



www.mosselbay.gov.za

admin@mosselbay.gov.za

Fax/Ifeksi: +27 (44) 606 5062

Tel/Imfonomfono: +27 (44) 606 5000



Mossel Bay

M U N I C I P A L I T Y

MOSSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

In antwoord verwys na nommer
In reply quote number
Xa Uphendula chaza Le Nombolo

15/4/34/2;15/4/34/4/M Engelbrecht
C 10711364 (Item) App 60-09/2022

29 November 2023

Formaplan Town & Regional Planning
PO Box 9824
GEORGE
6530

PER REGISTERED POST

Sir/Madam

APPLICATION FOR SUBDIVISION AND CONSOLIDATION IN TERMS OF SECTION 15 OF THE MOSSSEL BAY BY-LAW ON MUNICIPAL LAND USE PLANNING, 2021: ERF 2841, GREAT BRAK RIVER AND PORTION 51 OF THE FARM 137

Your application in the above regard refers. It was resolved under Resolution DP61-11/2023, as follows:

- "1. That the application for the Subdivision of Erf 2841, Great Brak River in terms of Section 15(2)(d) of the Mossel Bay By-Law on Municipal Land Use Planning, 2021 into 2 portions, namely:
 - a) Portion 1 of Erf 2841, Great Brak River : ±5,53 ha;
 - b) Remainder of Erf 2841, Great Brak River : ±5,25 ha; and**be approved** in terms of Section 60 of the said By-Law.
2. That the application for the Consolidation of Portion 1 (±5,53 ha) and Portion 51 of the Farm 137 (1,98 ha), in terms of Section 15(2)(e) of the Mossel Bay By-Law on Municipal Land Use Planning, 2021, be approved in terms of Section 60 of the said By-Law.
3. That the approval above is subject to the following conditions imposed in terms of Section 66 of the said legislation:
 - 3.1. That the property owner ensure that waste management services are provided.

MOSSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

101 Marshstraat Street Sitalato 101
Privaatsak Private Bag Ingxowa Yeposi Ngu X29
Mosselbaai Mossel Bay Bayi 6500

- 3.2. That a Site Development Plan together with detailed services plans to be submitted for further consideration for any future development of the properties.
- 3.3. That all costs related to the proposed subdivision of Erf 2841, Great Brak River be for the account of the applicant/ owner.
- 3.4. That the existing servitude registered on Erf 2841, Great Brak River and Portion 51 of the Farm No. 137 be registered on the new/amended Erf Diagrams and Title Deeds and may not be developed on in the future without obtaining the relevant consent.
- 3.5. That the Municipality be provided, free of charge, with the Surveyor General diagrams upon registration of the subdivision and consolidation.
- 3.6. That this approval does not exempt compliance with any other legislation that may be applicable to the proposed development.

Kindly Note:

- 3.7. That the National Building Regulations be adhered to at all times.
- 3.8. Kindly note of your general duty of care towards the environment, as required in terms of section 28 of NEMA (the National Environmental Management Act, Act 107 of 1998). Furthermore, in terms of section 49A of the NEMA it is an offence to commence a listed activity without environmental authorization
- 3.9. That the property owner takes cognisance of the conditions of Transnet.
- 3.10. That the property owner takes cognisance of the recommendations of the Western Cape Government: Department of Environmental Affairs and Development Planning (Development Management), as stipulated in their letter dated 20 December 2022.
- 3.11. That the property owner takes cognisance of the recommendations of the Western Cape Government: Department of Environmental Affairs and Development Planning (Environmental Management), as stipulated in their letter dated 22 August 2023.
- 3.12. That the property owner takes cognisance of the recommendations of the Western Cape Government: Department of Infrastructure, as stipulated in their letter dated 9 November 2023.
- 3.13. That the property owner takes cognisance of the recommendations of the National Department of Forestry, as stipulated in their letter dated 23 January 2023.

4. That the approval above is supported for the following reasons:
- 4.1. The approval of this land use application will facilitate the submission for future urban development on the Remainder of Erf 2841, Great Brak River, which should be encouraged in terms of the objectives of the SDF.
 - 4.2. The application can be regarded as an amendment of the boundary between the two properties and no development is proposed in this application.
 - 4.3. The purpose of this application is to split and consolidate the properties into 2 sections namely one that consists of the indigenous vegetation and the other one where no problems with the development proposal is foreseen."

Please note that you have a right to Appeal in writing to the Municipal Manager, Mossel Bay Municipality, PO Box 25, Mossel Bay, 6500 within 21 calendar days from date of this letter.

Please note that the Land Use Planning Committee has a right to Appeal against the resolution in writing within 21 calendar days.

Yours faithfully

 **DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT**

/jk