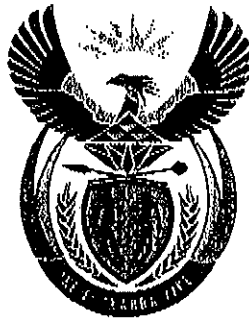


0437451978



**DEPARTMENT: AGRICULTURE
REPUBLIC OF SOUTH AFRICA**

Private Bag X120, Pretoria (Tshwane), 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7564 Fax: 012-329-5038 E-mail: AlbinaM@nda.agric.za
Enquiries: Ms A. Makobe Ref: 01/02767(2)

Messrs S & H Surveys
P.O. Box 2376
BEACON BAY
5205

2005-09-13

Dear Sirs

**APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970: ERF
96, KAYSERS BEACH, DIVISION EAST LONDON, EASTERN CAPE PROVINCE**

Your application of 6 December 2004 refers.

With reference to the above-mentioned subject I wish to inform you that the application has been granted.

Consent No.40090..... issued in terms of section 4 of the Act, is enclosed in duplicate.

The Conveyancer must lodge the signed copy of the Consent with the Registrar of Deeds together with the documents for registration.

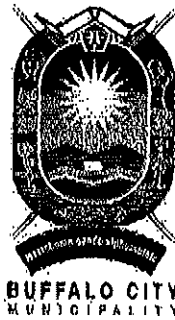
Regarding the condition imposed in subparagraph 3.1, the contact person at the Buffalo City Municipality, is Mr R M Brown, Tel No. 043 705 2076, Ref. No. 13369/TP.

Kindly note that the properties concerned are subject to the provisions of the Conservation of Agricultural Resources Act 1983 (Act 43 of 1983).

Yours faithfully

SENIOR MANAGER: LAND USE AND SOIL MANAGEMENT

Buffalo City Municipality
 East London • Bhisho • King William's Town
 Province of the Eastern Cape
 South Africa
 Website: www.buffalocity.gov.za



Directorate: Office of the Municipal Manager
 PO Box 134 • East London • 5200
 Trust Centre • Cnr North & Oxford St
 East London • 5201
 Tel: 043 705 1045/6/7
 Fax: 043 743 8568

Our ref.:	13231/TP	Enq.:	MR R.M. BROWN 043 705 2076	Your ref.:	
-----------	-----------------	-------	---------------------------------------	------------	--

REGISTERED MAIL

Messrs S&H Surveys
 P.O. Box 2376
 BEACON BAY
 5205

2007-04-25

ATTENTION: MR W.A. SIMONS

Dear Sir

REZONING APPLICATION: ERF 96, KAYSERS BEACH

1. Your application in the above connection refers.
2. My Council has in terms of Section 16 read with Section 42 of the Land Use Planning Ordinance 15 of 1985 resolved to approve the application for the rezoning of Erf 96 Kaysers Beach from Agricultural 1 purposes to Residential Zone 2 purposes subject to the following conditions: -
 - a) The Site being developed in accordance with the submitted site development plan in general.
 - b) The use of the site being subject to the requirements of the Scheme Regulations in terms of Section 8 of the Land Use Planning Ordinance 15 of 1985.
 - c) The applicant developing the site in accordance with the agreements made with the objectors prior to their withdrawal of objection.
 - d) The applicant complying with the relevant By-Laws and regulations of the Fire Protection Division.
 - e) The developer being required to comply with the requirements and standards as are specified in the approved Stormwater Management Plan as per the letter to Messrs Sontinga Consulting Services dated 2 March 2007 Reference No 10451/RDS from the Director of Engineering Services.
 - f) The actual width of internal roads being a minimum of 5m to facilitate two-way traffic.



- g) The required number of on-site parking bays being provided.
- h) The single panhandle at Site No. 8 being 4m in width.
- i) The electronically controlled gate at the entrance being positioned at least 10m in from the property boundary.
- j) Sufficient road widening being placed every 30m to allow for overtaking of vehicles.
- k) Stormwater flowing onto and from the site being dealt with by the applicant/developer and a full design of the proposed stormwater, as well as the connection to the Municipal system, being provided by the applicant/developer, before any building or construction takes place.
- l) All details being designed and controlled by a professional engineer with appropriate E.C.S.A. registration.
- m) No alterations to levels or surfacing of Municipal road reserves or sidewalks being permitted without prior approval and the applicant/developer providing the Municipality with plans indicating road details as well as suitable vehicular/pedestrian access/egress to the site, prior to any building or construction taking place.
- n) The developer being required to erect a sign at the entrance to the site for public information, indicating "Private Road", as the internal roads will be private.
- o) The applicant being required to register a Home Owners Association to deal with all matters of common interest, before any subdivision can be registered.
- p) The applicant/developer being required to contact Eskom in relation to an electricity supply to the development.
- q) The developer being required to utilize a sanitation system of conservancy tanks, which is to be approved by the Health Department, as there is no waterborne sanitation presently available in the area.
- r) The developer being required to appoint a Professional Engineer who will be required to liaise closely with the Senior Engineer: Water Planning with regard to the provision of water to the proposed development.
- s) All costs for the provision of water, including that of any system augmentation required, being for the developer's account.
- t) The minimum requirements of the Senior Engineer: Water Planning being met with regards to the provision of water for the development, including those for fire fighting purposes and the registration of any servitudes which may be required.
- u) All designs and layout proposals being approved by the Senior Engineer: Water Planning, prior to work progressing.
- v) It being noted that should any Telkom plant be required to be deviated or removed, it will be done on request by Telkom and the cost will be for the account of the property developer.
- w) All costs involved in fulfilling the above requirements/conditions being for the account of the property developer/applicant.

3. This approval is also subject to compliance with the following conditions imposed by the Department of Agriculture: -
 - 3.1 Simultaneously with registration of transfer, written proof will have to be submitted that the conditions imposed by the Buffalo City Municipality have been complied with.
 - 3.2 The conditions pertaining to the resort permit shall stay applicable to all the above portions and this Consent shall become null and void if the resort fails to operate as a functioning enterprise.
 - 3.3 This Consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
 - 3.4 This Consent does not exempt any person from any provision of any other law, with special reference to the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
 - 3.5 This Consent is valid for 5 years from date of this Consent.
4. Please note that the property which is the subject of the rezoning approval may not be used for such new uses as may be allowed in such zone in terms of the Zoning Scheme before every condition above has been complied with to the satisfaction of the Director of Planning and Economic Development.
5. You are also hereby notified that in terms of Section 44 of the Land Use Planning Ordinance 15 of 1985 you have the right of appeal to the Premier against the decision of Council. Such appeal must be made in writing to :

Department of Housing, Local Government and Traditional Affairs
Private Bag X0035
Bisho
5605

within 14 days from the date of this letter. A copy of the appeal should simultaneously be submitted to:-

Director of Planning and Economic Development
P.O. Box 81
East London
5200

If notification of submission of an appeal is not received within the above stipulated period, it will be assumed that no appeal has been lodged.
6. Kindly note that if this approval has not been acted upon within a period of two years from the date of this letter, it will, in terms of Section 16(2)(a) of the Land Use Planning Ordinance 15 of 1985, be considered to have lapsed.

7. The approval that has been granted is for Town Planning purposes only. This approval does not override any restrictive conditions in the property's Title Deed. If there is a conflict between the approval and any restrictive condition of title the owner is required to apply for the removal of such restrictive conditions from the Title Deed before the owner can implement the terms of this approval. Please note that failure to do so may result in legal action being taken against the owner to stop the implementation of the terms of this approval.

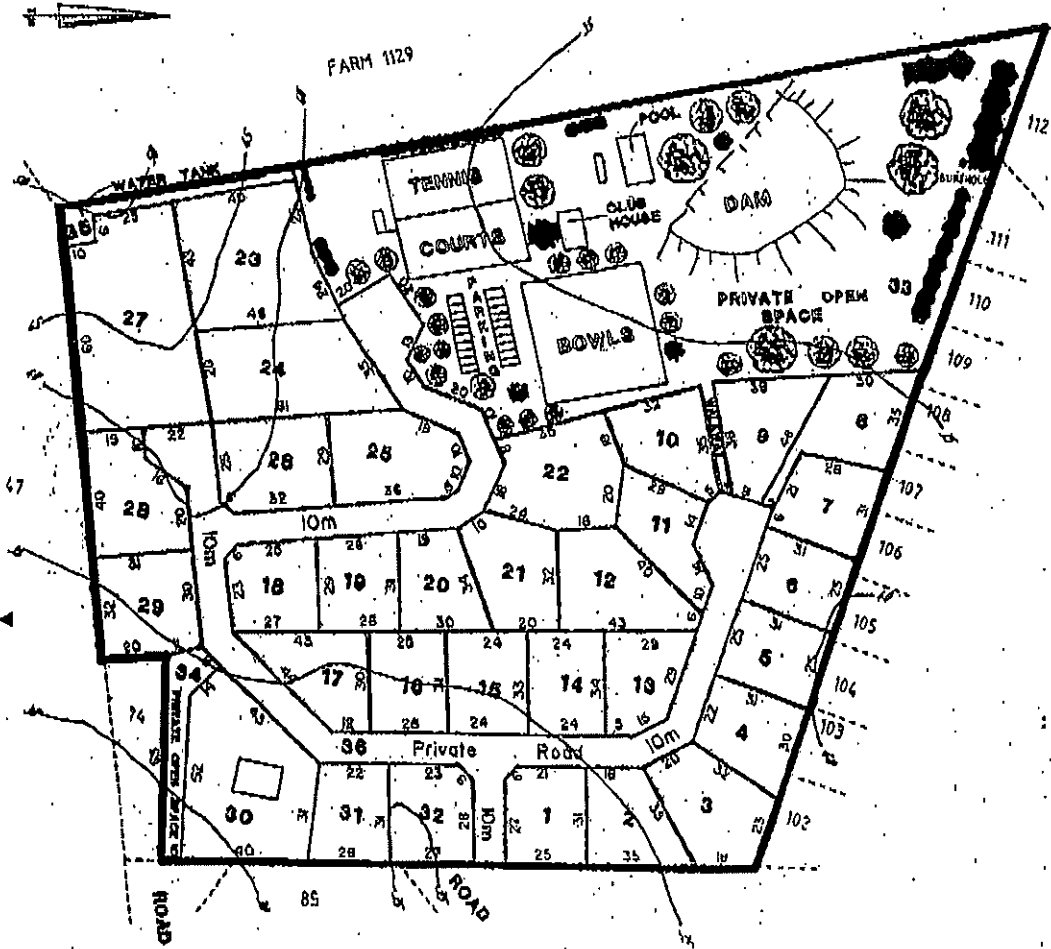
Yours faithfully


G. SHARPLEY
MUNICIPAL MANAGER

RMB/ds

FILE NO. 15/4/1/417

cc. MUNICIPAL MANAGER
CITY PLANNING (R. M. BROWN FOR CARDEXING)



TITLE	
PLAN OF PROPOSED SUBDIVISION OF ERF 98 KAYBERG BEACH SITUATED IN BUFFALO CITY MUNICIPALITY ADMINISTRATIVE DISTRICT OF EAST LONDON PROVINCE OF EASTERN CAPE	
S & H SURVEYS Professional Land Surveyors & Town Planners 5 Kistat Place Beacon Bay 5241	Date MAY 2004 Scale 1 in 1250

BUFFALO CITY MUNICIPALITY
This rezoning has been approved in terms of
Section 16 of the Ordinance No. 16 of 1985
subject to conditions as per the Approval

Date: 2007-04-25
Director of
Development Planning



DEPARTMENT: AGRICULTURE
REPUBLIC OF SOUTH AFRICA

VERW/REF.

01/02757(2)

TOESTEMMING
Kragtens die Wet op die Onderverdeling
van Landbougrond, 1970

CONSENT
IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970

40090

By virtue of the powers delegated to me by the Minister of Agriculture consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

ERF 96 KAYSERS BEACH, IN EXTENT 5,8732 HECTARES, DIVISION EAST LONDON, EASTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

The subdivision of the above-mentioned agricultural land into thirty six portions, thirty two portions measuring approximately between 0,68 hectares and 0,071 hectares, 1,94 hectares, 0,03 hectares, 0,04 hectares and 0,57 hectares respectively represented by the figures marked between Ptn 1 – Ptn 32, Ptn 33, Ptn 34, Ptn 35 and Ptn 36 as shown on the sketch plan which is attached to this Consent.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer, written proof will have to be submitted that the conditions imposed by the Buffalo City Municipality have been complied with.
- 3.2 The conditions pertaining to the resort permit shall stay applicable to all the above portions and this Consent shall become null and void if the resort fails to operate as a functioning enterprise.
- 3.3 This Consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.

M-R.

- 3.4 This Consent does not exempt any person from any provision of any other law, with special reference to the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.5 This Consent is valid for 5 years from date of this Consent.

2005-09-13
DATE



ACTING MANAGER:
LAND USE AND SOIL MANAGEMENT