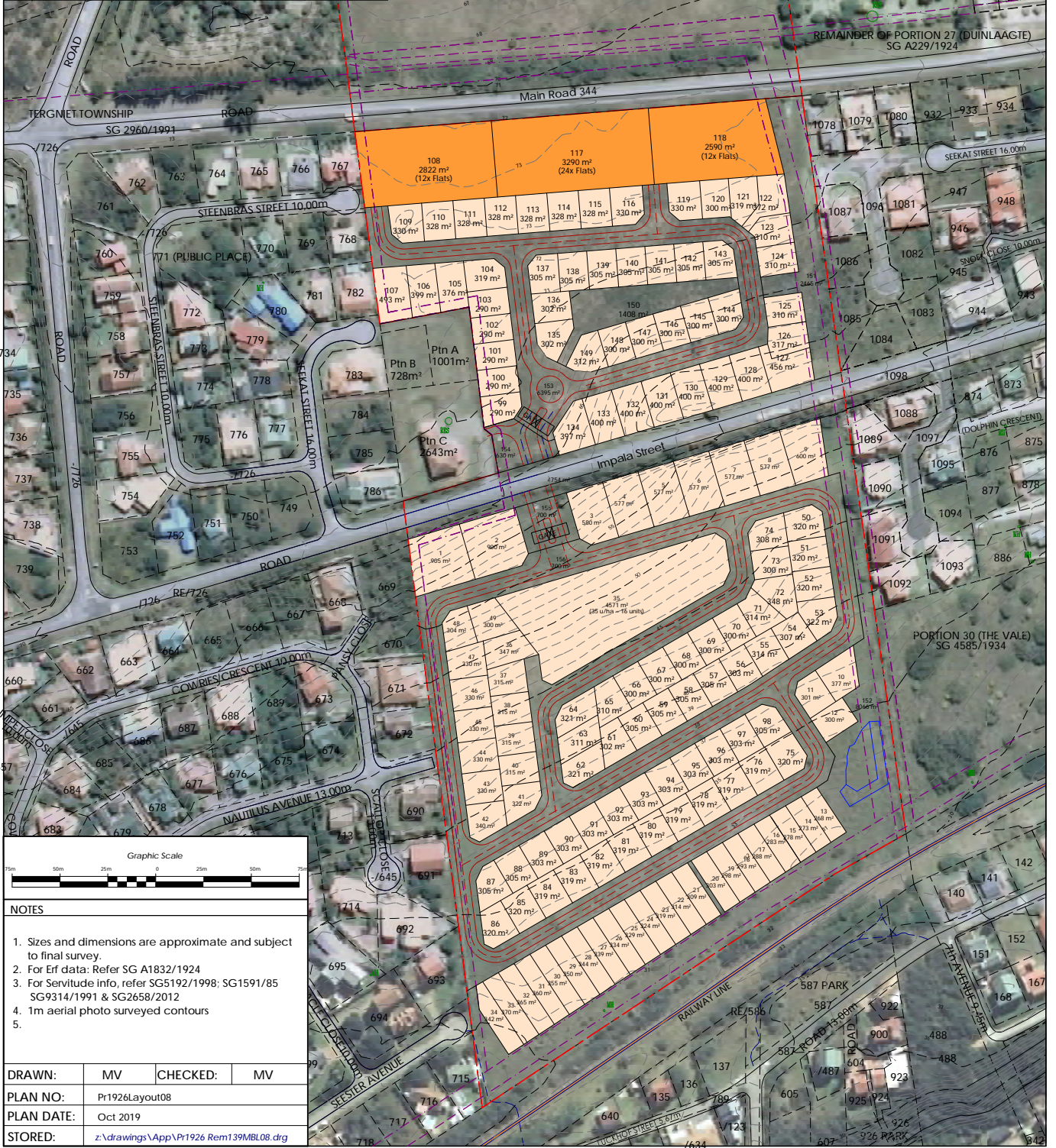
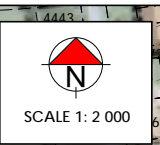
21 Trotter Street, PO Box 2180
KNYSNA 6570

(044) 382 0420
086 459 2987
e-mail: marike@vreken.co.za
www.vreken.co.za

Marike Vreken
URBAN & ENVIRONMENTAL PLANNERS

STUDIOS & OPERATIONS PLANNERS

| LEGEND: | | | | | |
|------------------------|--------------------|------------|----------------|------------|--|
| ZONING | LAND USE | QTY | AREA (HA) | % | |
| General Residential Z1 | Group Housing | 146 | 5,1271 | 50.24 | |
| General Residential Z3 | Flats | 3 | 0,8701 | 8.53 | |
| Open Space Zone II | Private Open Space | 3 | 1,1939 | 11.70 | |
| Transport Zone II | Public Street | 1 | 0,4754 | 4.66 | |
| Transport Zone III | Private Street | 4 | 2,5391 | 24.87 | |
| TOTAL | | 157 | 10,2056 | 100 | |



NOTES

- Sizes and dimensions are approximate and subject to final survey.
- For Erf data: Refer SG A1832/1924
- For Servitude info, refer SG1592/1998; SG1591/85 SG9314/1991 & SG2658/2012
- 1m aerial photo surveyed contours
-

| | | | |
|------------|----------------------------------------|----------|----|
| DRAWN: | MV | CHECKED: | MV |
| PLAN NO: | Pr1926Layout08 | | |
| PLAN DATE: | Oct 2019 | | |
| STORED: | z:\drawings\App\Pr1926 Rem139MBL08.dwg | | |

REMAINDER OF THE FARM ZANDHOOGTE NO 139, TERNIET, MUNICIPALITY AND DIVISION OF MOSSEL BAY

APPROVED IN TERMS OF SECTION 23(1) OF THE MOSSEL BAY MUNICIPALITY'S BY-LAW ON MUNICIPAL PLANNING AS PUBLISHED IN P.N. 7473/2015 ON 21 AUGUST 2015

LAYOUT PLAN

MUNICIPAL MANAGER
DATE:

Marika Vreken
STUDIOS & OPERATIONS PLANNERS
URBAN & ENVIRONMENTAL PLANNERS

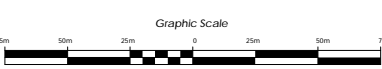
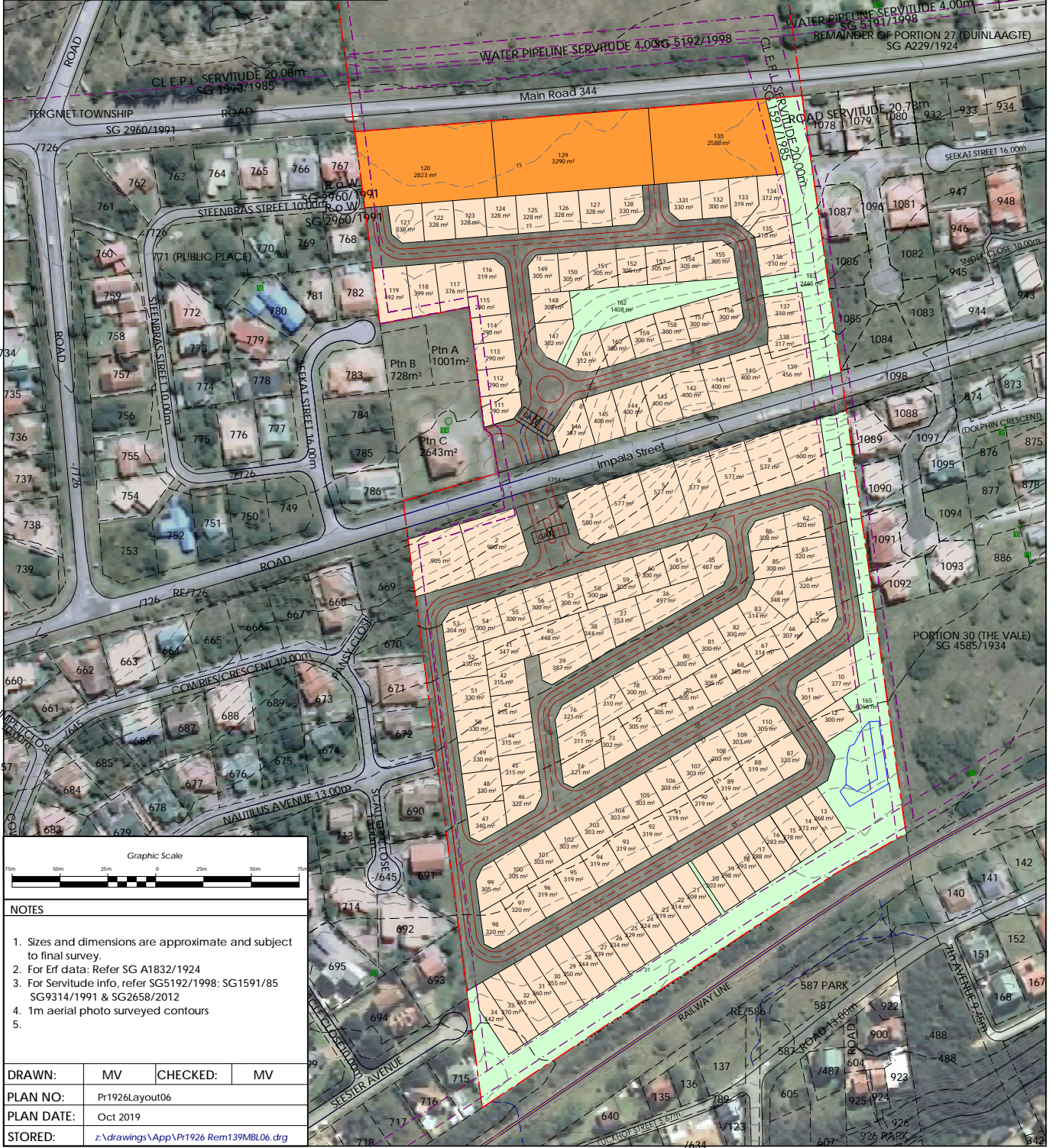
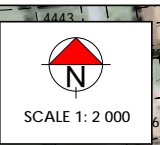
21 Trotter Street, PO Box 2180
KNYSNA 6570

(044) 382 0420
086 459 2987
e-mail: marika@vreken.co.za
www.vreken.co.za

PLAN 4:

Alternative 2: Layout

| LEGEND: | | | | | |
|------------------------|--------------------|------------|----------------|------------|--|
| ZONING | LAND USE | QTY | AREA (HA) | % | |
| General Residential Z1 | Group Housing | 158 | xxx | xxx | |
| General Residential Z3 | Flats | 3 | 0,8701 | 8.53 | |
| Open Space Zone II | Private Open Space | 3 | 1,1939 | 11.70 | |
| Transport Zone II | Public Street | 1 | 0,4754 | 4.66 | |
| Transport Zone III | Private Street | 3 | xxx | xxx | |
| TOTAL | | 168 | 10,2058 | 100 | |



NOTES

- Sizes and dimensions are approximate and subject to final survey.
- For Erf data: Refer SG A1832/1924
- For Servitude info, refer SG5192/1998; SG1591/85 SG9314/1991 & SG2658/2012
- 1m aerial photo surveyed contours
-

| | | | |
|------------|-----------------------------------------|----------|----|
| DRAWN: | MV | CHECKED: | MV |
| PLAN NO: | Pr1926Layout06 | | |
| PLAN DATE: | Oct 2019 | | |
| STORED: | z:\drawings\App\Pr1926 Rem139\MBL06.dwg | | |

REMAINDER OF THE FARM ZANDHOOGTE NO 139, TERNIET, MUNICIPALITY AND DIVISION OF MOSSEL BAY

APPROVED IN TERMS OF SECTION 23(1) OF THE MOSSEL BAY MUNICIPALITY'S BY-LAW ON MUNICIPAL PLANNING AS PUBLISHED IN P.N. 7473/2015 ON 21 AUGUST 2015

LAYOUT PLAN

MUNICIPAL MANAGER
DATE: _____

21 Trotter Street, PO Box 2180
KNYSNA 6570

Marika Vreken
URBAN & ENVIRONMENTAL PLANNERS

STUDIOS & OPERATIONS/REPRESENTATIVES

(044) 382 0420
086 459 2987
e-mail: marika@vreken.co.za
www.vreken.co.za

PLAN 5:

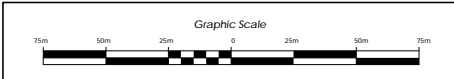
Site Characteristics



37/136
PORTION 37

SCALE 1: 2 000

PLAN 5



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SITE CHARACTERISTICS

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OF MOSSEL BAY