



ANNEXURE C

DEPARTMENT OF ECONOMIC AFFAIRS, ENVIRONMENT & TOURISM CHIEF DIRECTORATE: ENVIRONMENT AFFAIRS

Collegiate House, cnr Belmont Terrace & Castle Hill, Central, Port Elizabeth
Private Bag X 5001, Greenacres 6057

Walmer Heights Development Partnership
P.O. Box 5003
Walmer
6065

Tel: 041 5085815
Fax: 041 5851958
Enq: A. Struwig
Refi: ECm1/M/107-04
e-mail: Andries.Struwig@deaeet.ecape.gov.za

Attention: Mr. C. Lovemore

AUTHORISATION IN TERMS OF SECTION 22 OF THE ENVIRONMENT CONSERVATION ACT, ACT 73 OF 1989, TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED UNDER SECTION 21 OF THE ACT TO ALLOW FOR THE ESTABLISHMENT OF A RESIDENTIAL ESTATE IN WALMER HEIGHTS

Refer to your application (reference number ECm1/M/107-04) for authorisation in terms of the Environment Conservation Act, Act 73 of 1989, to undertake listed activities as scheduled under Section 21 of the Act on Erven 1959 & 1960 and the Remainder of Erven 1947, 1961 & 4194, Walmer, within the Nelson Mandela Metropolitan Municipal area in order to facilitate the development of a residential estate thereon.

Authorisation is hereby granted in terms of Section 22 of the Environment Conservation Act, Act 73 of 1989, subject to the conditions contained in the Record of Decision attached as Annexure One.

LEON ELS
DEPUTY DIRECTOR: WESTERN REGION

DATE: 25 APRIL 2006

ANNEXURE ONE



DEPARTMENT OF ECONOMIC AFFAIRS, ENVIRONMENT & TOURISM CHIEF DIRECTORATE: ENVIRONMENT AFFAIRS

Collegiate House, cnr Belmont Terrace & Castle Hill, Central, Port Elizabeth
Private Bag X 5001, Greenacres 6057

RECORD OF DECISION

ECm1/M/107-04

1. Description of Activity

The project entails a change in land use of Erven 1959 & 1960 and the Remainder of Erven 4194, 1961 & 1947, Walmer, within the Nelson Mandela Metropolitan Municipal area from Agriculture to Special Purposes and the subsequent development of six residential estates thereon.

The following land uses will be provided for within the Special Purposes Zone.

- Residential II for the establishment of 511 units of which 315 will comprise of "Hybrid" units and 196 will comprise of Sectional Title units;
- Transportation Zone for the construction of access and internal roads to service the development; and
- Private Open Space for the establishment of 13 Private Open Space areas to protect sensitive vegetation patches.

Services to the proposed development will be provided by the following means:

- Water will be provided by means of the installation of a 300mm diameter bulk water supply line that will be connected to the existing water reticulation along Victoria Drive.
- Internal sewerage reticulation will be linked to the existing sewer main along Victoria Drive by means of a new 160mm diameter sewer main and a number of sewer pump stations.
- Access will be provided by the extension of Beethoven Drive in Walmer Heights on the north western side of the proposed development and construction of a section of the planned Driftsands Arterial MR 423 that will link up with Victoria Drive towards the south east of the proposed development.
- Electricity will be provided by the municipality from existing infrastructure in Victoria Drive.
- A piped storm-water system that will discharge into a proposed open storm water channel will be installed that in turn will discharge into an existing municipal open storm-water channel.

A change of land use from Agriculture to any other land use, as well as the provision of bulk water supply; installation of sewage treatment works and related infrastructure and the upgrading/construction of roads are listed activities in terms of items 2c, 1i, 1n and 1d respectively of Schedule 1 to Government Notice R1182 of 5 September 1997 for which authorisation needs to be issued in terms of Section 22 of the Environment Conservation Act, Act 73 of 1989.

2. Location of Activity

Erven 1959 and 1960 and the Remainder of Erven 4194, 1961 and 1947, are situated in Walmer, within the Nelson Mandela Metropolitan Municipal area adjacent to the Walmer Heights residential area and between the Arlington Race Course and the Walmer Country Club.

3. Contact Details of Applicant

Name: Walmer Heights Development Partnership
Contact Person: Mr C Lovemore
Address: P. O. Box 5003
Walmer
Port Elizabeth
6065
Telephone: 041 368 3466
Fax: 041 368 5385

4. Contact Details of Consultant

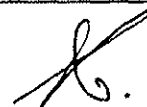
Name: Public Process Consultants cc
Contact Person: Ms S Wren
Address: P. O. Box 27688
Greenacres
6057
Telephone: 041 374 8426
Fax: 041 373 2002

5. Details of Site Visit

A site inspection was carried out by Ms M Govender of this office in the company of Ms S Wren, Mr C Lovemore and Mr P Illgner on 7 September 2004.

6. Decision

Authorisation is granted subject to the conditions contained in Section 8 of this Record of Decision.



7. Duration of Authorisation

- 7.1 The change in land use is to be effected by means of a rezoning in terms of the Land Use Planning Ordinance, Ordinance 15 of 1985, within 12 months of the date of signature of this Record of Decision.
- 7.2 Installation of service infrastructure is to commence within 12 months of the change in land use being effected and to be completed within 12 months of the date of commencement.
- 7.3 The construction of housing units is to commence within 6 months of the completion of installation of services and is to be completed within 36 months of the date of commencement.
- 7.4 Conditions stipulated below are valid in perpetuity.

8. Conditions of Authorisation

Please note that the Department of Economic Affairs, Environment and Tourism may review, delete or amend any of the following conditions in the event of new information coming to light.

8.1 General Conditions

- 8.1.1 This authorisation applies only to the activities as described in Sections 1 & 2 of this Record of Decision. Any other listed activities would be subject to authorisation in terms of Section 22 of the Environment Conservation Act, Act 73 of 1989.
- 8.1.2 This authorisation is subject to the applicants' compliance with all other relevant legislation, notably the National Forest Act, Act 84 of 1998 and the Land Use Planning Ordinance, Ordinance 15 of 1985.
- 8.1.3 The conditions of this authorisation shall form part of any contract entered into between the applicant and any contractor and/or sub-contractors.
- 8.1.4 Should any environmental damage be detected, that in the opinion of DEAE&T is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense.
- 8.1.5 In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.
- 8.1.6 DEAE&T must be notified, within 30 days, of any change of ownership/developer. Conditions established in the Record of Decision must be made known to and are binding on the new owner/developer.
- 8.1.7 DEAE&T must be notified of any change of address of the owner/developer.
- 8.1.8 Any changes in the project that could have significant environmental impacts and that would differ from that which is authorised by DEAE&T to be submitted to DEAE&T for approval prior to such changes being effected.
- 8.1.9 This Record of Decision must be made available to any interested and affected parties who have registered their interest in the proposed development. The applicant is responsible for ensuring that a copy of this Record of Decision is given to any such interested and affected party within a

week of receiving this Record of Decision.

- 8.1.10 The listed activity as described in Section 1 of this Record of Decision and hereby authorised may not commence prior to the lapsing of the appeal period as provided for in Section 10 of this Record of Decision.

8.2 Project-Specific Conditions

- 8.2.1 Erven 1959 & 1960 and the Remainder of Erven 4194, 1961 & 1947, Walmer, within the Nelson Mandela Metropolitan Municipal area to be rezoned from Agriculture to Special Purposes in terms of the Land Use Planning Ordinance, Ordinance 15 of 1985.
- 8.2.2 The Special Purposes Zone referred to in Condition 8.2.1 to provide for the different uses as described in Section 1 of this Record of Decision and such uses to conform to the site layout plan being Plan no. 04042A13 dated March 2006 by Johan Meiring & Associates submitted to DEAE&T in support of the application.
- 8.2.3 The recommendations made in the Traffic Impact Assessment (as set out in Appendix G of the Final Scoping Report titled "Proposed Hybrid Residential Development (Erf 4194, Erf 1959, Erf 1960, Remainder of Erf 1961, Remainder of Erf 1947) Walmer Heights, Port Elizabeth" compiled by Public Process Consultants dated 24 June 2005 must be implemented and adhered to.
- 8.2.4 The Walmer Country Club must be consulted and an agreement reached regarding the exact position and the type of boundary fence that will divide the proposed development from the said club prior to such boundary fence being constructed.
- 8.2.5 A comprehensive Environmental Management Plan (EMP) to be compiled and submitted to DEAE&T for approval, and implemented for the construction phase of the project. The EMP to include amongst others:
- 8.2.5.1. Applicable conditions as contained in this Record of Decision;
 - 8.2.5.2. General principles of environmental management as applicable to construction activities including environmental best practice, erosion control, minimisation of dust, etc.
 - 8.2.5.3. All recommendations and mitigatory measures contained in the Final Scoping Report titled "Proposed Hybrid Residential Development (Erf 4194, Erf 1959, Erf 1960, Remainder of Erf 1961, Remainder of Erf 1947) Walmer Heights, Port Elizabeth" compiled by Public Process Consultants and dated 24 June 2005;
 - 8.2.5.4. Clear stipulations as to who is responsible and accountable for what actions;
 - 8.2.5.5. A general code of conduct for any contractor carrying out any work on the development site; and
 - 8.2.5.6. Clear stipulations regarding times that construction activities may take place on site.
- 8.2.6 Further to the provisions of Condition 8.2.5.2 the general principles of environmental management are to include amongst others:

DEPARTMENT OF ECONOMIC AFFAIRS, ENVIRONMENT AND TOURISM

CHIEF DIRECTORATE: ENVIRONMENT AFFAIRS

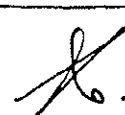
- 8.2.6.1. Measures to minimise dust generation during the construction phase;
- 8.2.6.2. Any fill material to be used on site (such as for pipeline installation) is to be obtained from a bona fide source. Excess material remaining after construction is to be removed from the site and disposed of at a registered waste disposal facility;
- 8.2.6.3. Methods of disposal of litter, construction waste and contaminated soil from the construction site;
- 8.2.6.4. No cement/concrete mixing is to take place on the soil surface. Cement mixers are to be placed on large trays to prevent accidental spills from coming into contact with the soil surface. All concrete spills must be cleaned up and the waste concrete disposed of at a landfill site; and
- 8.2.6.5. Generators and fuel supply needed during construction must be placed on trays, which contain a suitably absorbent material to soak up any leaks or spills. Once construction is complete all contaminated absorbent material must be removed from site and disposed of at a suitable registered waste disposal site.
- 8.2.7 An independent Environmental Control Officer (ECO) to be appointed for the duration of the construction phase of the project to ensure that the conditions contained in the EMP and this Record of Decision are complied with.
- 8.2.8 No blanket clearing of vegetation to take place on the site. Vegetation only to be cleared to facilitate construction/installation of service infrastructure and the building of individual houses. All vegetation on areas that are not developed immediately, to remain intact until such areas are developed.
- 8.2.9 All areas earmarked for development (inclusive of the installation of service infrastructure and the construction of dwelling units) to be clearly demarcated and all construction activities to be restricted to such demarcated areas.
- 8.2.10 Further to the requirements of Conditions 8.2.8 & 8.2.9 vegetation clearing to occur in a phased manner to reduce the amount of soil exposed to erosion at any given time.
- 8.2.11 All areas earmarked as Private Open Space on the site layout plan (Plan no. 04042A13 by Johan Meiring & Associates, dated March 2006) must be clearly demarcated using chevron tape and markers prior to construction. No disturbance of these areas may occur at any time to facilitate the installation of service infrastructure and/or the construction of any other components of the development.
- 8.2.12 Prior to project implementation of each phase of the development the following to be carried out:
 - 8.2.12.1. A once-over survey by the Herpetological Society to locate any tortoises that may occur on site and such tortoises to be removed and relocated to a site to be determined in conjunction with the Environmental Services Business Unit of the NMMM; and
 - 8.2.12.2. A once over botanical survey by a botanical specialist to establish whether any species which are of special concern or protected in terms of the Nature and Environmental Conservation Ordinance, Ordinance 19 of 1974, or protected in terms of the National Forests Act, Act 84 of 1998 occur on the areas of the site earmarked for development.



DEPARTMENT OF ECONOMIC AFFAIRS, ENVIRONMENT AND TOURISM

CHIEF DIRECTORATE: ENVIRONMENT AFFAIRS

- 8.2.13 Specimens identified in terms of Condition 8.2.12.2 as well as any other indigenous plant specimens which can be relocated are to be rescued in consultation with the above botanical specialist before vegetation clearing takes place. Such specimens are to be appropriately transplanted and included in rehabilitation initiatives, where applicable and practicable.
- 8.2.14 A permit to be obtained from DEAE&T for the removal and/or translocation of any species of special concern or species protected in terms of the Nature & Environmental Conservation Ordinance, Ordinance 19 of 1974 prior to vegetation clearing commencing on site.
- 8.2.15 A permit to be obtained from the Department of Water Affairs and Forestry for the removal of any trees protected in terms of the National Forest Act, Act 84 of 1998 prior to vegetation clearing commencing on site.
- 8.2.16 Mature indigenous trees that occur on site (outside of the allocated Private Open Space areas) must be marked out prior to construction and such trees to be retained in situ or transplanted to other areas within the development.
- 8.2.17 Installation of service infrastructure to conform to the General Layout drawn by Demeyer and Associates cc referenced as SD1295/1002 dated August 2004; provided that the provisions of Condition 8.2.11 are adhered to.
- 8.2.18 The removal of topsoil is to be limited to the footprint of the structures and services within the development area. All topsoil removed is to be stockpiled for use in re-vegetation or landscaping projects on site.
- 8.2.19 Where trenches are dug to accommodate service infrastructure, care must be taken to refill the trenches and rehabilitate the disturbed areas immediately after the completion of installation.
- 8.2.20 A water-borne sewage system is to be utilised for the proposed development. Such system is to be linked to the existing municipal water-borne sewage system.
- 8.2.21 An adequate storm water drainage system must be installed on the development site. Storm-water may not be directed, channelled or discharged in such a manner that it could cause flooding or nuisance to adjacent land owners located down-gradient of the proposed development.
- 8.2.22 All construction activities must be limited to normal working hours being from 7:00 to 17:00 on weekdays. No construction is to take place on weekends and public holidays.
- 8.2.23 Subsequent to the completion of each phase of the proposed development disturbed ground must be re-vegetated using the plants removed prior to construction.
- 8.2.24 Further to the provisions of Condition 8.2.23 all common areas on site, including areas within the development footprint, must make use of indigenous vegetation for landscaping purposes. No invasive alien vegetation species are to be allowed on site.
- 8.2.25 A follow-up programme must be instituted whereby exotic plant material which colonises disturbed ground is systematically removed and destroyed prior to it attaining the seed formation stage.
- 8.2.26 Home Owners Associations/Bodies Corporate to be established for each individual component of the proposed development to manage all aspects thereof. Such bodies to draw up Codes of Conduct to be approved by DEAE&T stipulating what is allowed and prohibited on site.



8.2.27 Such Code of Conduct to contain amongst others:

- 8.2.27.1. Relevant conditions of the EMP;
- 8.2.27.2. Measures to ensure the continued preservation of the Private Open Spaces as patches of undisturbed indigenous thicket;
- 8.2.27.3. An alien vegetation control programme for the removal of alien vegetation in a controlled and phased manner, including rehabilitation of areas that have been degraded through such invasion;
- 8.2.27.4. Natural vegetation management on undeveloped areas inclusive of a fire management plan; and
- 8.2.27.5. Environmental management rules for the operational phase of the project.

8.2.28 Prospective buyers are to be informed of the fact that the Private Open Spaces within the development have been created to perform an important conservation function and that the indigenous vegetation occurring thereon is therefore protected.

8.2.29 A management plan to be compiled to the satisfaction of DEAE&T and implemented by the various Homeowners Associations/Bodies Corporate for the management of the Private Open Spaces contained within the development.

9. Key Factors That Led to Decision

- A number of alternative land-uses for the site have been considered. The preferred use of the land for residential purposes is acceptable given the close proximity of existing residential developments and service infrastructure in the area.
- In general, the environment at the proposed development site has been transformed and is no longer in a pristine state. There are however, some patches of intact indigenous vegetation that are worth conserving. The development layout has been modified to incorporate these areas as Private Open Space.
- Provided the above conditions are adhered to and the development is carried out with due environmental care as provided for in such conditions, its impact on the environment should be acceptable.



DEPARTMENT OF ECONOMIC AFFAIRS, ENVIRONMENT AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENT AFFAIRS

Appeal

Written appeal against the decision may be lodged, in terms of Section 35(3) of the Environment Conservation Act, Act 73 of 1989, with the MEC for Economic Affairs, Environment and Tourism within 30 days from date of issue. The address to which such appeals must be submitted is:

Attention: The Chief Director: Environmental Affairs
Department of Economic Affairs, Environment and Tourism
Private Bag X0054
Pretoria
00015

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.


.....
GIES STRUWIG
ASSISTANT DIRECTOR (EIM)

25 April 2006
.....
DATE


.....
M. ELS
DEPUTY DIRECTOR: WESTERN REGION

25 April 2006
.....
DATE



Province of the
EASTERN CAPE
DEPARTMENT OF ECONOMIC DEVELOPMENT
& ENVIRONMENTAL AFFAIRS

P/Bag X5001, Greenacres
South Africa, 6057
Phone: +27 (41) 5085800
Fax: +27 (41) 5851958
E-mail: Andries.Struwig@deaet.ecape.gov.za

Ref: ECm1/M/107-04
Enq: A. Struwig

Walmer Heights Development Partnership
P.O. Box 5003
Walmer
6065

Attention: Mr. C. Lovemore

**AUTHORISATION IN TERMS OF SECTION 22 OF THE ENVIRONMENT CONSERVATION ACT,
ACT 73 OF 1989, TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED UNDER SECTION 21
OF THE ACT TO ALLOW FOR THE ESTABLISHMENT OF A RESIDENTIAL ESTATE IN WALMER
HEIGHTS**

Refer to the letters from Metroplan dated 8 March 2007 and 19 September 2007 respectively requesting certain amendments to the Record of Decision (reference ECm1/M/107-04) issued on 25 April 2006.

1. AMENDMENT OF RECORD OF DECISION

You are hereby informed that the following sections of the Record of Decision issued on 25 April 2006 have been amended as contained in Amendment Notice #1 attached as Annexure One to this letter:

Section 1: Description of Activity

Section 7: Duration of Authorisation

Section 8: Conditions of Authorisation:

- ❖ Amendment of the following conditions:
 - Condition 8.2.2.

2. NOTIFICATION OF INTERESTED AND AFFECTED PARTIES AND THE PUBLIC

All Interested and Affected Parties that registered during the Environmental Assessment process to be informed that an Amendment Notice to the Record of Decision has been issued.

S.A.H



This letter and attached Amendment Notice #1 must be attached to the Record of Decision issued on 25 April 2006 and must be read in conjunction therewith.



ALBERT MFENYANA
CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS

DATE: 02/11/07



PROVINCE OF THE
EASTERN CAPE

Private Bag X5001, Greenacres, Port Elizabeth
South Africa, 6057
Phone: 041 5085854
Fax: 041 5851958
E-mail: andries.struwig@deacet.ecape.gov.za

DEPARTMENT OF ECONOMIC DEVELOPMENT AND
ENVIRONMENTAL AFFAIRS

ANNEXURE 1

AMENDMENT NOTICE #1 TO RECORD OF DECISION

ECm1/M/107-04

1. Description of Activity

The project entails a change in land use of Erven 1959 & 1960 and the Remainder of Erven 4194, 1961 & 1947, Walmer, within the Nelson Mandela Bay Municipal area from Agriculture to Special Purposes and the subsequent development of six residential estates thereon.

The following land uses will be provided for within the Special Purposes Zone.

- Four Residential II zones for the establishment of units at the following densities:
 - Zone A: 16 units/ha;
 - Zone B: 16 units/ha
 - Zone C: 16 units/ha; and
 - Zone D: 30 units/ha.
- Transportation Zone for the construction of access and internal roads to service the development; and
- Private Open Space for the establishment of 13 Private Open Space areas to, amongst others, protect sensitive vegetation patches.

Services to the proposed development will be provided by the following means:

- Water will be provided by means of the installation of a 300mm diameter bulk water supply line that will be connected to the existing water reticulation along Victoria Drive.
- Internal sewerage reticulation will be linked to the existing sewer main along Victoria Drive by means of a new 160mm diameter sewer main and a number of sewer pump stations.
- Access will be provided by the extension of Beethoven Drive in Walmer Heights on the north western side of the proposed development and construction of a section of the planned Driftsands Arterial MR 423 that will link up with Victoria Drive towards the south east of the proposed development.
- Electricity will be provided by the municipality from existing infrastructure in Victoria Drive.
- A piped storm-water system that will discharge into a proposed open storm water channel will be installed that in turn will discharge into an existing municipal open storm-water channel.

A change of land use from Agriculture to any other land use, as well as the provision of bulk water supply; installation of sewage treatment works and related infrastructure and the upgrading/construction of roads are listed activities in terms of items 2c, 1i, 1n and 1d respectively of Schedule 1 to Government Notice R1182 of 5 September 1997 for which

S.A.H

DEPARTMENT OF ECONOMIC DEVELOPMENT & ENVIRONMENTAL AFFAIRS
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

authorisation needs to be issued in terms of Section 22 of the Environment Conservation Act, Act 73 of 1989.

7. Duration of Authorisation

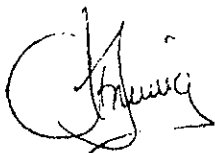
- 7.1. Installation of service infrastructure is to commence within 12 months of the date of issue of this Amendment Notice and to be completed within 12 months of the date of commencement.
- 7.2. The construction of housing units is to commence within 6 months of the completion of installation of services and is to be completed within 36 months of the date of commencement.
- 7.3. Conditions stipulated below are valid in perpetuity.

8. Conditions of Authorisation

Please note that the Department of Economic Development & Environmental Affairs may review, delete or amend any of the following conditions in the event of new information coming to light.

Condition 8.2.2

The Special Purposes Zone referred to in Condition 8.2.1 to provide for the different uses as described in Section 1 of this Record of Decision. In this regard a final site layout plan to be submitted to DEDEA for endorsement prior to any construction commencing on the site.



A. STRUWIG
ASSISTANT DIRECTOR: EIM
DATE: 1 November 2007



A. MFENYANA
CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS
DATE: 02/11/07

APPLICATION FOR CHANGE IN USE OF LAND

ANNEXURE A

(PLACE A CROSS IN APPROPRIATE BLOCKS)

1. **REZONING TO SUBDIVISIONAL AREA** in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), hereinafter referred to as the Ordinance, as required in Section 22(1)(a) of the Ordinance.
2. **REZONING** in terms of Section 17 of the Ordinance **WHICH DOES NOT COMPRISE A REZONING TO SUBDIVISIONAL AREA**
3. **ZONING, SUBDIVISION AND USE OF LAND FOR INDUSTRIAL PURPOSES** in terms of Section 2 of the Physical Planning Act, 1967 (Act 88 of 1967).
4. **PERMIT** in terms of Regulation 2 of the COASTAL REGULATIONS promulgated in terms of the Environment Conservation Act, 1892 (Act 100 of 1982), (Government Notice R.2587 dated 12 December 1986) WHEN AN APPLICATION IN TERMS OF ORDINANCE 15 OF 1985 IS ALSO REQUIRED.

TO BE ADDRESSED TO:
THE DIRECTOR: ADMINISTRATION
P.O.BOX 116
PORT ELIZABETH
6000

ERF NUMBER AND ALLOTMENT AREA: **REMAINDER ERF 4194
ERF 1959, ERF 1960,
REMAINDER ERF 1961 AND
REMAINDER ERF 1947
WALMER**

APPLICANT: **JOHAN MEIRING**

POSTAL ADDRESS: **P.O.BOX 28369
SUNRIDGE PARK
PORT ELIZABETH
6008**

REGISTERED OWNER (S): **WALMER HEIGHTS
DEVELOPMENT PARTNERSHIP**

POSTAL ADDRESS: **C/O JOHAN MEIRING
P.O.BOX 28369
SUNRIDGE PARK
6008**

1. PERSONAL PARTICULARS OF APPLICANT

1.1 Name of person/company to whom/which correspondence should be addressed:

Address: JOHAN MEIRING
P.O.BOX 28369
SUNRIDGE PARK

Postal Code: 6008

Ref. No: 32-035(JM42/04)

Tel. No: 3605159

Dialing Code: 041

1.2 Is the applicant the only registered owner of the property concerned? YES NO

- If not, attach power of attorney from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit and if the land

1.3 Name(s) of registered owner(s): **WALMER HEIGHSTS DEVELOPMENT PARTNERSHIP**

2. DETAILS OF LAND UNIT

2.1 Registered description of the property as shown on the title deed:

REMAINDER ERF 4194	Surface Area: + 8,0000 HECTARES
ERF 1959	Surface Area: 10,7391 HECTARES
ERF 1960	Surface Area: 10,7391 HECTARES
REMAINDER ERF 1961	Surface Area: 10,0081 HECTARES
REMAINDER ERF 1947	Surface Area: 3,9749 HECTARES
WALMER	

Number and date of title deed:

2.2 What is the present zoning of the land unit?

UNDETERMINED

2.3 Proposed zoning: **SPECIAL PURPOSES**

2.4 Are any departures applicable to the land unit in terms of Section 15 of the Ordinance?

YES NO

If so, give full explanation

WHEREAS

the said

ARLINGTON SANDPITS CC
No CK 86/00841/23

is the registered owner of:-

1. **ERF 4193 WALMER**, in the Administrative District of **PORT ELIZABETH**

HELD BY Deed of Transfer No T. 73198/93.

2. **REMAINDER OF ERF 1958 WALMER**, in the Administrative District of **PORT ELIZABETH**

HELD BY Deed of Transfer No T.7182/1983

WHICH properties have now been consolidated into the land hereinafter described.

NOW THEREFORE in pursuance of the provisions of the said Act, I, the Registrar of Deeds at Cape Town, do hereby certify that the said

ARLINGTON SANDPITS CC
No CK 86/00841/23

or its Assigns

is the registered owner of -

ERF 4194 WALMER, in the Administrative District of **PORT ELIZABETH**

EXTENT: 10,8398 (Ten Comma Eight Three Nine Eight) hectares

AS WILL APPEAR from Diagram No S G No. 4185-91 annexed.

1. AS REGARDS that portion of land represented by the figure HkG on Diagram no 4185-91

1. SUBJECT to the conditions referred to in Deed of Transfer No T.15436/1955.

2. ENTITLED to the following conditions contained in Deed of Transfer No T.15436/1955, namely:

"Entitled to the benefit of a road servitude 62,97 metres wide over certain piece of freehold land, situate in the Division of Port Elizabeth, being the remaining extent of ERF 6F part of the farm "Welbedacht" measuring as per such remainder Twenty-four comma six eight three (24,6873) Hectares, held by James Coplen Langford Vigne as to one-half share by Deed of Transfer in his favour, No 12189 dated 30th August 1944, and by Petrus Johannes Anema as to the remaining one-half share by Certificate of Registered Title in his favour, No 11431 dated 29th May 1948, which road is indicated on the Diagram No 960/53 annexed to the said Deed of Transfer No 15436 dated 20th september, 1955 by the brown line marked x-y as the centre line of the said road."

3. SUBJECT to the conditions referred to in Deed of Transfer No T.23310/1965.

4. SUBJECT to the conditions referred to in Deed of Transfer No T.23311/1965.

5. SUBJECT to the following conditions contained in Deed of Transfer No T.23311/1965 imposed by the Divisional Council of Port Elizabeth as Controlling Authority under the provisions of Section 11(6) of Act No 21 of 1940 against E 2678 of which the within property forms part, namely:

- (a) The land may not be subdivided without the written approval of the Controlling Authority as defined in Act 21 of 1940.
 - (b) Not more than one dwelling house together with such outbuildings as are ordinarily required to be used in connection therewith shall be erected on the land except with the written approval of the Controlling Authority as defined in Act 21 of 1940.
 - (c) The Land shall be used for residential and Agricultural purposes only and no store or place of business or industry whatsoever may be opened or conducted on the land without the written approval of the Controlling Authority as defined in Act 21 of 1940.
 - (d) No building or any structure whatsoever shall be erected within a distance of 94,46 metres from the centre line of the Glendore Divisional Road without the written approval of the Controlling Authority as defined in Act 21 of 1940.
6. **SUBJECT** to the following conditions contained in Deed of Transfer No T.5293/1960 imposed by the Administrator of the Province of the Cape of Good Hope against Erf 560 of which the within property forms portion, namely:
- 1. Not more than one dwelling house, together with such outbuildings as are ordinarily requires to be used in connection therewith, shall be erected on the land except with the approval of the Local Authority.
 - 2. The land shall be used for residential and Agricultural purposes only and no new store or place of business or industry may be opened or conducted on the land without the written approval of the Local Authority.

3. No building or any structure whatsoever shall be erected within a distance of 23,61 metres of any boundary line of the property without the written approval of the Local Authority.

7. **SUBJECT** to the servitude endorsement dated 27th June 1983 on Certificate of Consolidated Title No T.5062/1972, reading as follows:-

"Remainder

By Deed of Transfer T.23250/83 dated this day in respect of Erf 3988 meas 1,4982 Ha the Remainder of the within property meas 54,8582 Ha held hereunder is subject to a servitude right of way eight (8) metres wide as will appear from Servitude Diag No 5960/82 annexed to the abovementioned Deed of Transfer whereon the line A B represents the southern boundary of servitude right of way over the remainder in favour of the abovementioned property.

As will more fully appear from said Deed of Transfer."

8. **SUBJECT** to the endorsement dated 27th June 1983 on Certificate of Consolidated Title No T.5062/1972, reading as follows:

REMAINDER

By Deed of Transfer No T.23250/1983 the following conditions are imposed by the Administrator of the Province of the Cape of Good Hope in terms of Section 9 of Ordinance No 33 of 1934 against the Remainder of Erf 3635 Walmer when approving the subdivision of the said Erf, namely:

(a) The owner of this erf shall, without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed

across this erf, and surface installations such as mini-substation, meter kiosks and service pillars to be installed thereon if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

- (b) The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

B. SUBJECT to the conditions referred to in Deed of Transfer No T.59/1929.

II. AS REGARDS that portion of land represented by the figure ABCDEFKJ on Diagram no 4185-91

SUBJECT to the conditions referred to in Deeds of Transfer Nos T.7634/1915

AND THAT by virtue of these presents the said

ARLINGTON SANDPITS CC
No CK 86/00841/23

or its Assigns now are, and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

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

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Cape Town on this 17 day of September in the Year One Thousand Nine Hundred and Ninety-Three (1993)


REGISTRAR OF DEEDS

Pagden's Stultings
18 Castle Hill
Central
PORT ELIZABETH
6001

FEE
R. 400,00

Prepared by n

[Signature]
CONVEYANCING
DE KOCK V

T000060896 /

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

PETRUS JOHANNES CILLIE

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said ap
being duly authorised thereto by a Power of Attorney which said Power of A
was signed at PORT ELIZABETH on 1 June 2006 granted to him by

JOHN CORDINGLEY WHITE
Identity Number 230220 5024 08 4
Married out of community of property

DATA / CAPTURE
22 AUG 2006
OL

And the appearer declared that his said principal had, on 7 June 2004, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

PRIVATE ASSET MANAGEMENT (PROPRIETARY) LIMITED
No. 2002/004257/07

or its Successors in Title or assigns, in full and free property

ERF 1960 WALMER in the Nelson Mandela Metropolitan Municipality,
Division of Port Elizabeth, Province of the Eastern Cape;

IN EXTENT 10,7391 (TEN COMMA SEVEN THREE NINE ONE) HECTARES

FIRST TRANSFERRED by Deed of Partition Transfer No. T 24002/1947 with
Diagram No. 7193/46 relating thereto and held by Deed of Transfer No.
T21074/1967.

SUBJECT to such conditions as are referred to in Deed of Transfer No T7634/1915.

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

JOHN CORDINGLEY WHITE, Married as aforesaid

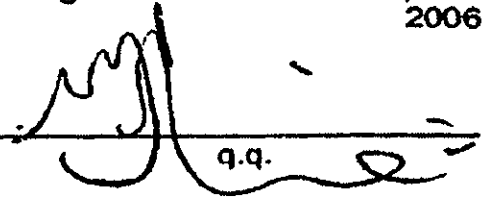
heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

PRIVATE ASSET MANAGEMENT (PROPRIETARY) LIMITED
No. 2002/004257/07

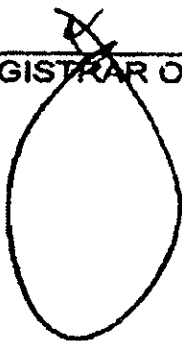
or its Successors in Title or assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R925 161,00 (NINE HUNDRED AND TWENTY FIVE THOUSAND ONE HUNDRED AND SIXTY ONE RAND).

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

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Cape Town
on - 8 AUG 2006 2006


q.q.

In my presence


REGISTRAR OF DEEDS

FOR INFORMATION ONLY

RUSHMERE NOACH ATTORNEYS
21 Chapel Street
Central
Port Elizabeth
6001

Prepared by me

CONVEYANCE
Bertrand A R I

FEE
R 200,00

DATA / CAPTURE
17 JAN 2006
MURIE L

06010157/2005
T

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney was signed at Muldersdrift on 31 January 2005 granted to him by

1. **GAIL QUINTIN PECK**
Identity Number 460706 0050 08 3
Unmarried as to a 1/12 share

and duly authorised thereto by a Power of Attorney signed at Muldersdrift on 31 January 2005 granted to him by

2. **BRIAN WILLIAM BULLEN**
Identity Number 500619 5067 00 6
Married out of community of property as to a 1/12 share

and duly authorised thereto by a Power of Attorney signed at Brits on 31 January 2005 granted to him by

3. **ROGER HARTLEY BULLEN**
Identity Number 550107 5131 08 8
Unmarried as to a 1/12 share

And duly assisted thereto by a Power of Attorney signed at PORT ELIZABETH on 27 January 2005 granted to him by

- 4 **RUBY ALICE SHAW** (formerly Salters, formerly White, formerly Rider)
Identity Number 100804 0001 002
Unmarried as to a 1/2 share

And duly authorised thereto by a Power of Attorney signed at Addo on 31 January 2005 granted to him by

5. **THE TRUSTEES of the Trust created in the Estate of the late BERTRAM JAMES JOB** . No MT 116911981
As to a 1/4 share

And the appearer declared that his said principals had, on 3 September 2004, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **CAPE ROADS AND EXCAVATIONS (PROPRIETARY) LIMITED**
Registration Number : 1961/001276/07
And
2. **PRIVATE ASSET MANAGEMENT (PROPRIETARY) LIMITED**
Registration Number : 2002/004257/07

Trading as **THE WALMER HEIGHTS DEVELOPMENT PARTNERSHIP**,

Or their Assigns . in full and free property

**REMAINDER ERF 1947 WALMER
IN THE NELSON MANDELA METROPOLITAN MUNICIPALITY
DIVISION OF PORT ELIZABETH
PROVINCE OF THE EASTERN CAPE;**

**IN EXTENT 3,9749 (THREE COMMA NINE SEVEN FOUR NINE)
HECTARES**

**FIRST TRANSFERRED by Deed of Transfer No. T 14001/1951 with
Diagram SG No. 6328/1949 relating thereto and held by Deeds of
Transfer Nos. T15248/1992, T18428/1968, T4292/1963 and T26408/1969.**

- A. **SUBJECT to the conditions referred to in Deed of Transfer
No. T14001/1951**

A

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

1. GAIL QUINTIN PECK, Unmarried
2. BRIAN WILLIAM BULLEN, Married as aforesaid
3. ROGER HARTLEY BULLEN, Unmarried
4. RUBY ALICE SHAW Unmarried
5. THE TRUSTEES OF THE TRUST created in the Estate of the Late BERTRAM JAMES JOB Trust, No. 1169/1981

heretofore had to the premises, did in consequence also acknowledge them to be entirely dispossessed of, and disentitled to the same, and that by these presents, the said

THE WALMER HEIGHTS DEVELOPMENT PARTNERSHIP

Or their Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R100 000,00 (ONE HUNDRED THOUSAND RAND).

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

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Capr Town on

8 DECEMBER 200

Chester...
q.q.

In my presence

[Signature]
REGISTRAR OF DEEDS

A

RUSHMERE NOACH ATTORNEYS
21 Chapel Street
Central
Port Elizabeth
6001

Prepared by n

FEE
R. 400.00


CONVEYANCE
Parker I

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

T 000112142 / 2004

MARK TREVOR SCHÄFER *Tr*

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said
appearer being duly authorised thereto by a Power of Attorney which said Power
of Attorney was signed at PORT ELIZABETH on 7 September 2004 granted to
him by

The Trustees for the time being of
HOLDEN PARKER TRUST
No. 2148/1997

DATA CAPTURE
24 NOV 2004
CLIVER ?
DATA / VERU
08 DEC 2004
SINDERS

And the appearer declared that his said principal had, on 6 August 2004, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of:

1. **CAPE ROADS AND EXCAVATIONS (PROPRIETARY) LIMITED**
Registration Number 1961/001276/07

and

2. **PRIVATE ASSET MANAGEMENT (PROPRIETARY) LIMITED**
Registration Number 2002/004257/07

Trading in partnership as THE WALMER HEIGHTS DEVELOPMENT PARTNERSHIP

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

**REMAINDER ERF 1961 WALMER
IN THE NELSON MANDELA METROPOLITAN MUNICIPALITY
DIVISION OF PORT ELIZABETH
PROVINCE OF THE EASTERN CAPE;**

**IN EXTENT 10,0081 (TEN COMMA ZERO ZERO EIGHT ONE)
HECTARES**

**FIRST TRANSFERRED by Deed of Transfer No. T234 on 22 July 1856
with substituted Diagram No. 7194/1946 annexed thereto and held by
Deed of Transfer No. T13771/1998.**

- A. SUBJECT to such conditions as are referred to in Deed of Transfer No. T7634/1915.**

P

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

**THE TRUSTEES FOR THE TIME BEING OF HOLDEN PARKER
TRUST NO. 2148/1997**

heretofore had to the premises, did in consequence also acknowledge her to be entirely dispossessed of, and disentitled to the same, and that by these presents, the said

1. **CAPE ROADS AND EXCAVATIONS (PROPRIETARY) LIMITED
REGISTRATION NUMBER 1961/001276/07**
- And
2. **PRIVATE ASSET MANAGEMENT (PROPRIETARY) LIMITED
REGISTRATION NUMBER 2002/004257/07**

**TRADING IN PARTNERSHIP AS THE WALMER HEIGHTS
DEVELOPMENT PARTNERSHIP**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R880 000,00 (EIGHT HUNDRED AND EIGHTY THOUSAND RAND).

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

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Cape Town on *15 November* 200*7*

In my presence



REGISTRAR OF DEEDS



W. J. J. J.

P

Property	Owner	Deeds/Document	LPI Enquiry	Interdict	Accusment Request	Transfers	Bulk Properties	User Admin	Errors	
Property Enquiry Details										

Property enquiry results for "WALMER" in the Deeds Registry at "CAPE TOWN "

Property detail:

Deeds registry	CAPE TOWN
Property type	ERF
Township	WALMER
Erf number	1959
Portion	0
Province	EASTERN CAPE
Registration division/Administrative district	PORT ELIZABETH RD
Local authority	PORT ELIZABETH MUN
Previous description	-
Diagram deed number	T24001/1947
Extent	10.7391 H
LPI Code	C05900380000195900000

Title Deeds detail:

Document	Registration date	Purchase date	Amount	Microfilm reference	Document copy?
T36263/1969	19691229	-	-	-	Not available

Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T36263/1969	CAPE ROADS & EXCAVATIONS PTY LTD	196100127607	-	Yes

Endorsements / Encumbrances:

No data found for this query!

History:

No data found for this query!

[Back to top of page](#)

Requested by **A0009408** with user reference **None** on: Tuesday, 31 October 2006 08:36

DeedsWeb Version 4.0.0

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3.4.4 Additional provisions

(a) In addition to the private outdoor space or the combined open space, as the case may be, a service yard of an adequate area and screened by a wall from the view of anyone else than the occupant(s) of the dwelling unit concerned, shall be provided to the satisfaction of the council.

(b) Despite the zero street building line, a street building line of 2m may be required to ensure safe traffic circulation or for other reasons such as development in the area, and a driveway shall have an adequate area to allow comfortably for the parking of a large motor car thereon.

(c) Despite the zero side building line, adequate side building lines may be required for fire-fighting purposes, and a 3m side building line shall apply where a residential zone II abuts on another zone.

(d) Garages and carports shall be excluded in the calculation of floor space for the purpose of determining the area of the private outdoor space.

(e) No group housing site may have an area greater than 2ha, and no group housing site shall abut on another group housing site.

3.6 RESIDENTIAL ZONE IV

3.6.1 Colour notation: orange

Primary use: flats

Flats means a building containing three or more dwelling units for human habitation, together with such outbuildings as are ordinarily used therewith; provided that in these zones where flats are permissible, fewer than three dwelling units shall also be permissible, whether or not with the special consent of the council, in a building approved for other purposes than for flats.

Consent uses: dwelling-house, group house, town house, public housing, professional usage.

Dwelling-house means a detached building containing only one dwelling unit.

Dwelling unit means a self-contained interlocking group of rooms with not more than one kitchen, used only for the living accommodation and housing of a single family, together with such outbuildings as are ordinarily used therewith.

Group house means a dwelling unit which forms part of a group housing scheme.

Group housing means a group of separate and/or linked dwelling units planned, designed and built as a harmonious architectural entity and arranged around or inside a communal open space in a varied and ordered way, of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided.

Group housing site means one or more land units on which a group housing scheme has been or is to be erected.

Town house means a dwelling unit which forms part of a town housing scheme.

Town housing means a row or group of linked and/or attached dwelling units planned, designed and built as a harmonious architectural entity, of which every dwelling unit has a ground floor, such dwelling units may be cadastrally subdivided.

Town housing site means one or more land units on which a town housing scheme has been or is to be erected.

Public housing means dwelling units which are erected with funds voted by a State department or the Provisional Administration or a council.

Professional usage means such type of use as is normally and reasonably associated with professional people such as doctors, dentists, architects, engineers and town planners, where the rendering of a service, as against the carrying on of a business, is one of the distinguishing factors.

3.6.2 Land use restrictions

Floor factor: at most 1.0

Coverage: at most 40%

Setback: at least 6.5m

Height: at most four storeys

Street building line: at least 8m

Side building line: at least 4m or half the height of the building, whichever is the greater, subject to regulation 3.6.3(a)

Parking: at least 1.25 parking bays per flat; 25%, or more, if so required by the Council, of the required, number of parking bays shall be provided uncovered on the site and shall be clearly demarcated and properly indicated by means of a notice board to the satisfaction of the Council for the exclusive use of visitors.

3.6.3 Notwithstanding regulation 3.6.2 –

(a) the council may approve the erection of an outbuilding which exceeds a side building line, subject to –

- (i) compliance with the street building line;
- (ii) such outbuilding not exceeding a height of one storey

(iii) no doors or windows being permitted in any wall of such outbuilding which fronts onto the side boundary concerned, and

(iv) the provision of an access way, other than through a building and at least 1m wide, from a street to every vacant portion of the land unit concerned, other than a courtyard, and

(b) the following additional parking requirement shall be applicable with regard to professional usage in this zone: three parking bays per professional person, of which at least two parking bays per professional person shall be reserved for patients or clients. These parking bays shall be clearly indicated and tarred or paved to the satisfaction of the council.

3.22 OPEN SPACE ZONE II

3.22.1 Colour notation: dark green outline

Primary use: private open space

Private open space means any land which has been set aside in this scheme for utilisation primarily as a private site for sports, play, rest or recreational facilities or as an ornamental garden or a pleasure garden and includes public land which is or will be leased on a long term basis and a cemetery, whether public or private.

Consent uses: none

3.22.3 No structure shall be erected or use practiced except such as is compatible with "private open space", as defined.

3.22.3 The provisions contained in a relevant guide plan that is in force in terms of section 6A of the Physical Planning Act, 1967 (Act 88 of 1967), shall *mutatis mutandis* apply as additional land use restrictions in this zone.

3.25 TRANSPORT ZONE II

3.25.1 *Colour notation:* light brown

Primary use: public road

Public road means any road or street for public use or any land intended for such purposes.

Consent uses: none

3.25.2 No structure shall be erected or used practiced except such as in compatible with "public road", as defined.

3.28 SPECIAL ZONE

3.28.1 *Colour notation:* blue-green

Primary use: special usage

Special usage means a use which is such, or in respect of which the land use restrictions are such, that it is not catered for in these regulations, and which is set out in detail, and in respect of which the land use parameters are set out in detail, by means of conditions of approval or by means or conditions applicable to the special zone, and includes a conservation usage.

Consent uses: conservation usage

Conservation usage means any use of a building or site or part thereof which, in the opinion of the council or, on appeal or objection, the Administrator, whose decision shall be final, is worthy of preservation.

3.28.2 If special factors justify the creation of a new zone on the zoning map for a site or sites without justifying the creation of a new zone in the scheme regulations, such site shall be zoned as a special zone on the zoning map. Every such portion of land which has been zoned as such and in respect of which the land use restrictions differ from those of other land which has been zoned as such shall be give a separate number on the zoning map. A special zone may consist of different portions of land, provided the land use restrictions are the same. Each special zone in respect of which the land use restrictions differ from those of other special zones shall be given a separate number (from 1 onwards), and each number with the accompanying land use restrictions shall be describe ed as a separate special zone in an annexure to these scheme regulations.

2.5 Are there any developments (buildings, ect.) on the land unit? YES NO

If so, what are the nature and condition of these improvements?

2.6 Are the present zonings being utilized? YES NO

If not, how is the land being utilized? VACANT

2.7 Which uses and/or buildings adjoin the land and what is the condition of such building?

- GOLF COURSE NORTHERN PORTION
- RESIDENTIAL DEVELOPMENT - NORTH WEST
- ARLINGTON RACE COURSE - WESTERN
- DRIFTSANDS - SOUTH EASTERN

3. DETAILS OF APPLICATION

3.1 Describe the development in detail:

SPECIAL PURPOSES TO ALLOW A SECURE RESIDENTIAL DEVELOPMENT COMPRISING VARIOUS NODES OF DIFFERENT DENSITIES. THE DETAIL DESIGN AND LAYOUT OF INTERNAL NODES WILL BE FINALIZED AT A FUTURE STAGE.

3.2 Does the proposal involve the entire land unit? YES NO

If not, indicate the size of that portion of the land unit which is not involved and what it is being used for?

3.3 Will the proposed zoning give rise to more families or persons residing on the land unit than is presumably the case; if so how many more? YES

± 650 DWELLINGS

3.4 If the application will lead to the establishment of a business or Industry on the land unit, indicate - **NOT APPLICABLE**

3.4.1 the type of business or industry envisaged:

3.4.2 the number of employees to be taken into service on the land unit:

3.4.3 the extent of the service - indicate the furthest places which will normally be traded with:

4. **RESTRICTING FACTORS**

4.1 Are there any restrictions in the title deed in respect of the land unit, which may have effect on this application and which should be lifted in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967)? YES NO

4.2 Is any portion of the land unit subject to tidal flow or situated under the high-water mark? YES NO

If so, furnish details:

4.3 Is any portion of the land unit in a flood-plain of a river under 1 in 50 years flood-line or subject to any floods? YES NO

If so, furnish details (also refer to Section 169A of the Water Act, 1956 (Act 54 of 1956):

4.4 Are there any physical restrictions (such as steep slopes, unstable soil formations, swamps, ect) which could affect the development? YES NO
If so, furnish details and state how the problem can be solved:

4.5 Are there any other restrictions of which your are aware, but which were not mentioned above? YES NO

- 4.5 Are there any other restrictions of which you are aware, but which were not mentioned above?

YES	NO
-----	---------------

If so, furnish details:

5. **POSSIBLE REFERRAL TO OTHER BODIES**

- 5.1 Does the application fall within the area described in a guide plan approved in terms of Section 6A of the Physical Planning Act, 1967 (Act 88 of 1967)?

YES	NO
----------------	----

NELSON MANDELA METROPOLITAN TOWN PLANNING SCHEME

If so, is the application consistent with the guide plan proposals?

Supply reasons for answer: **PROPOSED USE IN ACCORDANCE WITH TOWN PLANNING SCHEME.**

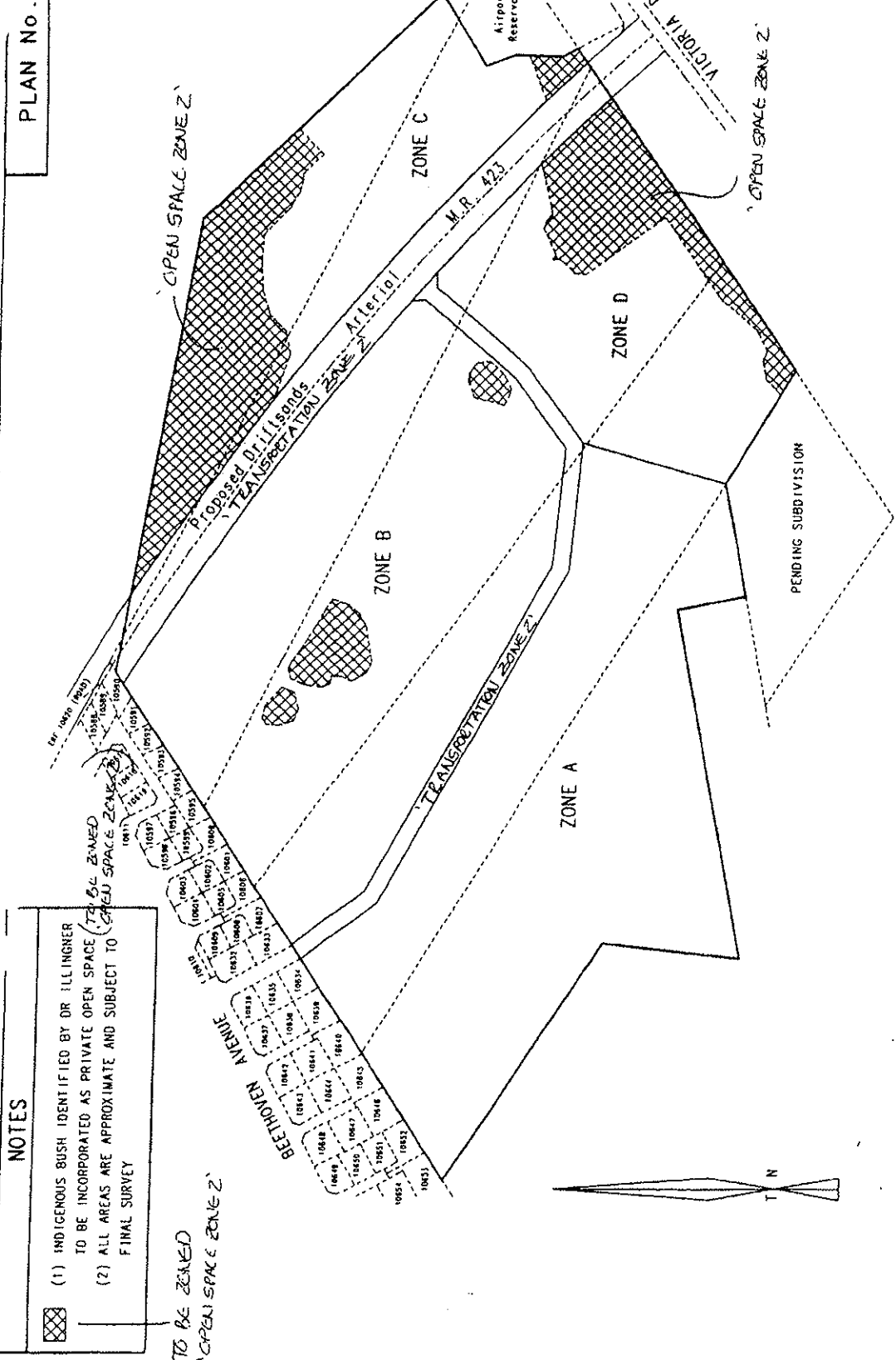
- 5.2 Is the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970), applicable to the application?

YES	NO
-----	---------------

- 5.3 Is the land unit situated within the boundaries of a nature area reserved in terms of Section 4 of the Physical Planning Act, 1967 (Act 88 of 1967), or a mountain catchment area reserved in terms of the Mountain Catchment Areas Act, 1970 (Act 63 of 1970), or a lake area reserved in terms of Lake Areas Development Act, 1975 (Act 39 of 1975), or a nature reserve reserved in terms of the nature reserve reserved in terms of the Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), or a national park reserved in terms of the National Parks Act, 1976 (Act 57 of 1976)?

YES	NO
-----	---------------

PLAN No.



NOTES

(1) INDIGENOUS BUSH IDENTIFIED BY DR ILLINGNER TO BE INCORPORATED AS PRIVATE OPEN SPACE TO BE ZONED 'OPEN SPACE ZONE Z'

(2) ALL AREAS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY

TO BE ZONED 'OPEN SPACE ZONE Z'

SITE	ZONE A	ZONE B	ZONE C	ZONE D
ZONING	RES2 (HYBRID/ST) TRANSPORTATION PRIVATE OPEN SPACE	RES2 (HYBRID/ST) TRANSPORTATION PRIVATE OPEN SPACE	RES2 (HYBRID/ST) TRANSPORTATION PRIVATE OPEN SPACE	RES2 (HYBRID/ST) TRANSPORTATION PRIVATE OPEN SPACE
DENSITY	16/Ha	16/Ha	16/Ha	30/Ha
AREA	13.16 Ha	13.5 Ha	6.95 Ha	6.5 Ha

FILE 35-035 DATE 2006/08/14 DELT J.M. SCALE 1/4000

PROPOSED REZONING

ERVEN REM 1947, 1959, 1960, REM 1961 AND REM 4194 WALMER

LAND SURVEYORS LANDMETERS

TOWNSHIP PLANNERS DORPSEGHIED BEPLANNERS
SECTIONAL TITLE PRAKTYKINS DEELTITEL PRAKTYKINS
ENGINEERING SURVEYS INGENIEURS OPMETTINGS

18 VIOLET AVENUE TEL (0411) 3605159 P.O. BOX 26369
SUMRIDGE PARK PORT ELIZABETH
8005 FAX (0411) 3607653

NELSON MANDELA METROPOLITAN MUNICIPALITY

JOHAN MEIRING & ASS.

