

MISS A NEL

E01/09/00424

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19 December 1995

BY REGISTERED MAIL

Messrs Urban Dynamics  
P.O. Box 21227  
PORT ELIZABETH  
6000

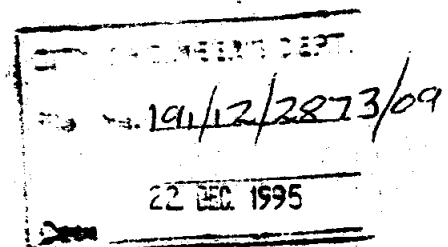
Dear Sirs

**TOWN PLANNING AMENDMENT 2873 : REZONING OF ERF 424, HUMEWOOD**

I refer to previous correspondence in this regard and wish to advise that the City Council's Town Planning and Land Use Committee, at its meeting held on 5 December 1995, agreed that:-

That, in terms of Provincial Circular LDC/GOK 8/1988, the Port Elizabeth Zoning Scheme be amended (TPA 2873) in terms of Section 14 (4) of the Land Use Planning Ordinance (Ordinance 15 of 1985) by the rezoning of Erf 424, Humewood from Community 3 and Transportation 1 purposes to those zonings as indicated on the legend section of the Plan no. 312439/D, subject to the following conditions:-

- (i) the development on Portions 1, 2 and 3 shall not exceed a density of 25 units/ha;
- (ii) the portion of land fenced in around the aviation beacon shall retain the Community 3 zoning;



- (iii) a maximum height of 2 storeys shall apply to all units (both Residential 2 and 3) except for the units within a 10 metre radius of the fence enclosing the aviation beacon where a maximum height of 1 storey is permitted;
- (iv) the proposed extension of the Settlers Way Freeway as indicated on the developer's plan and including the eastern section of Portion 6, shall be used as Private Open Space, and no building shall be permitted within this area.
- (v) provision being made for the proposed extension of the Settlers Way Freeway;
- (vi) a 5 m building line being implemented along the road reserve set out in (v) above;
- (vii) the design and implementation of the required improvements to the surrounding road network, as indicated in the Traffic Impact Assessment, to the satisfaction of the City Engineer, all at the Developers cost. Further improvements that might be required as a result of this development to the Woodhead Drive/Forest Hill Drive intersection with La Roche Drive (Main Road 422) must be approved by the Department of Transport and will be for the Developers account;
- (viii) proper provisions being made to prevent stormwater from the proposed development from running into Main Road 422;
- (ix) the need for public transport facilities to serve the proposed development being investigated and provided as part of the development;
- (x) the consent of the Chief Directorate : Civil Aviation;

Please advise your client that:-

- (i) the subject property may not be used for the intended purposes until such time as all the conditions of rezoning have been complied with and, therefore, I would urge your client's early compliance therewith;
- (ii) should the subject property be used for the intended purpose before all the conditions of rezoning are complied with, legal action will be instituted to ensure cessation of same.

Kindly note that the above decision was taken in terms of Provincial Circular LDC/GOK 9/1988, in terms of which your client has the right of appeal against same.

Should your ~~city~~ wish to exercise this right, please note that the appeal should be in writing, fully motivated and addressed to the Acting Regional Director (EC): Eastern Cape Province, Regional Office for Housing and Local Government, Private Bag X6005, Port Elizabeth 6000, with a copy thereof submitted to this office, same to reach both within 14 (fourteen) days of the date of this letter.

I will write to you again as soon as I am able.

Yours faithfully



DIRECTOR : ADMINISTRATION

AN/LP-19/47

—▶ THE CITY ENGINEER - Reference 191/10/01/09

THE CITY TREASURER - For information