



MOSSSEL BAY MUNICIPALITY
MOSSSELBAAI MUNISIPALITEIT
UMASIPALA MOSSSEL BAYI

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*2019 Top Performer Good Governance Africa
2020 Best Municipality Western Cape Ratings Africa*

15/4/37/2;15/4/37/4/M Engelbrecht
C 8212893 (Item)

11 April 2022

Marieke Vreken Town Planners
PO Box 2180
KNYSNA
6570

PER REGISTERED POST

Sir/Madam

APPLICATION FOR REZONING AND SUBDIVISION IN TERMS OF SECTION 15 OF THE MOSSSEL BAY BY-LAW ON MUNICIPAL LAND USE PLANNING, 2015 IN ORDER TO DEVELOP RESIDENTIAL DEVELOPMENT ON THE REMAINDER FARM 428 OUTENIQUUSBOSCH PARK

Your application in the above regard refers. It was resolved under Resolution DP15-04/2022, as follows:

- "1. That the application for the Rezoning of Remainder Farm No. 428 Outeniquasbosch to "Subdivisional Area" in terms of Section 15(2)(a) of the Mossel Bay Municipality By-law on Municipal Land Use Planning, 2015, **be approved** in terms of Section 60 of the Mossel Bay Municipality By-law on Municipal Land Use Planning, 2015.
2. That the Subdivision in terms of Section 15(2)(d) of the Mossel Bay Municipality By-law on Municipal Land Use Planning, 2015 of the newly created "Subdivisional Area" property into the following:
 - a) 249 Single Residential Zone I erven;
 - b) 173 General Residential Zone I erven;
 - c) 1 General Residential Zone V erf;
 - d) 42 Resort Zone II erven;
 - e) 2 Business Zone II erven;
 - f) 2 Utility Zone erven;
 - g) 1 Community Zone I erf;

- h) 1 Industrial Zone I erf;
- i) 53 Open Space Zone II erven; and
- j) 26 Transport Zone III erven.

be approved in terms of Section 60 of the Mossel Bay Municipality By-law on Municipal Land Use Planning, 2015.

3. That the approvals above are subject to the following conditions imposed in terms of Section 66 of the said legislation:

Services & Building Plans

- 3.1. That waste management must meet the satisfaction of the Director: Community Services.
- 3.2. That the developer shall enter into an amended service agreement with the Municipality prior to the installation of any new services or approval of building plans.
- 3.3. That if any expansion of municipal engineering services is required, it shall be at the cost of the developer and in compliance with the requirements of the Director of Technical Services and Director, Planning and Economic Development.
- 3.4. That the necessary development contributions to the Municipality be payable in terms of Council's policy applicable at time of payment.
- 3.5. That Point 1 and 2 of the recommendation, as stated in the Services Technical Report of Charl Moller Consulting Engineer be adhered to.
- 3.6. That the current and future access to the development is from Provincial Main Road MR 344 via the existing Link Road/Monte Christo Access.
- 3.7. That the recommendation made in the Traffic Impact Assessment by Urban Engineering and/or any future amendments thereof, be adhered to.
- 3.8. That the developer be responsible for the construction of a dedicated right turn lane along the Waboom Street approach and the upgrading of the existing Louis Fourie Road/Main Road 344/, should it be in line with the requirements of the Mossel bay Municipality.
- 3.9. That the developer be responsible for Waboom Street intersection with signal control and all the necessary ancillary improvements, such as streetlights included, according to the recommendations of Urban Engineering Traffic Impact Assessment in terms of the time frames mentioned in Figures C2, D2 and D5.

- 3.10. That the National Buildings Regulations be adhered to at all times.

Site and Layout

- 3.11. That the development be developed in line with the phasing plan, as stipulated on the Subdivision plan (DRG NR.: Pr21/19/L01) dated August 2021.
- 3.12. That the existing servitudes over Remainder Farm No. 428 Outeniquasbosch, be accommodated in the proposed development and may not be developed upon.
- 3.13. That the water pipeline servitude in favour of PetroSA be unaffected and unrestricted by the proposed development.
- 3.14. That the Industrial Zone I property be restricted to only storage units.
- 3.15. That the storage units be designed in such a manner that it complies with the Architectural Guidelines of the development.
- 3.16. That erven with suitable zoning shall be created to accommodate the 7 staff houses next to the equestrian centre and club house and may only be used for staff accommodation.
- 3.17. That the resort units shall be limited to a maximum size of 175m².
- 3.18. That Architectural Guidelines shall be prepared for the proposed resort units and hotel to the satisfaction of the Municipality.
- 3.19. That the development of each property in the development comply to the applicable development parameters of the applicable Zoning Scheme By-Law.

Homeowners' Association (HOA)

- 3.20. That all additional erven will become members of the existing Outeniquasbosch Wildlife Village HOA.
- 3.21. That the Constitution of the Homeowners Association complies with the criteria, as set out in terms of Section 29 of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2015
- 3.22. That the developer submits the Constitution of the Homeowners Association and Architectural Guidelines for approval, to the Mossel Bay Municipality, prior to the approval of any building plans.
- 3.23. That the HOA is responsible for the costs and maintenance of all internal private roads, stormwater and private open spaces.

General

- 3.24. That a central refuse collection point/yard be established to the satisfaction of the Director: Community Services.
 - 3.25. That all relevant Sections and Regulations of the Conservation of Agricultural Resources Act, 1983 (act 43 of 1983) regarding agricultural land use must be adhered to.
 - 3.26. That the Western Cape Provincial Resort Guidelines are adhered to.
 - 3.27. That this approval does not exempt the applicant from compliance with any other relevant legislation and/or procedures applicable to the proposed use.
4. That the recommendations above are made due to the following reasons:
- 4.1. The proposal is consistent with the Mossel Bay SDF and IDP, as the proposal will enable a safe and secure environment as well as ensure the optimal utilisation of an existing underutilised property within the urban edge.
 - 4.2. The Mossel Bay SDF advocates that vacant and under-utilised land, such as the subject property, provides a good opportunity for densification as many vacant spaces are often unsafe.
 - 4.3. The proposed development will facilitate a more integrated and sustainable urban environment which optimises the use of infrastructure and reduce urban sprawl.
 - 4.4. The proposal will facilitate the development of viable communities and stimulate the effective and equitable functioning of land markets."

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.

Yours faithfully



DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

/jk