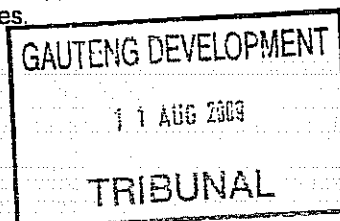


STATEMENT OF CONDITIONS UNDER WHICH LAND DEVELOPMENT APPLICATION MADE BY CENTRAL PROPERTY DEVELOPMENTS JOHANNESBURG (PTY) LTD (HEREINAFTER REFERRED TO AS "THE TOWNSHIP OWNER") IN TERMS OF THE DEVELOPMENT FACILITATION ACT, 67 OF 1995 ("THE ACT") FOR THE ESTABLISHMENT OF A LAND DEVELOPMENT AREA ON PORTIONS 38, 39 AND A PORTION OF REMAINDER OF PORTION 44 OF THE FARM MOOIFONTEIN 14 IR (TO BE KNOWN AS CHLOOKOP EXTENSION 65)

**PART I**

1. **CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF REGISTRATION OF OWNERSHIP OF LAND IN THE LAND DEVELOPMENT AREA BY THE REGISTRAR OF DEEDS:**
- 1.1 (a) The Applicant shall comply with the provisions of Section 37(a) of the Development Facilitation Act, 67 of 1995.
- (b) With reference to Regulation 23(1), read with Regulation 9(3) of the Development Facilitation Regulations, the Applicant shall within a period of 6 (six) months (of the date on which authorisation is granted in terms of Section 24F of NEMA or suspension by the Tribunal of the aforementioned Act, as the case may be) or such longer period as the Designated Officer may allow, lodge for approval with the Surveyor General; the General Plan and such diagrams and records as may be required in terms of the Land Survey Act (Act 8 of 1997).
- 1.2 (a) The Applicant shall comply with the provisions of Section 37(b) of the Development Facilitation Act, 67 of 1995.
- (b) With specific reference to Regulation 23(10), read with Regulation 9(3) of the Development Facilitation Regulations, the Applicant shall within a period of 6 (six) months of the date of approval of the General Plan of the Land Development Area, or such longer period as the Designated Officer may allow, lodge the documents provided for in Regulation 23(10) with the parties provided for in that sub-regulation.
- 1.3 The Applicant shall establish a company (a Property Owners' Association) in terms of Section 21 of the Companies Act, 1973, for the purposes of owning and maintaining Erven 5497, 5498 and 5499.
- 1.4 The Applicant shall conclude a Services Agreement with Ekurhuleni Metropolitan Municipality (hereinafter referred to as the "Municipality") pertaining to the installation of relevant internal and external engineering services in and to the land development area.
- 1.5 A copy of the approved Amendment Scheme No 38 shall be submitted to the Designated Officer for promulgation of the approval in the Provincial Gazette in terms of Section 33(4) of the Development Facilitation Act, 67 of 1995.
- 1.6 The Applicant shall arrange with the Designated Officer for the publication of a notice in the Provincial Gazette as contemplated in Section 33(4) of the DFA to give effect to the suspension of title conditions referred to hereunder Clause 1.3.2 of Part II of these Conditions of Establishment.
- 1.7 The issuing of authorisation by the Gauteng Department of Agriculture, Conservation and Environment ("GDACE") as contemplated in Section 24F of NEMA. Should authorisation not be issued by GDACE within 60 days from the date of the issuing of the approval of this proposed land development area by the Gauteng Development Tribunal, the Applicant is hereby granted leave to re-approach the Tribunal for the relief as it may deem appropriate under the circumstances.



- 1.8 The Applicant shall lodge with the Registrar of Deeds, a certificate issued by the Designated Officer to the effect that Section 38(1)(c) and (d) certificate has been complied with including all conditions referred to above.

## PART II

### 1. CONDITIONS TO BE COMPLIED WITH IN THE ESTABLISHMENT OF THE TOWNSHIP

#### 1.1 NAME:

The name of the land development area shall be Chloorkop Extension 65 Township.

#### 1.2 LAYOUT:

The land development area shall consist of erven and streets indicated on Layout Plan T27032/4 and General Plan for which an SG number shall be awarded by the Surveyor General.

#### 1.3 DISPOSAL OF CONDITIONS OF TITLE:

- 1.3.1 All erven shall be made subject to the existing conditions and servitudes, if any, including, if the reservation of rights to minerals, as contained in Deeds of Transfer No. T004114/07 and T004113/07 which do not affect the township area and will, however, be retained:

- (a) Condition "A" on Page 2 of Deed of Transfer No. T004113/07:

*"All rights to minerals, base and precious mineral products, mineral oils, metals and precious stones on or under the land, together with the right at all times to mine underneath the said land or any portions thereof are held by MARMANET RETIREMENT VILLAGE (PROPRIETARY) LIMITED, No. 1984/0072280 as will more fully appear from Certificate of Rights to Minerals No. K.1573/1992 R.M. registered on 30 March 1992."*

- 1.3.2 The following title conditions shall be suspended:

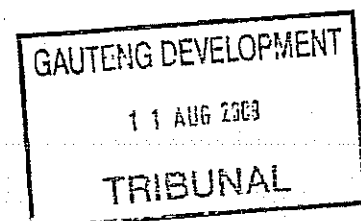
- (a) Conditions "B" and "C" on page 2 of Deed of Transfer No T004113/07:

*"B. 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 No 21 of 1940; and*

*C. No building or any structure whatsoever shall be erected within a distance of 37.78 metres from the centre line of the road, without the written approval of the Controlling Authority as defined in Act 21 of 1940."*

- (b) Conditions (a), (b) and (c) of Deed of Transfer No T004114/07:

*"(a) Gedeelte A (Waarvan die eiendom hiermee getransporteer 'n deel uitmaak) is onderworpe aan en geregtig tot die volgende kondisie, voorwaardes en bepaling:*



*Alle bestaande paaie sal vry en onbelemmerd bly vir die gebruik van die eienaars van genoemde Gedeelte A (gedeelte 38 waarvan hierby getranspoteer word) tesame met die eienaars van gedeeltes B, C, D, E, F, G H, J, K, L, M, N, 25 en die Resterende Gedeelte van Gedeelte van die genoemde plaas MOOIFONTEIN, groot as sulks 6.0282 Hektaar soos gehou kragtens Akte van Verdellingstransport Nr 20988/1939.*

- (b) *Onderworpe ann 'n serwituut van reg van weg 1.89 meter breed suid langs die noordelike grens van genoemde gedeelte 38 soos aangetoon op die kaart daarvan ten gunste van gedeelte 36,37, 39, 40 en die resterende gedeelte (almal gedeeltes van Gedeelte A van Gedeelte) van die plaas Mooifontein Nr 20, gehou onder Akes van Verdellingstransporte Nos. 23728/1942, 23730/1942, en 23732/1942.*
- (c) *Geregstig tot 'n serwituut van reg van weg 1.89 meter breed oor gedeelte oor gedeeltes 36, 37, 39, 40 en die Resterende Gedeelte (almal gedeeltes van Gedeelte A van Gedeelte) van die plaas Mooifontein Nr. 20, gehou onder Akte van Verdellingstransporte Nos 23728/1942, 23730/1942, 23731/1942 en 23732/1942, soos aangetoon op die kaart van genoemde gedeeltes."*

#### 1.4 ENGINEERING SERVICES:

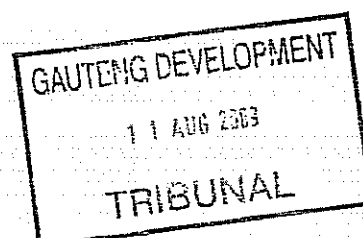
The Applicant shall be responsible for the provision and installation of all internal engineering services within the land development area as provided for in the Services Agreement approved by the Tribunal.

#### 1.5 OWNERSHIP:

- 1.5.1 Erven 5497, 5498 and 5499 shall be transferred to and remain in the ownership of the Property Owners' Association established in terms of Condition 1.5 of Part I of these conditions.
- 1.5.2 The Property Owners' Association shall have full responsibility for the functioning and proper maintenance of Erven 5497, 5498 and 5499.
- 1.5.3 Each and every owner of Erven 5436-5496 shall become a member of the Property Owners' Association upon transfer of the erf.
- 1.5.4 The Property Owners' Association shall have the legal power to levy from each and every member the costs incurred in the fulfillment of its functions and shall have legal recourse to recover such fees and costs in the event of a default in payment by any member.
- 1.5.5 Building plans shall only be submitted to the Municipality for final approval once the said plans have been approved by the Trustees of the Property Owners Association as specifically provided for in the Articles of Association.

#### 1.6 ACCEPTANCE AND DISPOSAL OF STORMWATER:

- 1.6.1 If the land development area constitutes only a part of a total effective drainage area, the Applicant shall provide a drainage system, adequate for the total effective drainage area and to allow for the final development.
- 1.6.2 The Land Development Applicant shall be responsible for the construction of the stormwater drains, where relevant, in respect of the land development area and to the satisfaction of the Municipality.



## 1.7 CONDITIONS OF TITLE:

The erven shall be made subject to the conditions which follow:

## 1.7.1 Erven 5469, 5472, 5473 and 5474:

The erf is subject to a servitude of 2 metres wide in favour of Telkom.

## 1.7.2 Erf 5499:

The erf is subject to a servitude of right of way in favour of Erven 5436-5498 for access purposes.

## 1.7.3 Erf 5499:

The erf is subject to a servitude in favour of Telkom and the Municipality for engineering services, access, refuse removal and access by emergency vehicles.

## 1.7.4 Erven 5474 and 5475:

The erf is subject to a servitude of 5 meters wide in favour of all the erven within the land development area for emergency exit.

## 1.7.5 All erven (excluding Erven 5497, 5498 and 5499):

(i) The owner of the erf shall be and remain a member of the Property Owners' Association established in terms of Section 21 of the Companies Act, 1973 and shall be bound to any and all of the provisions of Articles of the said Association.

(ii) The erf shall not be transferred except with a certificate from the Property Owners' Association to the effect that the Articles of Association have been complied with and that the transferee has bound himself/herself to be a member of the said Association.

## 1.7.6 Erven 5497, 5498 and 5499:

The erf shall only be registered in the name of the Property Owners' Association established in terms of Section 21 of the Companies Act, 1973, for the purpose of owning and maintaining the erf.

## 1.7.7 All Erven:

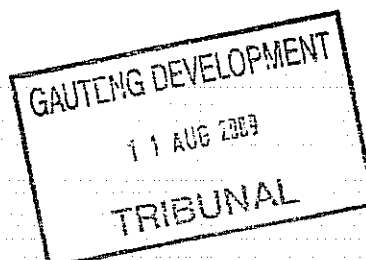
The erf is subject to a 2 metre wide servitude for engineering services along any two boundaries in favour of the Municipality.

## 1.7.8 Erven 5446-5450, 5452, 5453, 5461, 5462

The erf shall be subject to a servitude of 4 metres wide for stormwater purposes.

## 1.7.8 Portions 38 &amp; 39 (Portions of Portion 12):

These portions are subject to a right-of-way servitude 1,89m wide along the northern boundary as indicated vide S.G. No. A2062/1942 and S.G. No. A2063/1942, which affects the proposed street (Nuwejaarsvoël) in the township



A handwritten signature or set of initials, possibly "R" or "S", written in dark ink.

1.8 APPLICATION OF ZONING SCHEME OR OTHER MEASURES

The Lethabong Town Planning Scheme, 1998 shall apply in the Land Development Area.

27032-Conditions-01/nc

GAUTENG DEVELOPMENT  
11 AUG 2009  
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SKAAL/SCALE 1:2000

# LETHABONG

TOWN PLANNING SCHEME

1998

MAP

3

A SERIES

AMENDMENT SCHEME

38

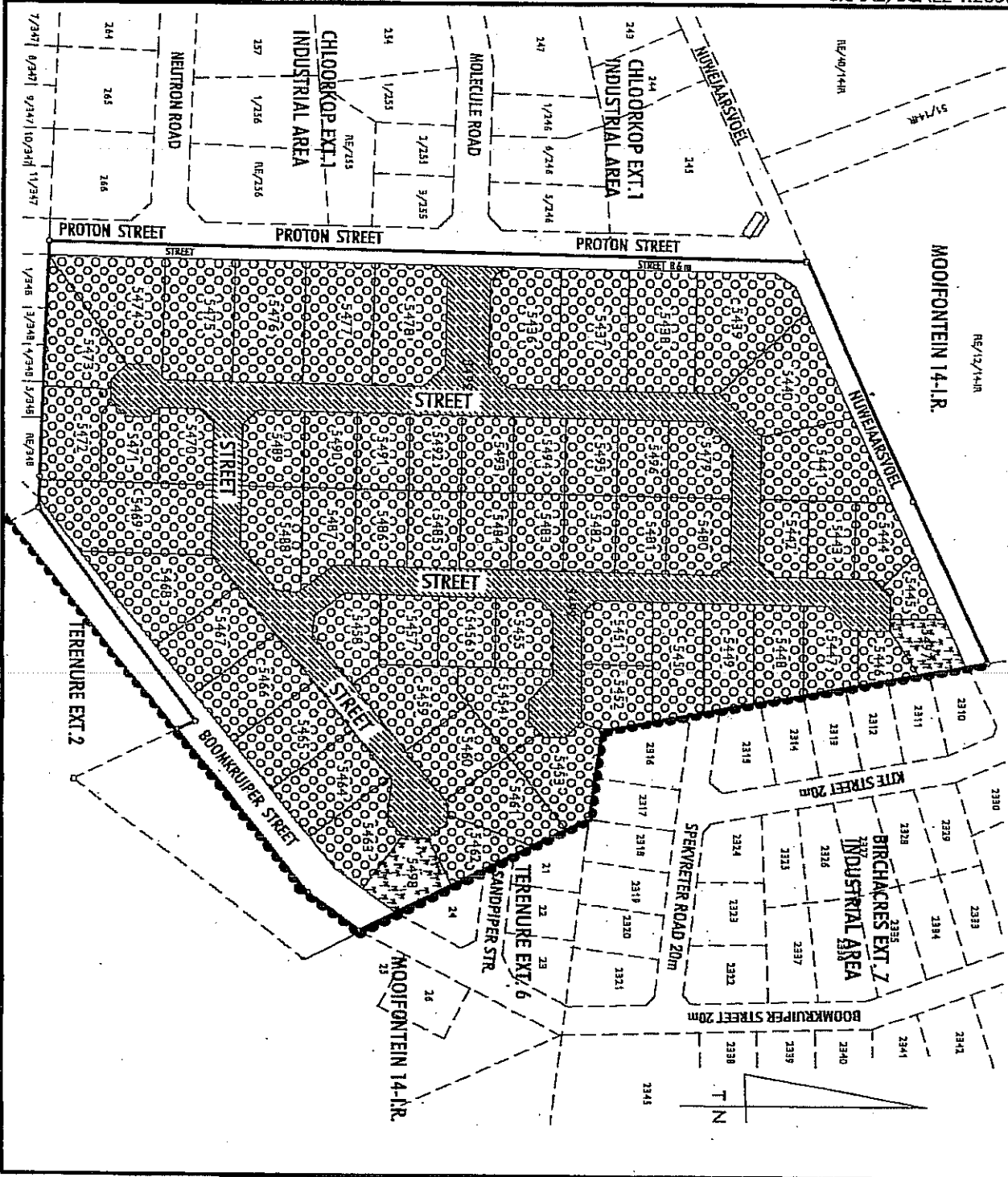
SHEET

1

OF 1 SHEET

MOOLFONTEIN 14-1.R.

RE/12/14/R



**CHLOORKOP EXT. 65**  
**ERVEN 5436 - 5499**

SCHEDULE 5

SCHEME BOUNDARY  
 TOWNSHIP BOUNDARY

USE ZONE

- INDUSTRIAL 1
- SPECIAL
- PRIVATE OPEN SPACE
- PUBLIC STREET

GAUTENG DEVELOPMENT  
 11 AUG 2008  
 TRIBUNAL

GOEDGEREKUR  
 APPROVED  
  
 DATUM/DATE

GERBUIKSONE • USE ZONE

## LETHABONG TOWN PLANNING SCHEME 1998

## SCHEDULE

(i) Use Zone

Industrial 1

(ii) Property Description:

Locality	Extension	Erf / Farm Ptn / Holding	Portion
Chloorkop	65	Erven 5436-5496	0

(iii) Purpose for which building may be erected and used or for which land may be used

Industrial purposes, Commercial Purpose, Restricted Industry, Parking Garage, Parking, Public Garage, Filling Station

(iv) Purpose for which building may be erected and used or for which land may be used only with the consent of the local authority

Scrapyard and builders yard, Retail Industry, Informal Business, Retail trade, Noxious Industry and Special Building

(v) Permissible height of buildings (storeys)

3 storeys

0 = Not Applicable

Permissible height of buildings (meters)

0

0 = Not Applicable

(vi) Permissible Coverage

60%, may be increased with Council's consent

0 = Not Applicable

(vii) Floor Area Ratio

0.6

0 = Not Applicable

(viii) Parking Provision

\*

\* = As per Table C

(ix) Density Provisions

0

0 = Not Applicable

GAUTENG DEVELOPMENT  
11 AUG 2009  
TRIBUNAL

(x) Building Line Provisions

Street Building Line

6m along public roads  
5m along other boundaries

\* = As Per Table A

Building Line Relaxation

Y = Building Line Relaxation

N = No Building Line Relaxation

Other Building Lines

\* = As Per Table A

(xi) General Provisions

1. The Kempton Park Town Planning Scheme, 1987, and the Lethabong Town Planning Scheme, 1998, be amended in the following manner: by the excision of the area represented by the former Remaining Extent of Portion 44 of the Farm Moolfontein 14 IR from the Kempton Park Town Planning Scheme, 1987, and the inclusion of this area into the Lethabong Town Planning Scheme, 1998, as part of Chloorkop Extension 65 Township.  
2. Erven 14 and 15 are subject to a 5m right-of-way servitude for emergency access purposes.

0 = Not Applicable

(xii) Conditions of Local Permission

0

0 = Not Applicable

(xiii) Amendment Scheme Number

38

0 = Not Applicable

(xiv) Consent Use Number

0

0 = Not Applicable

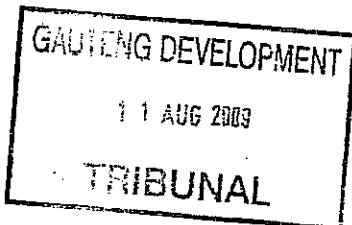
(xv) Local Permission Number

0

0 = Not Applicable

Approved:

DATE:





## LETHABONG TOWN PLANNING SCHEME 1998

## SCHEDULE

## (i) Use Zone

Private Open Space

## (ii) Property Description:

Locality	Extension	Erf / Farm Ptn / Holding	Portion
Chloorkop	65	Erven 5497 and 5498	0

## (iii) Purpose for which building may be erected and used or for which land may be used

Private Open Space, Sports and Recreational Clubs

## (iv) Purpose for which building may be erected and used or for which land may be used only with the consent of the local authority

## (v) Permissible height of buildings (storeys)

1 storey

0 = Not Applicable

## Permissible height of buildings (meters)

0

0 = Not Applicable

## (vi) Permissible Coverage

0 = Not Applicable

## (vii) Floor Area Ratio

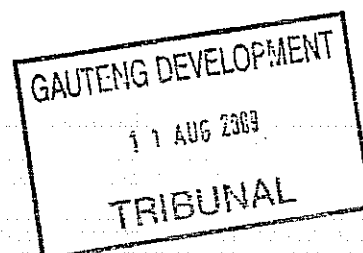
0 = Not Applicable

## (viii) Parking Provision

\* = As per Table C

## (ix) Density Provisions

0 = Not Applicable



(x) Building Line Provisions

Street Building Line

[Empty box for Street Building Line]

\* = As Per Table A

Building Line Relaxation

[Empty box for Building Line Relaxation]

Y = Building Line Relaxation

N = No Building Line Relaxation

Other Building Lines

[Empty box for Other Building Lines]

\* = As Per Table A

(xi) General Provisions

1. The Kempton Park Town Planning Scheme, 1987, and the Lethabong Town Planning Scheme, 1998, be amended in the following manner: by the excision of the area represented by the former Remaining Extent of Portion 44 of the Farm Moolfontein 14 IR from the Kempton Park Town Planning Scheme, 1987, and the inclusion of this area into the Lethabong Town Planning Scheme, 1998, as part of Chloorkop Extension 65 Township.

0 = Not Applicable

(xii) Conditions of Local Permission

[Box containing '0']

0 = Not Applicable

(xiii) Amendment Scheme Number

[Box containing '38']

0 = Not Applicable

(xiv) Consent Use Number

[Box containing '0']

0 = Not Applicable

(xv) Local Permission Number

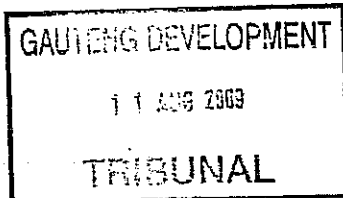
[Box containing '0']

0 = Not Applicable

Approved:

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DATE:



LETHABONG TOWN PLANNING SCHEME 1998

SCHEDULE

(i) Use Zone

Special

(ii) Property Description:

Locality	Extension	Erf / Farm Ptn / Holding	Portion
Chloorkop	65	Erf 5499	0

(iii) Purpose for which building may be erected and used or for which land may be used

For access purposes, access control and municipal services

(iv) Purpose for which building may be erected and used or for which land may be used only with the consent of the local authority

(v) Permissible height of buildings (storeys)

1 storey

0 = Not Applicable

Permissible height of buildings (meters)

0

0 = Not Applicable

(vi) Permissible Coverage

0 = Not Applicable

(vii) Floor Area Ratio

0 = Not Applicable

(viii) Parking Provision

\* = As per Table C

(ix) Density Provisions

0 = Not Applicable

GAUTENG DEVELOPMENT  
 11 AUG 2009  
 TRIBUNAL

(x) Building Line Provisions

Street Building Line

[Empty box for Street Building Line]

\* = As Per Table A

Building Line Relaxation

[Empty box for Building Line Relaxation]

Y = Building Line Relaxation

N = No Building Line Relaxation

Other Building Lines

[Empty box for Other Building Lines]

\* = As Per Table A

(xi) General Provisions

1. The Kempton Park Town Planning Scheme, 1987, and the Lethabong Town Planning Scheme, 1998, be amended in the following manner: by the excision of the area represented by the former Remaining Extent of Portion 44 of the Farm Mooifontein 14 IR from the Kempton Park Town Planning Scheme, 1987, and the inclusion of this area into the Lethabong Town Planning Scheme, 1998, as part of Chloorkop Extension 65 Township.

0 = Not Applicable

(xii) Conditions of Local Permission

0 [Empty box for Conditions of Local Permission]

0 = Not Applicable

(xiii) Amendment Scheme Number

38 [Box containing 38]

0 = Not Applicable

(xiv) Consent Use Number

0 [Box containing 0]

0 = Not Applicable

(xv) Local Permission Number

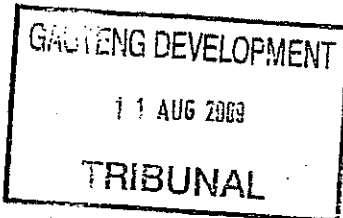
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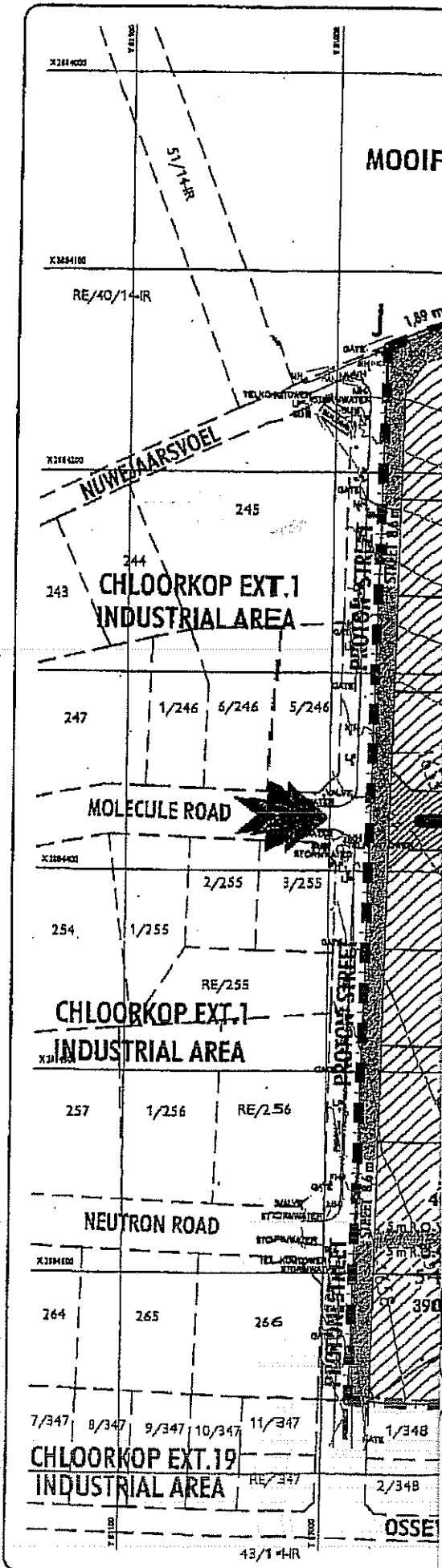
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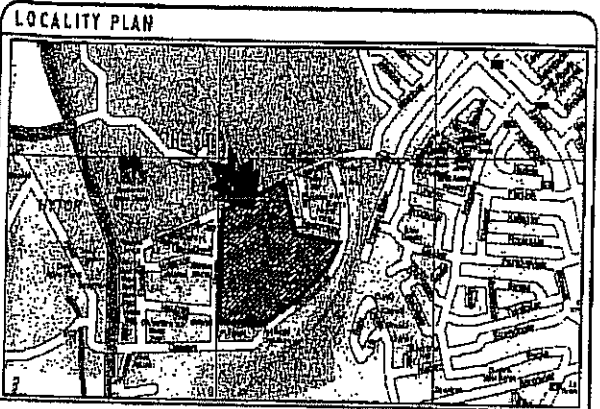
DATE:





**PROJECT**

**PROPOSED LAND DEVELOPMENT AREA**  
**CHLOORKOP EXT.65**  
 SITUATED ON PTN'S. 38 & 39  
 (PTN. OF PTN. 12) AND  
 PTN. OF RE. OF PTN.44 (PTN. OF PTN. 18)  
 OF THE FARM  
 MOOIFONTEIN 14 - I.R.



**LAND USE TABLE**

LAND USE	NO. OF STAND	AREA	%
INDUSTRIAL 1	61	16,036	74,56
"SPECIAL" FOR ACCESS PURPOSES	1	3,4963	16,26
"PRIVATE OPEN SPACE" FOR ATTENUATION PURPOSES	2	0,3513	1,633
PUBLIC STREET		1,6223	7,54
<b>TOTAL</b>	<b>64</b>	<b>21,5063ha</b>	<b>100%</b>

**SECURITY FENCE:**  
 A SECURITY FENCE TO BE ERECTED ALONG THE BOUNDARIES OF THE SITE EXCLUDING ALL PUBLIC STREETS

**AMENDMENTS:**  
 # INDICATE ROAD ALONG NORTHERN BOUNDARY OF TOWNSHIP: AUG 2008  
 # FINAL ERF NUMBERS JULY 2009

**CLIENT**

**CENTRAL PROPERTY DEV JHB (PTY)LTD.**

DESIGNED	HT	APPROVED		SCALE 1 : 2000
DRAWN	MMVS	DATE	AUG2009	COPYRIGHT RESERVED
DRAWING No. T/07092/DEVELOPMENT				

11 AUG 2009

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**TRIBUNAL**

**Hunter Theron Inc**  
**TOWN PLANNERS**