

**MOTIVATING MEMORANDUM IN SUPPORT OF AN APPLICATION
SUBMITTED IN TERMS OF SECTION 41 OF THE CITY OF
JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016, READ IN
CONJUNCTION WITH THE RELEVANT PROVISIONS OF THE
SPATIAL PLANNING AND LAND USE MANAGEMENT ACT
“SPLUMA”, 2013 (ACT 16 OF 2013), FOR THE REMOVAL OF
RESTRICTIVE CONDITIONS OF TITLE IN RESPECT OF ERVEN 120
– 122 PARKVIEW**

PREPARED BY:

GE Town Planning Consultancy CC

DATE:

June 2019

JOB No.:

1000

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1. BACKGROUND

1.1 Introduction and Property Description

1.1.1 Application is hereby made in terms of Section 41 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the removal of the following restrictive conditions of title:

- Conditions (a), (b), (c), (d), (e), (f), (g) and (h) contained in Deed of Transfer T42435/2007 in respect of Erf 120 Parkview.
- Conditions (a), (b), (c), (d), (e), (f), (g) and (h) contained in Deed of Transfer T77301/2006 in respect of Erf 121 Parkview.
- Conditions (a), (b), (c), (d), (e), (f) and (g) contained in Deed of Transfer T37313/2003 in respect of Erf 122 Parkview.

1.1.2 The effect of this application will facilitate the removal of restrictive conditions of title pertaining to Erven 120 to 122 Parkview inclusive (hereinafter referred to as the subject properties) which prohibit inter alia the sale of liquor and restrict the number of dwelling houses to one dwelling per erf.

1.1.1 An application has been submitted in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016 read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the rezoning of the subject properties.

1.1.2 Details of the subject application are set out under Section Two (2) of this memorandum.

1.2 Locality (See Plan 1000/1)

1.2.1 The subject properties are located north west of the intersection of Dundalk Avenue and Roscommon Road, in the township Parkview.

1.2.2 The respective physical addresses are 65 and 63 Dundalk Avenue and 67 Roscommon Road, Parkview.

1.2.3 The street addresses are per Council records and may differ from the displayed street addresses.

1.3 Property Size

Erf 120 Parkview:	1 016m ²
Erf 121 Parkview:	1 016m ²
Erf 122 Parkview:	1 158m ²
Total:	3 190m ²

1.4 Property Ownership

The subject properties are registered in the name of **ISLANDSITE INVESTMENTS 142 (PTY) LTD** by virtue of the following Deeds of Transfer:

Erf 120 Parkview: **T42435/2007**

Erf 121 Parkview: **T77301/2006**

Erf 122 Parkview: **T37313/2003**

1.5 Existing and Surrounding Zoning and Land Use (See Plans 1000/2)

1.5.1 In terms of the erstwhile Johannesburg Town Planning Scheme, 1979, Erf 120 Parkview is currently zoned "Business 4" permitting offices (excluding banks, building societies and medical consulting rooms), subject to certain conditions.

1.5.2 In terms of the erstwhile Johannesburg Town Planning Scheme, 1979, Erf 121 Parkview is currently zoned "Business 4" permitting offices (excluding banks, building societies) and medical consulting rooms, subject to certain conditions

1.5.3 In terms of the City of Johannesburg Land Use Scheme, 2018, Erf 122 Parkview is currently zoned "Residential 1" permitting a dwelling house, subject to certain conditions.

1.5.4 In terms of the erstwhile Johannesburg Town Planning Scheme, 1979, Erf 119 Parkview, located directly to the north, is currently zoned "Residential 1" permitting offices (excluding banks, building societies and medical consulting rooms), subject to certain conditions.

1.5.5 In terms of the City of Johannesburg Land Use Scheme, 2018, the erven located directly to the east are currently zoned "Residential 1" permitting a dwelling house, subject to certain conditions.

1.5.6 In terms of the City of Johannesburg Land Use Scheme, 2018, Erf 36 Parkview, located directly to the south east is currently zoned "Residential 1" permitting one dwelling per 1000m², subject to certain conditions.

1.5.7 In terms of the City of Johannesburg Land Use Scheme, 2018, Erf 123 Parkview, located directly to the south, is currently zoned "Residential 1" permitting one dwelling house, subject to certain conditions.

1.5.8 In terms of the City of Johannesburg Land Use Scheme, 2018, Erf 193 Parkview, located directly to the south west, is currently zoned "Institutional", subject to certain conditions.

1.5.9 In terms of the City of Johannesburg Land Use Scheme, 2018, the erven located directly to the west, are currently zoned "Business 1", subject to certain conditions.

1.6 Current and Surrounding Land Use (See Plan 1000/3)

1.6.1 The subject properties are currently developed with medical consulting rooms.

- 1.6.2 Erf 119 Parkview, located directly to the north, is currently developed with home offices.
- 1.6.3 The erven located directly to the east are currently developed with single residential dwelling houses.
- 1.6.4 Erf 36 Parkview, located directly to the south east is currently developed with a single residential dwelling house.
- 1.6.5 Erf 123 Parkview, located directly to the south, is currently developed with a single residential dwelling house.
- 1.6.6 Erf 193 Parkview, located directly to the south west, is currently developed with a place of worship and an ancillary primary school.
- 1.6.7 The erven located directly to the west, are currently developed with a variety of uses including residential units, shops and restaurants.

1.7 Legal Aspects

- 1.7.1 There are restrictive conditions of title contained in the relevant Deeds of Transfer pertaining to the subject properties which prohibit the sale of liquor and restrict the number of dwelling houses to one dwelling per erf.
- 1.7.2 A mortgage bond has been registered over Erf 122 Parkview. A copy of the Bondholder's Consent will be submitted to the Council as soon as same is received.

2. APPLICATION PROPOSAL

2.1 Removal of Restrictive Conditions of Title

1.3.1 Application is hereby made in terms of Section 41 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the removal of the following restrictive conditions of title:

- Conditions (a), (b), (c), (d), (e), (f), (g), and (h) contained in Deed of Transfer T42435/2007 in respect of Erf 120 Parkview.
- Conditions (a), (b), (c), (d), (e), (f), (g), and (h) contained in Deed of Transfer T77301/2006 in respect of Erf 121 Parkview.
- Conditions (a), (b), (c), (d), (e), (f), and (g) contained in Deed of Transfer T37313/2003 in respect of Erf 122 Parkview.

2.1.1 The need for and desirability of the deletion of these conditions of title are detailed in Section Three (3) of this memorandum.

2.2 Applicant's Intention

2.2.1 As mentioned, an application has been submitted in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the rezoning of the subject properties.

2.2.2 The effect of the rezoning application will permit the establishment of a mixed use, community-oriented development which may include, but is not limited to, residential units, shops, restaurants, offices, and a car wash facility.

2.2.3 Certain of the current conditions of title restrict the proposed development hence submission of the subject application.

3. MOVITATION IN SUPPORT OF THE APPLICATION

- 3.1 The conditions of title to be removed in terms of the subject application are listed below, together with the applicant's rational as to why same should be removed:

Condition (a) – Pertaining to Erven 120 to 122 inclusive Parkview.

“That the owner of the said Lot/Erf shall not have right to construct reed or grass houses or cattle kraals on the same.”

The use of building materials is governed by the National Building Regulations, the SANS 10-400 Regulations and existing municipal regulations and/or by-laws. Retention of this condition is hence construed as a duplication of control.

Condition (b) - Pertaining to Erven 120 to 122 inclusive Parkview.

“That the owner of the said Lot/Erf shall not have the right to open or allow or cause to be opened thereon any Canteen, Hotel, Restaurant, or other place for the sale of wines, beer or spirituous liquors, or any shop or other business place whatsoever.”

The zoning and general conditions of the City of Johannesburg Land Use Scheme, 2018, regulates land use activity on a property and hence the retention of this condition of title is a duplication of control (especially when coupled with other legislation including the Liquor Board. The condition is also contrary to the aspirations of the Spatial Development Framework.

Condition (c) - Pertaining to Erven 120 to 122 inclusive Parkview.

“That the owner, or (any) tenant or occupier of the said Lot/Erf, shall not do or suffer to be done on the same anything noisome, injurious or objectionable or which shall be proved to be a public or a private nuisance, or a damage or a disturbance to the owners, tenants or occupiers of land and buildings in the neighbourhood of the said Lot/Erf ”

This prohibition is already governed by the provisions of various municipal regulations and/or by-laws and retention of same is hence a duplication of control.

Condition (d) - Pertaining to Erven 120 to 122 inclusive Parkview.

“That no house, buildings, additions or alterations to houses or buildings whatsoever, shall be erected or made on the said Lot/Erf except such as shall have been approved by the TRANSVAAL CONSOLIDATED LAND AND EXPLORATION COMPANY LIMITED (hereinafter referred to as/called the Company); and all buildings except outbuildings, shall be dwelling houses. Drawings and specifications of all houses or buildings proposed to be erected from time to time by the owner/s, or any tenant, or occupier of the said Lot/Erf, or any alterations and additions to such houses or buildings shall be first approved by the Transvaal Consolidated Land and Exploration Company

Limited/Company. Outbuildings shall not be used as dwellings except for servants."

The submission of building plans for approval is governed in terms of the National Building Regulations, the SANS 10 400 Regulations, existing municipal by-laws, zoning controls and/or other regulations. As such, this condition is a duplication of control. Note that the said Company appears to have been de-registered (a copy of a Windeed Company Report confirming that the said company has been deregistered is enclosed with the application documentation.

Condition (e) - Pertaining to Erven 120 to 122 Parkview inclusive.

"That the said Lot/Erf shall not be sub-divided; and there shall not be erected more than one dwelling-house with the necessary outbuildings and accessories on the (said) Lot/Erf."

The permissible density and land use governing the site is regulated in terms of the provisions of the City of Johannesburg Land Use Scheme, 2018 and various Council Planning policies. Accordingly, this condition is a duplication of control and deemed superfluous. As such, this condition should be removed.

Condition (f) - Pertaining to Erven 120 and 121 Parkview inclusive.

"That the owner of the said Erf shall as soon as buildings have been erected thereon be bound to fence the said Erf neatly and properly with wood or iron palings or good wire fence, but he shall not have the right to erect an unsightly fence such as, for instance one of galvanized iron; nor shall the owner or any tenant or occupier of the said Erf have the right to erect any outbuildings or other erections on the same within a space of 1,52 metres from such fence, without first having obtained the permission, in writing, of the Company in very case. The Company shall, however, have the right at any time to insist upon the erection by the owner of the said Erf of a painted galvanized iron fence, at least 1,83 metres high, along the boundary of the Erf on the Sanitary Lane, shown on the General Plan of the said Township."

Condition (f) - Pertaining to Erven 122 Parkview.

That the owner of the said Lot shall as soon as buildings have been erected thereon be bound to fence the said Lot neatly and properly with wood or iron palings or good wire fence but he shall not have the right to erect any outbuildings or other erections on the same within a space of (f)ive feet from such fence without first having obtained permission, in writing of the COMPANY in every case. The COMPANY shall however, have the right at any time to insist upon the erection by the owner of the said Lot of a painted galvanized iron fence at least six feet high along the boundary of the Lot on the Sanitary Lane, shown on the General Plan of the said Township."

The fencing of properties is controlled in terms of various mechanisms (including the provisions of the City of Johannesburg Land Use Scheme, 2018) which the City of Johannesburg Metropolitan Municipality may enforce, and retention of this condition represents a duplication of control. Over and

above, the boundary treatment of the property will be governed in terms of an approved site development plan and building plans.

Building restriction areas are regulated in terms of the City of Johannesburg Land Use Scheme, 2018. As such, this aspect of the relevant title conditions opposes the principles and aspirations of the said scheme and should be removed.

Condition (g) - Pertaining to Erven 120 to 122 Parkview.

“That the Company (so long as it remains the owner of any portion of the (said) farm Braamfontein) or any owner of a/an Lot/Erf in the said Township of PARKVIEW shall at all times be entitled to enforce against the owner of any residential Lot/Erf in the said Township (except such as are set aside for the State/Government) all and every of the (a)foregoing special conditions – any owner of any Lot/Erf in the said Township shall be empowered to enforce the fulfilment of any of the said special conditions as fully as if he were acting in the place of the Company – the said special conditions having been imposed for the benefit of the owners of Lots/Erven in the said township as well as for the benefit of the Company.”

As mentioned above, the said Company has been deregistered. Property owners in Parkview Township have the right to object to the removal of the conditions of title, which objections can be considered by Council on assessment of the subject application.

Condition (h) - Pertaining to Erven 120 and 121 Parkview.

“Outbuildings shall only be built simultaneously with and in conjunction with the dwelling house itself, and the dwelling house to be erected must be a complete house, in accordance with the approved drawings and specifications, and not a portion of such house to be completed later. No buildings shall be erected on the property of any material other than of brick or stone.”

This prohibition is already governed by the provisions of the City of Johannesburg Land Use Scheme, 2018, various municipal regulations and/or by-laws and retention of same is hence a duplication of control.

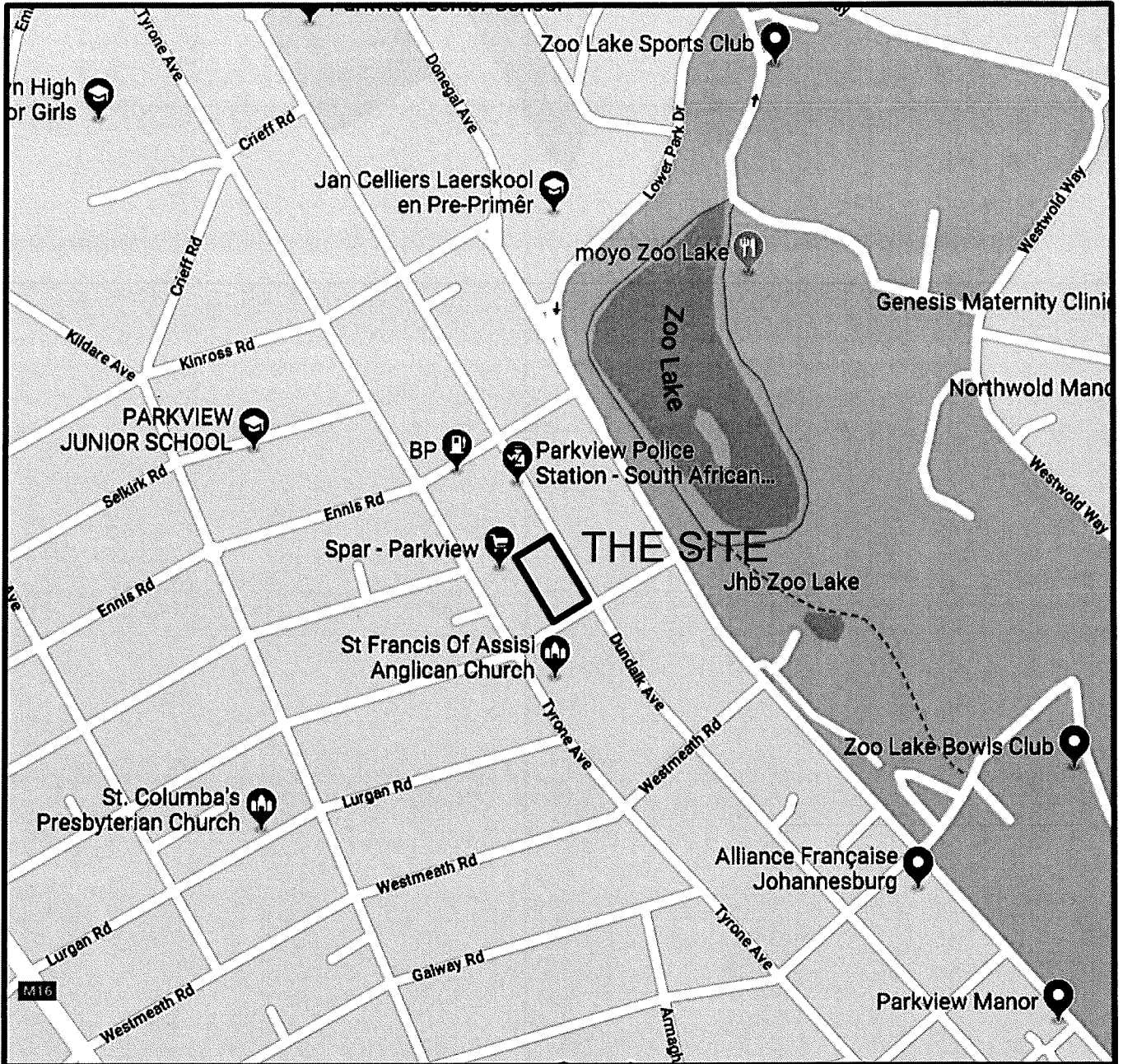
- 3.2 The conditions of title referred to above viz. (a), (b), (c), (d), (e), (f), (g), and (h) contained in Deeds of Transfer T42435/2007, T77301/2006, and T37313/2003 (save for condition (h)) in respect of Erven 120 to 122 Parkview, are deemed superfluous and no longer relevant. Their role has been superseded by subsequent legislation, municipal regulations and/or by-laws, the SANS 10-400 Regulations or the City of Johannesburg Land Use Scheme, 2018.
- 3.3 In various instances, the retention of the restrictive conditions is contrary to the provisions of the City of Johannesburg Land Use Scheme, 2018.
- 3.4 The relevant conditions of title were introduced prior to the current land use scheme coming into operation, and were originally required in order to control land use development of the properties. Since operation of the relevant scheme, the role of title deed conditions has become obsolete and, in many

instances, contradicts and conflicts with more updated and all-encompassing control mechanisms.

- 3.5 In certain instances, the said conditions of title retard and inhibit development of properties which is contrary to the aspirations and provision of more updated control mechanisms. This conflicting control situation can be remedied in terms of the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), which was specifically engineered to counteract such problems.
- 3.6 The relevant conditions of title can be removed without prejudicing the local community due to the following reasons:
- (a) The Council is the custodian of the City of Johannesburg Land Use Scheme, 2018, as well as all relevant land use policies, municipal regulations and by-laws. As such, Council will assess the need and desirability of the rezoning application in terms of which the proposed land use rights, if granted, will be subject to various development controls to safeguard existing property owners in the local area;
 - (b) The relevant conditions of title are superfluous and are more than adequately addressed by other legislation and control mechanisms i.e. the removal of restrictive conditions of title will not automatically imply that development of the property is not controlled; and
 - (d) the subject application process incorporates public participation whereby members of the general public are offered an opportunity to express their dissatisfaction to removing the relevant conditions of title.
- 3.7 For the reasons set out above, it is contended that the relevant conditions of title should be removed in order to facilitate the provision of more updated directives, legislation and regulations applicable to Erven 120 to 122 Parkview inclusive.

4. CONCLUSION

- 4.1 Application is hereby made in terms of Section 41 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the removal of the following restrictive conditions of title:
- Conditions (a), (b), (c), (d), (e), (f), (g), and (h) contained in Deed of Transfer T42435/2007 in respect of Erf 120 Parkview.
 - Conditions (a), (b), (c), (d), (e), (f), (g), and (h) contained in Deed of Transfer T77301/2006 in respect of Erf 121 Parkview.
 - Conditions (a), (b), (c), (d), (e), (f), and (g) contained in Deed of Transfer T37313/2003 in respect of Erf 122 Parkview.
- 4.2 The effect of this application will facilitate the removal of restrictive conditions pertaining to Erven 120 to 122 Parkview (hereinafter referred to as the subject properties) which limit inter alia the sale of liquor and the number of dwelling houses to one dwelling per erf.
- 4.3 An application has been submitted in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the rezoning of the subject properties.
- 4.4 The effect of the rezoning application will permit the establishment of a mixed use, community-oriented development which may include, but is not limited to, residential units, shops, offices and medical consulting rooms.
- 4.5 The conditions of title to be removed are adequately controlled in terms of current legislation and, as such, will not prejudice surrounding property owners.
- 4.6 Compliance with certain of the conditions contained in Deeds of Transfer T42435/2007, T77301/2006, and T37313/2003 in respect of Erven 120 to 122 Parkview will unreasonably interfere with the envisaged development of the subject property.
- 4.7 It is, therefore, respectfully submitted that the present application is necessary, desirable and worthy of approval.



APPLICATION SITE

ERVEN 120-122
PARKVIEW

LOCALITY PLAN



Town Planning Consultancy

6 Porsch Street
Wierdapark
Centurion

Tel: (012) 653-4488
Fax: 086-651-7555
Cell: 082 553 3589

Email: gedwards01@telkomsa.net

Date:	APRIL 2019
Scale:	1:15 000
Plan No:	1000/1

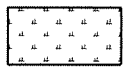




37/53-IR



APPLICATION SITE



RESIDENTIAL 1



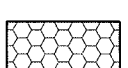
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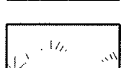
BUSINESS 1



BUSINESS 4



INSTITUTIONAL



AGRICULTURAL



ERVEN 120-122
PARKVIEW

ZONING PLAN



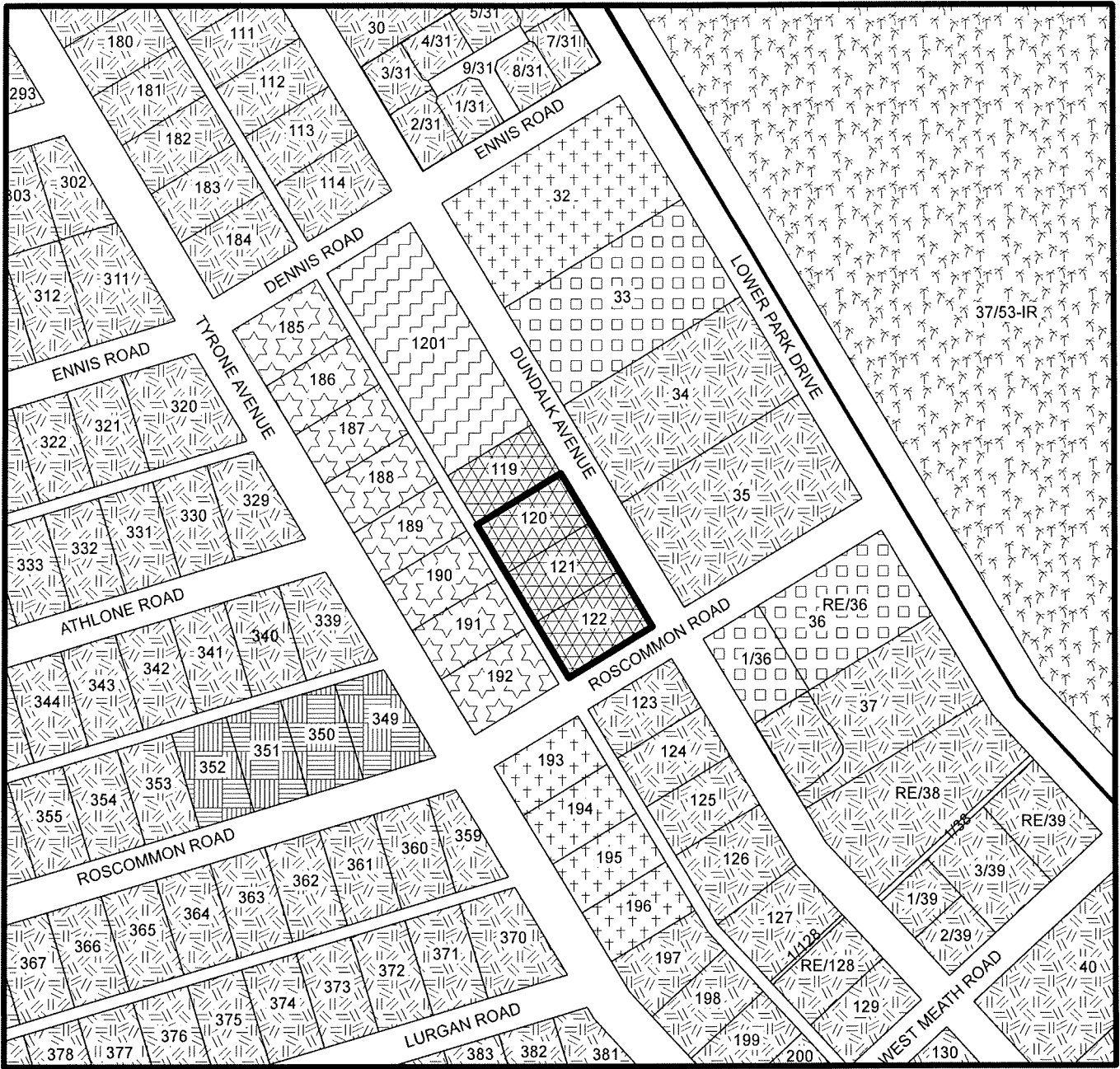
Town Planning Consultancy



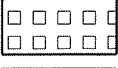

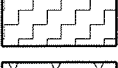

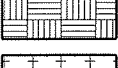
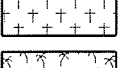
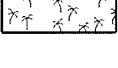
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Date:	APRIL 2019
Scale:	1:2 500
Plan No:	1000/2



-  APPLICATION SITE
-  SINGLE RESIDENTIAL
-  DWELLING UNITS
-  HOME OFFICE
-  POST OFFICE / POLICE STATION
-  MIXED USE (RESTAURANTS, SHOPS, OFFICES)
-  TENNIS COURTS
-  PLACE OF WORSHIP
-  PUBLIC OPEN PARK



ERVEN 120-122
PARKVIEW

LAND USE PLAN

GE Town Planning Consultancy

6 Porsch Street
Wierdopark
Centurion

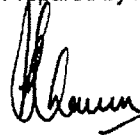
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Date:	APRIL 2019
Scale:	1:2 500
Plan No:	1000/3

Bezuidenhout Van Zyl
334
Tel: 011-787 9590

BEZUIDENHOUT VAN ZYL
 SURREY SQUARE ON REPUBLIC
 C/O REPUBLIC ROAD & SURREY AVENUE
 RANDBURG

Prepared by me



CONVEYANCER
 KHAN T

Stampduty	R.
Seelreg	R.
Fees/Fodie	R. 5000
Exempted	Cat.
Vrygestel	Kat.

DEED OF TRANSFER

T 042435/07

BE IT HEREBY MADE KNOWN THAT

TESSA WILSON

appeared before me, REGISTRAR OF DEEDS at JOHANNESBURG, he the said Appearer
 being duly authorised thereto by a Power of Attorney signed at RANDBURG on 28 June 2007
 and granted to him by

PAVEL ANTONI JAROSZYNSKI
 Identity Number 350513 5043 08 6
 Married out of community of property

And the Appearer declared that his said principal had truly and legally sold on 31 May 2007 and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of

**ISLANDSITE INVESTMENTS ONE HUNDRED AND FORTY TWO (PROPRIETARY)
LIMITED**
No. 2001/019286/07

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

ERF 120 PARKVIEW TOWNSHIP
Registration Division I.R., The Province of Gauteng;

MEASURING 1016 (ONE THOUSAND AND SIXTEEN) SQUARE METRES

HELD by Deed of Transfer No. T7763/1985

SUBJECT to the following conditions :

- (a) That the owner of the said Erf shall not have the right to construct reed or grass houses or cattle kraals on the same.
- (b) That the owner of the said Erf shall not have the right to open or allow or cause to be opened thereon any Canteen, Hotel, Restaurant, or other place for the sale of wines, beer or spirituous liquors, or any shop or other business place whatsoever.
- (c) That the owner, or any tenant or occupier of the said Erf, shall not do or suffer to be done on the same anything noisome, injurious or objectionable or which shall be proved to be a public or private nuisance, or a damage or a disturbance to the owners, tenants or occupiers of land and buildings in the neighbourhood of the said Erf.
- (d) That no house, buildings, additions or alterations to houses or buildings whatsoever, shall be erected or made on the said Erf except such as shall have been approved by the TRANSVAAL CONSOLIDATED LAND AND EXPLORATION COMPANY LIMITED (hereinafter referred to as the Company); and all buildings except outbuildings, shall be dwelling houses. Drawings and specifications of all houses or buildings proposed to be erected from time to time by the owners, or any tenant, or occupier of the said Erf, or any alterations and additions to such houses or buildings shall be first approved by the Company. Outbuildings shall not be used as dwellings except for servants.



- (e) That the said Erf shall not be sub-divided; and there shall not be erected more than one dwelling-house with the necessary outbuildings and accessories on the Erf.
- (f) That the owner of the said Erf shall as soon as buildings have been erected thereon be bound to fence the said Erf neatly and properly with wood or iron palings or good wire fence, but he shall not have the right to erect an unsightly fence such as, for instance one of galvanized iron; nor shall the owner or any tenant or occupier of the said Erf have the right to erect any outbuildings or other erections on the same within a space of 1,52 metres from such fence, without first having obtained the permission, in writing, of the Company in every case. The Company shall, however, have the right at any time to insist upon the erection by the owner of the said Erf of a painted galvanized iron fence, at least 1,83 metres high, along the boundary of the Erf on the Sanitary Lane, shown on the General Plan of the said Township.
- (g) That the Company (so long as it remains the owner of any portion of the said farm Braamfontein) or any owner of an Erf in the said Township of PARKVIEW shall at all times be entitled to enforce against the owner of any Residential Erf in the said Township (except such as are set aside for Government) all and every of the foregoing special conditions – any owner of any Erf in the said Township shall be empowered to enforce the fulfillment of any of the said special conditions as fully as if he were acting in the place of the Company – the said special conditions having been imposed for the benefit of the owners of Erven in the said township as well as for the benefit of the Company.
- (h) Outbuildings shall only be built simultaneously with and in conjunction with the dwelling house itself, and the dwelling house to be erected must be a complete house, in accordance with the approved drawings and specifications, and not a portion of such house to be completed later. No buildings shall be erected on the property of any material other than of brick or stone.

SUBJECT to such conditions as are mentioned or referred to in the aforesaid Deed/s.



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

PAVEL ANTONI JAROSZYNSKI, 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

ISLANDSITE INVESTMENTS ONE HUNDRED AND FORTY TWO (PROPRIETARY) LIMITED
No. 2001/019286/07

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 R2 100 000,00 (TWO MILLION ONE HUNDRED THOUSAND RAND)

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer q.q., 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 Johannesburg
on **2007-08-02**



q.q.

In my presence



REGISTRAR OF DEEDS

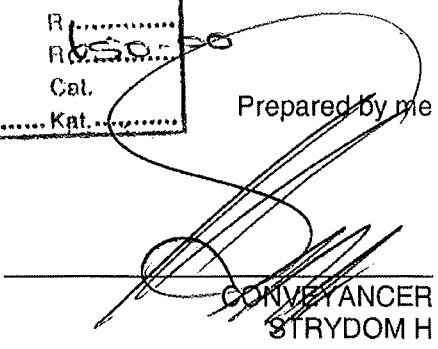


24

STRYDOM'S ATTORNEY, NOTARY &
CONVEYANCER
1st Floor Roan House
263 Kent Avenue
RANDBURG
2125

Stamp duty	R
Seelreg	R
Fees/Foole	R
Exempted	Cal.
Vrygestel	Kat.

Prepared by me



CONVEYANCER
STRYDOM H

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

T 077601/06

HENDRIK STRYDOM

appeared before me, REGISTRAR OF DEEDS at JOHANNESBURG, he the said
Appearer being duly authorised thereto by a Power of Attorney signed at
RANDBURG on 31st OCTOBER, 2006 and granted to him by

ANNA MARIA THERESIA ANTONIA KOSTELAC
Identity Number 441107 0118 18 2
Married out of community of property

And the Appearer declared that his said principal had truly and legally sold on 17 October 2006 and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of

**ISLANDSITE INVESTMENTS ONE HUNDRED AND FORTY TWO
(PROPRIETARY) LIMITED
No. 2001/019286/07**

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

ERF 121 PARKVIEW TOWNSHIP REGISTRATION DIVISION I.R.
PROVINCE OF GAUTENG ;

MEASURING 1016 (ONE THOUSAND AND SIXTEEN) SQUARE
METRES

HELD by Deed of Transfer No. T486/1977

SUBJECT to the following conditions :

- (a) That the owner of the said Erf shall not have the right to construct reed or grass houses or cattle kraals on the same.
- (b) That the owner of the said Erf shall not have the right to open or allow or cause to be opened thereon any canteen, hotel, restaurant or other place for the sale of wines, beer or spirituous liquors, or any shop or other business place whatsoever.
- (c) That the owner or any tenant or occupier of the said Erf, shall not do or suffer to be done on the same anything noisome, injurious or objectionable or which shall be proved to be a public or a private nuisance or a damage or a disturbance to the owners, tenants or occupiers of land and buildings in the neighbourhood of the said Erf.
- (d) That no house, buildings, additions or alterations to houses or buildings whatsoever shall be erected or made on the said Erf except such as shall have been approved by the TRANSVAAL CONSOLIDATED LAND AND EXPLORATION COMPANY LIMITED (hereinafter called "the Company") and all buildings except outbuildings shall be dwelling houses. Drawings and specifications of all houses or buildings proposed to be erected from time to time by the owner or any tenant or occupier of the said Erf, or any alterations and additions to such houses or buildings shall be first approved by the Company. Outbuildings shall not be used as dwellings except for servants.
- (e) That the said Erf shall not be sub-divided, and there shall not be erected more than one dwelling house with the necessary outbuildings and accessories on the said Erf.
- (f) That the Owner of the said Erf shall, as soon as buildings have been erected thereon be bound to fence the said Erf neatly and properly with wood or iron palings or good wire fence, but she shall not have the right to erect an unsightly fence, such as, for instance, one of galvanized iron; nor shall the owner or any tenant or occupier of the

- said Erf have the right to erect any outbuildings or other erections on the same within a space of 1,52 metres from such fence, without first having obtained the permission in writing of the Company in every case. The Company shall however have the right at any time to insist upon the erection by the owner of the said Erf of a painted galvanized iron fence at least 1,83 metres high, along the boundary of the Erf on the Sanitary Lane, shown on the General Plan of the said Township.
- (g) That the Company (so long as it remains the owner of any portion of the Farm Braamfontein) or any owner of an Erf in the said Township of Parkview shall at all times be entitled to enforce against the owner of any residential Erf in the said Township (except such as are set aside for the State) all and every of the foregoing special conditions – any owner of any Erf in the said Township shall be empowered to enforce the fulfillment of any of the said special conditions as fully as if he were acting in the place of the Company – the said special conditions having been imposed for the benefit of the owners of Erven in the said Township as well as for the benefit of the Company.
- (h) Outbuildings shall only be built simultaneously with and in conjunction with the dwelling-house itself, and the dwelling house to be erected must be a complete house in accordance with the approved drawings and specifications, and not a portion of such house to be completed later. No buildings shall be erected on the property of any material other than of brick or stone.

SUBJECT to such conditions as are mentioned or referred to in the aforesaid Deed.

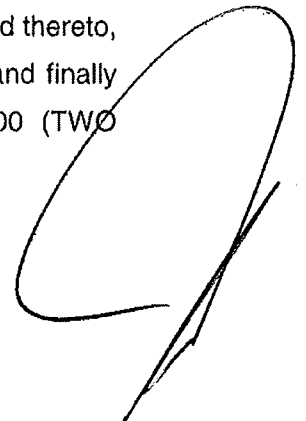
WHEREFORE the Appearer, renouncing all right and title which the said

ANNA MARIA THERESIA ANTONIA KOSTELAC, Married as aforesaid

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

**ISLANDSITE INVESTMENTS ONE HUNDRED AND FORTY TWO
(PROPRIETARY) LIMITED
No. 2001/019286/07**

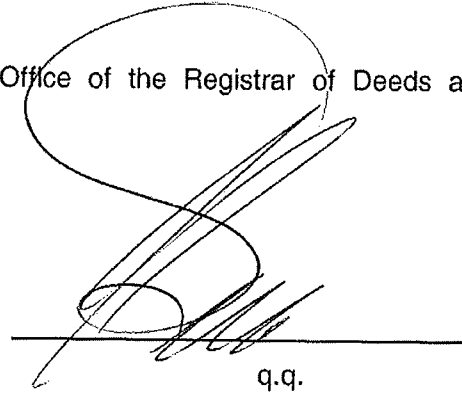
its Successors in Title or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 100 000,00 (TWO MILLION ONE HUNDRED THOUSAND RAND).

A large, stylized handwritten signature in black ink, consisting of a large loop and a long, sweeping tail.

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer q.q., 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 Johannesburg on

12 DEC 2055

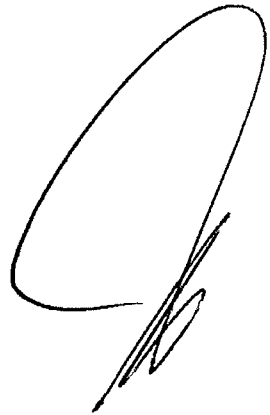


q.q.

In my presence



REGISTRAR OF DEEDS



STAMP DUTY
SEELREG R.....
FEES 500.00
FOOIE 71.....

Prepared by me,
M. Lewis
Conveyancer
LEWIS M.A.L.

VERBIND MORTGAGED
VIA FOR R 1100 000-00
B 025548/03
3 JUN 2003
REGISTRAR

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

T 137313/2003

THAT ELISE KORB
appeared before me, REGISTRAR OF DEEDS at JOHANNESBURG the said Apparer
being duly authorised thereto by a Power of Attorney signed at RANDBURG
on 5 MAY 2003
and granted by:-

ROWAN ROBERT HUTCHINSON
Identity Number 471122 5064 08 6
Unmarried

AND the Appearer declared that his/her said Principal had truly and legally sold and that, the said Appearer in his/her capacity aforesaid, did by these presents, cede and transfer, to and on behalf of:-

ISLANDSITE INVESTMENTS ONE HUNDRED AND FORTY TWO (PROPRIETARY)
LIMITED
Registration No. 2001/019286/07

its successors in office or assigns in full and free property

ERF 122 PARKVIEW TOWNSHIP

REGISTRATION DIVISION I.R., THE PROVINCE OF GAUTENG

IN EXTENT 1 158 (ONE THOUSAND ONE HUNDRED AND FIFTY EIGHT) SQUARE
METRES;

HELD BY Deed of Transfer T22615/1985

SUBJECT to the following conditions:-

- (a) That the owner of the said Lot shall not have the right to construct reed or grass houses or cattle kraals on the same.
- (b) That the owner of the said Lot shall not have the right to open or allow or cause to be opened thereon any canteen, hotel, restaurant or other place for the sale of wines, beer or spirituous liquors or any shop or other business place whatsoever.
- (c) That the owner or any tenant or occupier of the said Lot, shall not do or suffer to be done on the same anything noisome, injurious or objectionable, or which shall be proved to be a public or a private nuisance, or a damage or a disturbance to the owners, tenants or occupiers of land and buildings in the neighbourhood of the said Lot.
- (d) That no house, buildings, additions or alterations to houses or buildings whatsoever, shall be erected or made on the said Lot except such as shall have been approved by the TRANSVAAL CONSOLIDATED LAND AND EXPLORATION COMPANY LIMITED, and all buildings except outbuildings, shall be dwelling-houses. Drawings and specifications of all houses or buildings proposed to be erected from time to time by the owner, or any tenant, or occupier of the said Lot, or any alterations and additions to such houses or buildings shall be first approved by the TRANSVAAL CONSOLIDATED LAND AND EXPLORATION COMPANY LIMITED (hereinafter referred to as "the Company"). Outbuildings shall not be used as dwellings except for servants.
- (e) That the said Lot shall not be sub-divided; and there shall not be erected more than one dwelling-house, with the necessary outbuildings and accessories on the said Lot.
- (f) That the owner of the said Lot shall as soon as buildings have been erected thereon be bound to fence the said Lot neatly and properly with wood or iron palings or good wire fence but he shall not have the right to erect any outbuildings or other erections on the same within a space of five feet from such fence without first having obtained the permission, in writing of the COMPANY in every case. The COMPANY shall however, have the right at any time to insist upon the erection by the owner of the said Lot of a painted galvanised

iron fence, at least six feet high, along the boundary of the Lot on the Sanitary Lane, shown on the General Plan of the said Township.

- (g) That the Company (so long as it remains the Owner of any portion of the said farm "BRAAMFONTEIN") or any owner of a Lot in the said Township of PARKVIEW shall at all times be entitled to enforce against the owner of any Residential Lot in the said Township (except such as are set aside for Government) all and every of the foregoing special conditions – any owner of any Lot in the said Township shall be empowered to enforce the fulfilment of any of the said special conditions as fully as if he were acting in the place of the COMPANY – the said special conditions having been imposed for the benefit of the Owners of Lots in the said Township as well as for the benefit of the COMPANY.

AND SUBJECT FURTHER to such conditions as are mentioned or referred to in the aforesaid Deed.

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

ROWAN ROBERT HUTCHINSON

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:-

ISLANDSITE INVESTMENTS ONE HUNDRED AND FORTY TWO (PROPRIETARY) LIMITED

its successors in office 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 R1 100 000,00 (ONE MILLION ONE HUNDRED THOUSAND RAND) and the date of sale to be the 31 March 2003.

MARGARET LEWIS ATTORNEY
ATTORNEYS
RANDBURG

LEGALPERFECT

IN WITNESS WHEREOF I, the said Registrar together with the Appearer, q.q. 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 JOHANNESBURG on

13 JUN 2003

q.q.

hb

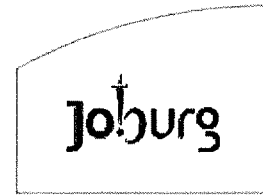
In my presence,

REGISTRAR OF DEEDS

MARGARET LEWIS ATTORNEY
ATTORNEYS
RANDBURG

LEGALPERFECT

**ZONING INFORMATION
 CERTIFICATE PAD
 FOR APPLICATION SUBMISSIONS**



a world class African city

Date: 04/09/2019

Requested by:	Sandy Ngwenya
Town Planning Scheme:	City of Johannesburg Land Use Scheme 2018
Name of Applicant:	GAVIN EDWARDS TOWN PLANNING CONS
Erf/Holding Name/Farm Portion:	Erf 120
Township/Holding Name/Farm Name:	Parkview
Street Name and No:	Dundalk avenue
ZONING INFORMATION	
Use Zone:	Business 4
Height Zone:	A (0) Two storeys
Floor Area Ratio:	As per attached annexure
Coverage:	As per attached annexure
Density:	No Density
Building Line:	As per attached table 7
Parking:	AS PER ATTACHED ANNEXURE
AMENDMENT SCHEME APPLICABLE:	13-8283
Served By:	Sandy Ngwenya

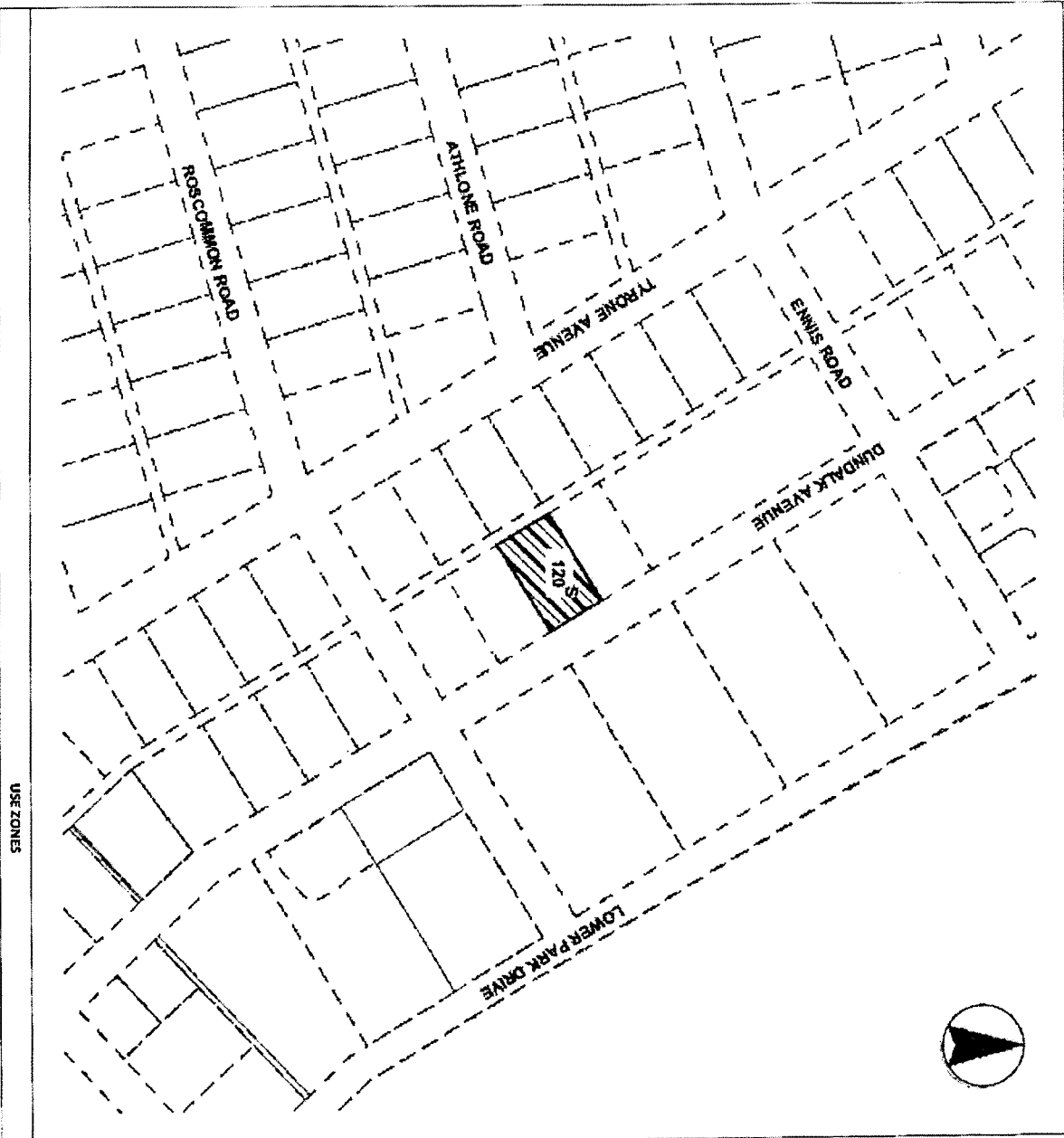
Terms and Conditions:

The Town Planning Scheme is open for inspection on the 8th Floor 158 loveday Street Braamfontein between 8:00 and 15:30 weekdays. The applicant must verify the information contained herein by inspection of the scheme. Whilst the utmost is done to ensure accuracy the City of Johannesburg does not accept responsibility for any incorrect information given on this form. The applicant's attention is drawn to the general provisions of the Town Planning Scheme. It should be noted that the provisions of the Town Planning Scheme do not override any restrictive conditions that may be contained in the Title Deeds. PLEASE NOTE: No Information will be given telephonically due to the technical and interpretive complications.

Corporate Geo-Informatics 8th Floor, A-BLock, Metro Centre 158 Civic Boulevard, Braamfontein

SCALE 1:2500

CODE 2 • JOHANNESBURG TOWN PLANNING SCHEME 1979 • MAP 3 • A SERIES • AMENDMENT SCHEME 13-8283 • SHEET 1 OF 1 SHEET



USE ZONES

ERF 120
PARKVIEW

REFERENCE

SCHEDULE

S

USE ZONES

Business 4



APPROVED

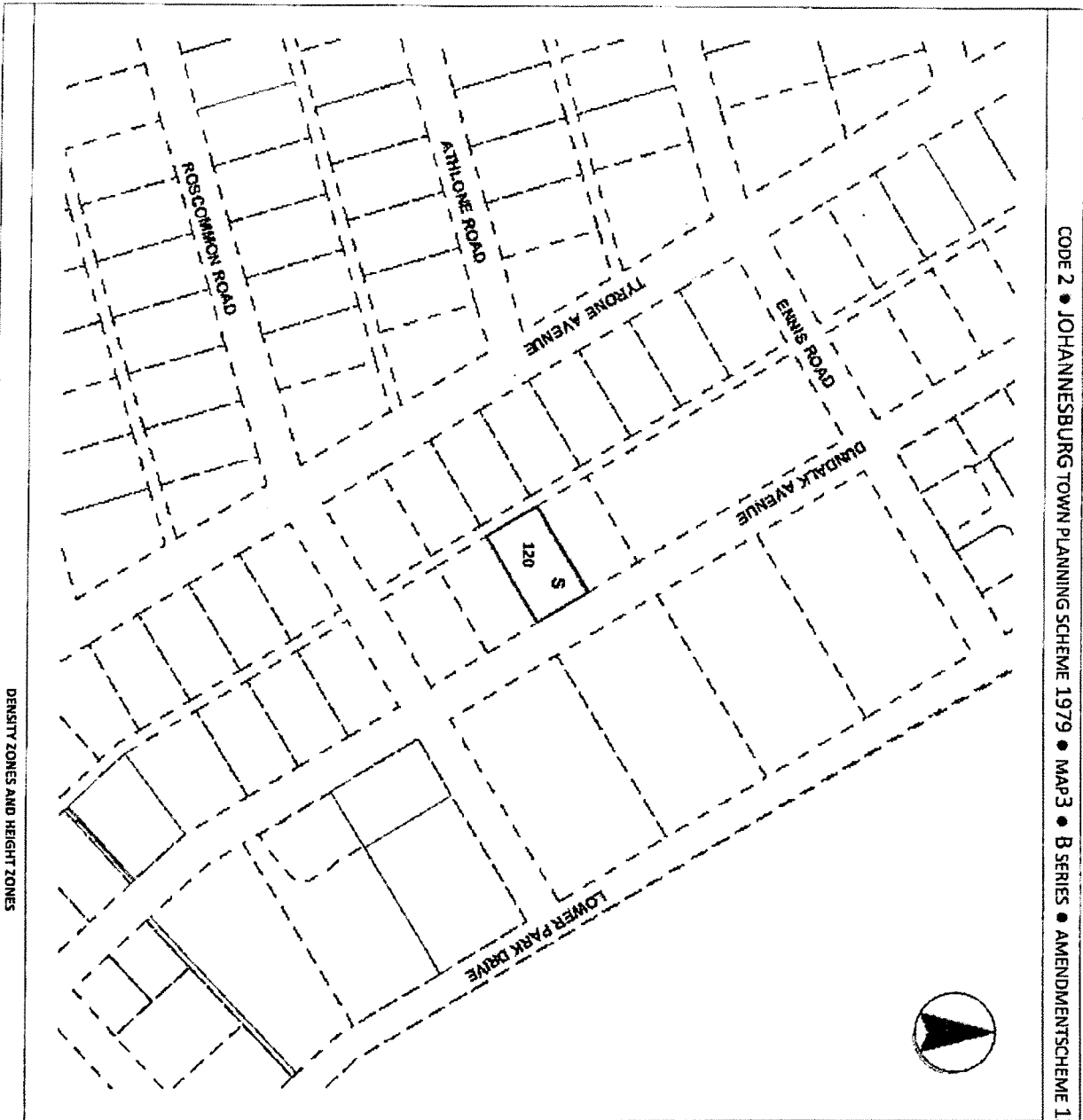
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EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)

DATE 2 February 2011

SCALE 1:2500

CODE 2 • JOHANNESBURG TOWN PLANNING SCHEME 1979 • MAP 3 • B SERIES • AMENDMENTS SCHEME 13-8283 • SHEET 1 OF 1 SHEET



ERF 120
PARKVIEW

REFERENCE

SCHEDULE

S

APPROVED

Penecke

EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)

DATE 2 February 2011

JOHANNESBURG TOWN PLANNING SCHEME, 1979, APPROVED BY VIRTUE OF ADMINISTRATORS NOTICE 1157, DATED 3 OCTOBER 1979 IS HEREBY FURTHER AMENDED AND ALTERED IN THE FOLLOWING MANNER:

1. The Map, Sheet A and B as shown on Map 3, Amendment Scheme 13-8283.
2. By the addition of the following in numerical and alphabetical sequence to Table N of the Scheme, read with Clause 70.

COLUMN 1	USE ZONE Business 4.
COLUMN 2	DESCRIPTION OF LAND: Erf 120 Parkview
COLUMN 3	PRIMARY RIGHTS: (LAND USE TABLE "C") Offices (excluding banks, building societies and medical consulting rooms).
COLUMN 4	USES WITH CONSENT: (LAND USE TABLE "C") A residential building and ancillary training facility.
COLUMN 5	USES NOT PERMITTED: (LAND USE TABLE "C") As per Scheme
COLUMN 6	WIDTH OF SERVITUDE AREA / STREET: None
COLUMN 7	STOREYS OR HEIGHT IN METRES: As per Scheme. Height Zone 0 (two storeys).
COLUMN 8	COVERAGE: As per Scheme. The coverage shall not exceed 277m ² .
COLUMN 9	F.A.R. OR FLOOR AREA: As per Scheme. The floor area shall not exceed 277m ² .
COLUMN 10	PARKING PROVISION: As per Scheme. Four (4) bays per 100m ² of office floor area.

ERF 120
PARKVIEW

APPROVED

Remecke

EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)

2 February 2011

DATE

COLUMN 11

DENSITY:
As per Scheme

ERF 120
PARKVIEW

COLUMN 12

BUILDING LINES:
As per Scheme.

COLUMN 13

SPECIFIC CONDITIONS:

1. A Site Development Plan shall be submitted to the local authority for approval prior to the approval of building plans, in terms of Clause 5 of the Johannesburg Town Planning Scheme, 1979, with specific emphasis on environmentally friendly and Electricity efficiency/savings design practices.
2. The on-site parking ratio shall not be relaxed. One (1) shade tree shall be planted for every three parking bays. The parking surface shall be permeable except in areas where wheelchairs, the disabled or elderly would need access.
3. The existing buildings on the site shall be retained and alterations, which shall be residential in character thereto, may be permitted with the consent of the local authority.
4. A landscaped strip of 1 metre shall be provided along the Dundalk Avenue frontage of the site.
5. No hoarding for the display of advertisements shall be erected nor shall any advertisement be displayed on the site other than one non-illuminated plate or board, not exceeding 2m X 1m, which may be affixed to the boundary wall or fence or the entrance door.
6. Access to the site shall be to the satisfaction of the local authority.
7. The sidewalk shall be landscaped and a pedestrian walkway provided.
8. The development of the site shall not detract from the amenity of the area.
9. A contribution towards the provision of engineering services and an endowment in lieu of parks and open spaces shall be payable in terms of the Town Planning and Townships Ordinance 1986 (Ordinance 15 of 1986).

APPROVED

Remecke

EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)

DATE 2 February 2011

10. The provision of Electricity shall be to the satisfaction of City Power. The applicant shall demonstrate to City Power the provision of alternative electricity sources for the proposed development. The proposed development will not exceed the current electricity supply.

COLUMN 14 AMENDMENT SCHEME NO.: 13-8283

END OF AMENDMENT SCHEME 13-8283

ERF 120
PARKVIEW

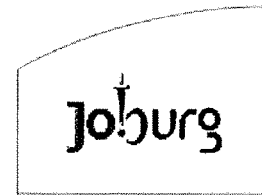
APPROVED



EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)

DATE 2 February 2011

**ZONING INFORMATION
 CERTIFICATE PAD
 FOR APPLICATION SUBMISSIONS**



a world class African city

Date: 04/09/2019

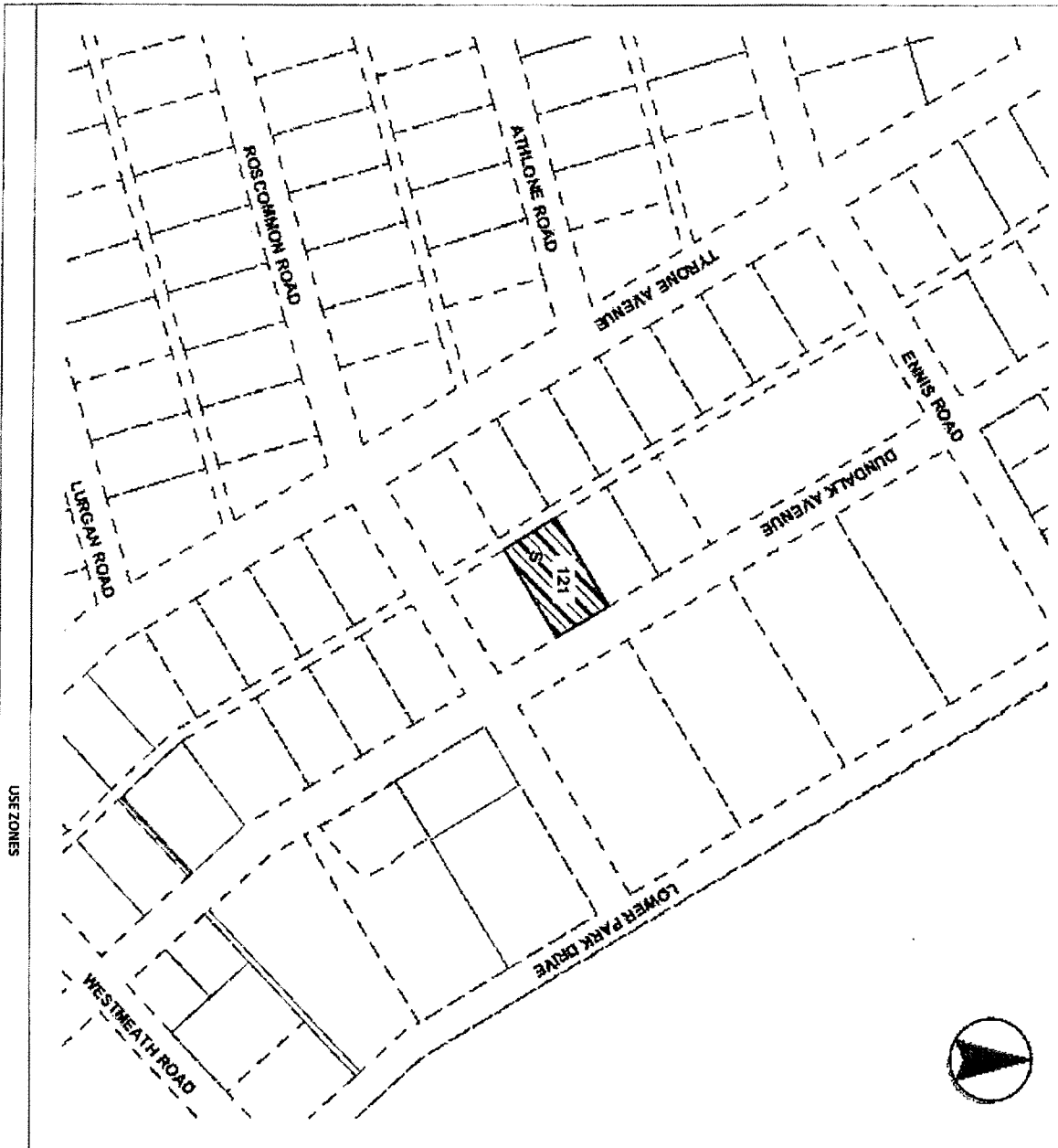
Requested by:	Sandy Ngwenya
Town Planning Scheme:	City of Johannesburg Land Use Scheme 2018
Name of Applicant:	GAVIN EDWARDS TOWN PLANNING CONS
Erf/Holding Name/Farm Portion:	Erf 121
Township/Holding Name/Farm Name:	Parkview
Street Name and No:	Dundalk avenue
ZONING INFORMATION	
Use Zone:	Business 4
Height Zone:	A (0) Two storeys
Floor Area Ratio:	As per attached annexure
Coverage:	As per attached annexure
Density:	No Density
Building Line:	As per attached table 7
Parking:	As per attached ANNEXURE
AMENDMENT SCHEME APPLICABLE:	13-7748
Served By:	Sandy Ngwenya

Terms and Conditions:
 The Town Planning Scheme is open for inspection on the 8th Floor 158 loveday Street Braamfontein between 8:00 and 15:30 weekdays. The applicant must verify the information contained herein by inspection of the scheme. Whilst the utmost is done to ensure accuracy the City of Johannesburg does not accept responsibility for any incorrect information given on this form. The applicant's attention is drawn to the general provisions of the Town Planning Scheme. It should be noted that the provisions of the Town Planning Scheme do not override any restrictive conditions that may be contained in the Title Deeds. PLEASE NOTE: No Information will be given telephonically due to the technical and interpretive complications.

Corporate Geo-Informatics 8th Floor, A-BLOCK, Metro Centre 158 Civic Boulevard, Braamfontein

SCALE 1:2500

CODE 2 • JOHANNESBURG TOWN PLANNING SCHEME 1979 • MAP 3 • A SERIES • AMENDMENT SCHEME 13-7748 • SHEET 1 OF 1 SHEET



USE ZONES

ERF 121
PARKVIEW

REFERENCE

SCHEDULE

USE ZONES

Business 4

S



APPROVED

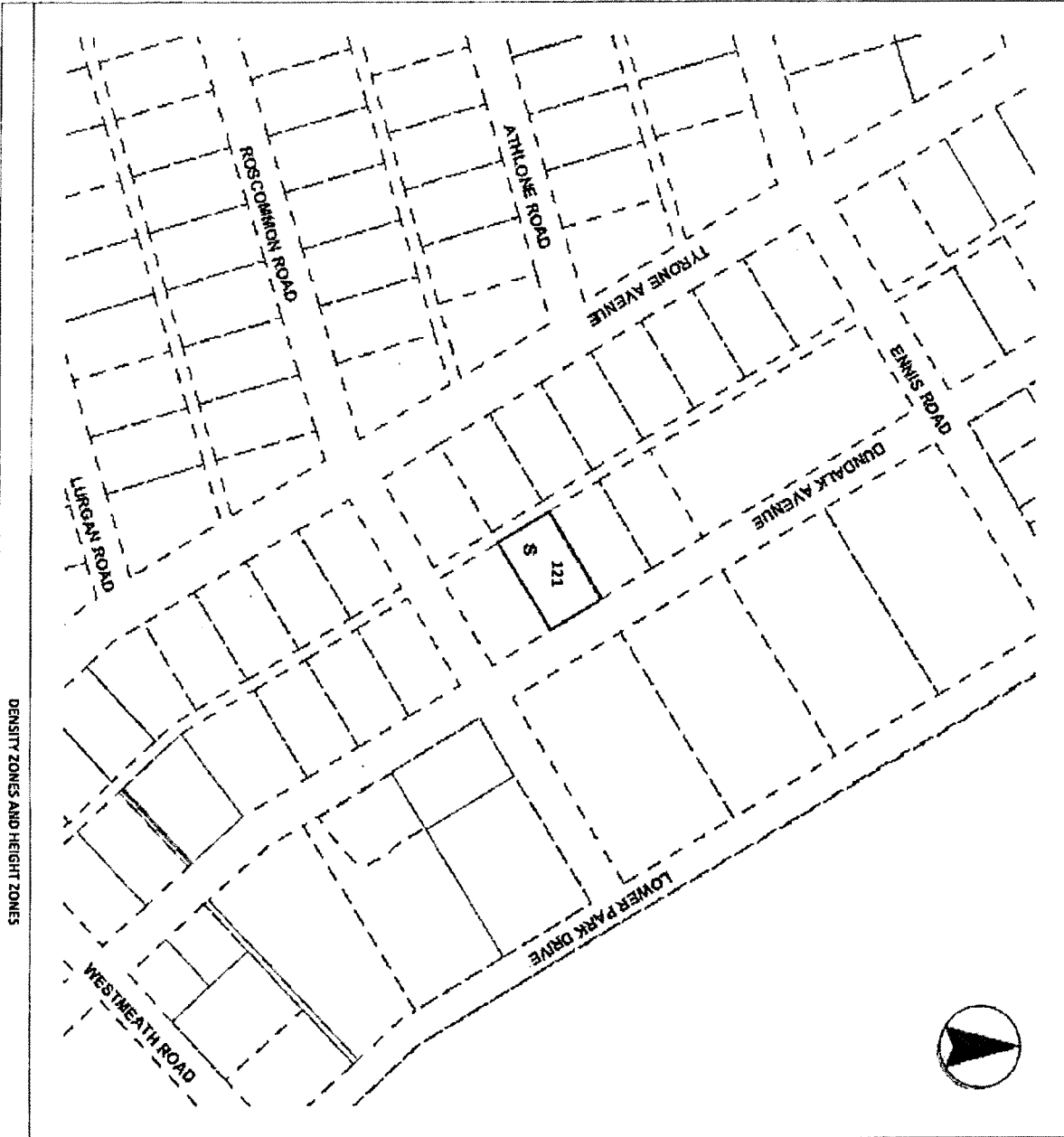
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EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)

DATE 2 February 2011

SCALE 1:2500

CODE 2 • JOHANNESBURG TOWN PLANNING SCHEME 1979 • MAP 3 • B SERIES • AMENDMENTSCHHEME 13-7748 • SHEET 1 OF 1 SHEET



DENSITY ZONES AND HEIGHT ZONES

ERF 121
PARKVIEW

REFERENCE

SCHEDULE

S

APPROVED

M. Reinecke

EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)


DATE 2 February 2011

JOHANNESBURG TOWN PLANNING SCHEME, 1979, APPROVED BY VIRTUE OF ADMINISTRATORS NOTICE 1157, DATED 3 OCTOBER 1979 IS HEREBY FURTHER AMENDED AND ALTERED IN THE FOLLOWING MANNER:

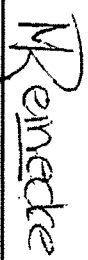
1. The Map, Sheet A and B as shown on Map 3, Amendment Scheme 13-7748.
2. By the addition of the following in numerical and alphabetical sequence to Table N of the Scheme, read with Clause 70.

COLUMN 1	USE ZONE Business 4	
COLUMN 2	DESCRIPTION OF LAND: Erf 121 Parkview	
COLUMN 3	PRIMARY RIGHTS: (LAND USE TABLE "C") Offices (excluding banks, building societies) and medical consulting rooms.	
COLUMN 4	USES WITH CONSENT: (LAND USE TABLE "C") None.	
COLUMN 5	USES NOT PERMITTED: (LAND USE TABLE "C") As per Scheme	
COLUMN 6	WIDTH OF SERVITUDE AREA / STREET: None	
COLUMN 7	STOREYS OR HEIGHT IN METRES: As per Scheme. Height Zone 0 (two storeys).	
COLUMN 8	COVERAGE: As per Scheme. The coverage shall not exceed 264m ² .	
COLUMN 9	F.A.R. OR FLOOR AREA: As per Scheme. The floor area shall not exceed 264m ² .	

ERF 121
PARKVIEW

APPROVED

EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)

DATE
2 February 2011

<p>COLUMN 10 * PARKING PROVISION: As per Scheme. Four (4) bays per 100m² of office floor area and six (6) bays per 100m² of medical suites.</p>	<p>ERF 121 PARKVIEW</p>
<p>COLUMN 11 * DENSITY: As per Scheme</p>	
<p>COLUMN 12 * BUILDING LINES: As per Scheme.</p>	
<p>COLUMN 13 SPECIFIC CONDITIONS:</p> <ol style="list-style-type: none"> 1. A Site Development Plan shall be submitted to the local authority for approval prior to the approval of building plans, in terms of Clause 5 of the Johannesburg Town Planning Scheme, 1979, with specific emphasis on environmentally friendly and Electricity efficiency/savings design practices. 2. The on-site parking ratio shall not be relaxed. One (1) shade tree shall be planted for every three parking bays. The parking surface shall be permeable except in areas where wheelchairs, the disabled or elderly would need access. 3. The existing buildings on the site shall be retained and alterations, which shall be residential in character thereto, may be permitted with the consent of the local authority. 4. A landscaped strip of 1 metre shall be provided along the Dundalk Avenue frontage of the site. 5. No hoarding for the display of advertisements shall be erected nor shall any advertisement be displayed on the site other than one non-illuminated plate or fence or the entrance door. 6. Access to the site shall be to the satisfaction of the local authority. 7. The sidewalk shall be landscaped and a pedestrian walkway provided. 8. The development of the site shall not detract from the amenity of the area. 	<p>APPROVED</p> <p></p> <p>EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN MANAGEMENT (CITY OF JOHANNESBURG)</p> <p>2 February 2011</p> <p>DATE</p>

9. A contribution towards the provision of engineering services and an endowment in lieu of parks and open spaces shall be payable in terms of the Town Planning and Townships Ordinance 1986 (Ordinance 15 of 1986).


10. The provision of Electricity shall be to the satisfaction of City Power. The applicant shall demonstrate to City Power the provision of alternative electricity sources for the proposed development. The proposed development will not exceed the current electricity supply.

COLUMN 14 AMENDMENT SCHEME NO.: 13-7748

END OF AMENDMENT SCHEME 13-7748.

ERF 121
PARKVIEW

APPROVED

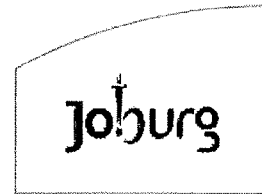


EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN
MANAGEMENT
(CITY OF JOHANNESBURG)

2 February 2011

DATE

**ZONING INFORMATION
CERTIFICATE PAD
FOR APPLICATION SUBMISSIONS**



a world class African city

Date: 04/09/2019

Requested by:	Sandy Ngwenya
Town Planning Scheme:	City of Johannesburg Land Use Scheme 2018
Name of Applicant:	GAVIN EDWARDS TOWN PLANNING CONS
Erf/Holding Name/Farm Portion:	Erf 122
Township/Holding Name/Farm Name:	Parkview
Street Name and No:	Dundalk avenue & Roscommon road
ZONING INFORMATION	
Use Zone:	Residential 1
Height Zone:	A (0) As per attached table 4
Floor Area Ratio:	As per attached table 6
Coverage:	As per attached table 5
Density:	1 dwelling Per Erf
Building Line:	As per attached table 7
Parking:	As per Scheme
AMENDMENT SCHEME APPLICABLE:	N/A
Served By:	Sandy Ngwenya

Terms and Conditions:

The Town Planning Scheme is open for inspection on the 8th Floor 158 Loveday Street Braamfontein between 8:00 and 15:30 weekdays. The applicant must verify the information contained herein by inspection of the scheme. Whilst the utmost is done to ensure accuracy the City of Johannesburg does not accept responsibility for any incorrect information given on this form. The applicant's attention is drawn to the general provisions of the Town Planning Scheme. It should be noted that the provisions of the Town Planning Scheme do not override any restrictive conditions that may be contained in the Title Deeds. PLEASE NOTE: No Information will be given telephonically due to the technical and interpretive complications.

Corporate Geo-Informatics 8th Floor, A-BLOCK, Metro Centre 158 Civic Boulevard, Braamfontein

TABLE 4: HEIGHT DEVELOPMENT REQUIREMENTS

(1) Height Zone	(2) Number of storeys	(3)								
		Johannesburg	Sandton	Roodepoort	Randburg	Lenasia	Modderfontein	Walkerville	Edenvale	Peri-Urban Halfway House Annexure F Lehlabong Westonaria Southern Jhb Region
A	3	0	0	0	0	0	0	0	3	0
		6	2	4	3	1	1	1	4	
		7	3	5		2	2	2	5	
		8	4	6		3	3	3	6	
			5	7		4	4	4	7	
			6	8		5	5	5	8	
			7	9		6	6	6	9	
			8	10		7	7	7	10	
			9	11		8	8	8	11	
			10	12		9	9	9		
			11			10				
B	5	5	1	3	2					
C	As per Clause 30	1		1	1				0	
		2		2					1	
		3							2	
		4								

32. FLOOR AREA RESTRICTIONS

- (1.) No building shall be erected so as to exceed the floor area ratio as prescribed in Table 6 of the Land Use Scheme. The floor area ratios as given in columns 2, 3, 4 and 5 of Table 6 are applicable to buildings erected in the Height Zones given in Table 4.
- (2.) In the case of an erf situated at the junction of two roads the applicable floor area ratios of which are not equal, the higher floor area ratio shall apply for a distance of 15,75m, measured along the street with the lower applicable floor area ratio. This is applicable in the Inner City Annexure 17 (A/S 4458) only.
- (3.) If an erf has no street frontage and access to a road is gained over another erf which fronts onto such street, the floor area ratio of the latter erf shall apply to such erf. This is applicable in the Inner City Annexure 17 (A/S 4458) only.
- (4.) The floor area ratio as reflected in Table 6 shall not be applicable to residential cluster / group housing (freehold) development, in which instance the floor area ratio shall be determined in terms of an approved Site Development Plan.

TABLE 6: FLOOR AREA DEVELOPMENT REQUIREMENTS

(1) Height Zone	(2) Dwelling Houses, Dwelling Units, Residential Buildings, Institutional-, Educational Facilities	(3) Shops, Business Purposes	(4) Industrial Purposes	(5) Other Uses not found in Columns (2), (3) & (4)
A	1,2	2,1	2,1	2,1
B	2,4	3,0	3,0	3,0
C	4,0	4,0	4,0	4,0
NOTE	With regard to the Inner City see Annexure 17 (A/S 4458)			

33. ADDITIONAL FLOOR AREA

- (1.) The Council may grant its written consent to the floor area ratio being increased:
 - (a.) On any Use Zone to an additional maximum of 0,1;

- (a.) In respect of an erf or site fronting onto a pedestrian mall;
- (b.) On any Use Zone to an additional maximum of 10%.
- (c.) In considering an application for its consent in terms of Sub-clause (3.)(c.)(a.) the Council shall in addition to any other relevant factors have regard to the likely effect upon plant life, possible future road improvements and the location of essential services
- (d.) On Residential 1 zoned erven, smaller than 500m² the coverage for a single storey building may be 60%.
- (5.) The coverage as reflected in Table 5 shall not be applicable to residential cluster / group housing (freehold) development, in which instance the coverage shall be determined in terms of an approved Site Development Plan.
- (6.) The coverage as reflected in Table 5 shall not be applicable to the, "Agricultural" and "Undetermined" Use Zones, developed for a dwelling house only, in which instance the coverage shall not exceed 30%.

TABLE 5: COVERAGE DEVELOPMENT REQUIREMENTS

(1) Height Zone	(2) Dwelling houses, Dwelling Units, Residential Buildings	(3) Shops, Business Purposes, Institutional, Educational Facilities	(4) Industrial Purposes	(5) Other Uses
A	50% for one storey 50% for two storeys 40% for three storeys	50%	70%	70%
B	Residential 1: 60% Residential 2: 70% Residential 3: 80%	70%	85%	60%
C	100%	100%	100%	100%

- (3.) In considering an application for its consent in terms of Sub-clause (1.) the Council shall, in addition to any other relevant factors, have regard to:
- (a.) The possibility of future road improvements;
 - (b.) The location of the building in relation to surrounding sites and buildings;
 - (c.) The slope of the land comprising the erf or site in relation to the slope of surrounding land;
 - (d.) The arrangement of the buildings on the erf;
 - (e.) All existing and/or future servitudes for engineering services;
 - (f.) Any factor indicating the compliance with the building line would unreasonably interfere with the development of the erf.
 - (g.) If an erf or site abuts a provincial road or a national road, a building restriction shall be applicable in accordance with the standards laid down by the relevant Provincial Department or controlling body.

TABLE 7: BUILDING LINE RESTRICTION AREAS

(1) Use Zone and/or Land	(2) Size of Erf or Site or Height Zone	(3) Minimum Distance in meters between building line and street boundary
Residential 1, 2, 3, 4 & 5	Erven of 500m ² or less	1,0 m
	Erven larger than 500m ²	3,0 m
Agricultural Holdings & farm portions	Less than 9ha	9,0 m
	9ha and greater	30,0 m
All other Use Zones	Height Zones A and B	3,0 m
	Height Zone C	1,5 m