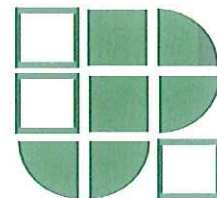




MEMORANDUM

**NEED AND DESIRABILITY REPORT FOR
PROPOSED TOWNSHIP ESTABLISHMENT
ON A CERTAIN PART OF PORTION R/26,
FARM TWEEFONTEIN 372-JR**

- PROPOSED BRONBERG EXTENSION 26 -



J PAUL VAN WYK

*URBAN ECONOMISTS
& PLANNERS CC*

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PRETORIA

SEPTEMBER 2014

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MEMORANDUM

NEED AND DESIRABILITY REPORT FOR PROPOSED TOWNSHIP ESTABLISHMENT ON A CERTAIN PART OF PORTION R/26, FARM TWEEFONTEIN 372-JR

- PROPOSED BRONBERG EXTENSION 26 –

1. INTRODUCTION

1.1 APPLICATION

The present application entails the establishment of a residential township in terms of Section 96 (1) of the Townplanning and Townships Ordinance, 1986 (Ord 15 of 1986) [‘the Ordinance’] on a part of Portion R/26 of the farm Tweefontein 372-JR.

1.2 BACKGROUND

1.2.1 Historic rights

The owner of the property has on 01 February 1989 obtained a permit approval from the then Transvaal Provincial Administration (TPA) for the following land-use activities on Portion 26 of the farm Tweefontein 372-JR:

- House market;
- Tea garden;
- Flea market;
- Periodic workshops;
- Art gallery;
- Gift shop;
- Guesthouse;
- Restaurant

(Translated from Afrikaans text)

They subsequently applied to the TPA for an extension of the rights. On 20 December 1990 the TPA issued a further approval to include the following:

- A hotel with a maximum of 100 rooms / suites;
- Conference facilities;
- Swimming pool;
- Dining room;
- Squash courts;
- Tennis courts
- Administrative offices for hotel management

(Translated from Afrikaans text)

These approvals were issued in terms of the conditions which were registered against the property title.

[ANNEXURE 'A' : APPROVALS BY FORMER TRANSVAAL PROVINCIAL ADMINISTRATION]

1.2.2 Status quo

The property owner proceeded to exercise these rights in June 1991 with the establishment of a restaurant (known as Die Werf) on the property which has been operational until recently. Certain upgrades of the facilities are currently taking place which necessitated the operations to temporarily cease, but operations are set to commence once again in the short term.

1.3 PURPOSE

1.3.1 Development proposal

The applicant wishes to establish a residential township on a part of the property for purposes of residential dwelling-houses.

These land-use activities will be for private ownership and conducted as a separate entity to the approved rights mentioned in para 1.2.1 *supra* which will continue to operate on the proposed new Remainder to originate once the township has been proclaimed.

1.3.2 Memorandum

The present memorandum has the purpose of:-

- providing all the contextual / related information in respect of the application at hand;
- formulate the development proposal at the base of the application; and
- motivate its merit from a need and desirability perspective, in accordance with the Regulations to the Ordinance.

1.4 APPLICANT

1.4.1 Owner

The application is being made by the registered property owner (Refer para 2.5 *infra*).

1.4.2 Authorized agent

Messrs J Paul van Wyk Urban Economists & Planners cc, represented by J Paul van Wyk Pr Pln (A 089/1985)(or nominee), have been appointed by the owner of the property to undertake the application on its behalf.

[ANNEXURE 'B' : CIPC CONFIRMATION OF DIRECTORS AND COMPANY RESOLUTION & SPECIAL POWER OF ATTORNEY]

1.5 JURISDICTION

The property concerned is situated in the jurisdictional area of the City of Tshwane Metropolitan Municipality (CTMM) with decision-making authority in respect of the application vested in same.

1.6 TOWNSHIP NAME

The CTMM has in a letter dated 30 July 2014 confirmed that the following name has been reserved for purposes of the proposed township:

BRONBERG EXTENSION 26

The CTMM reference / file number allocation to the application, is 9/1/1/1-RVS, BRBX26

[ANNEXURE 'C' : NAME RESERVATION LETTER]

1.7 NOTIFICATION OF TOWNSHIP ESTABLISHMENT

The applicant has on 10 September 2014 received the following confirmation from the CTMM City Planning regarding the public notification and external referral processes for the present application, viz :

"The contents of the notice is in order.

Herewith it is confirmed that consent is given in terms of Section 69(6)(a) and (b) of the Townplanning and Townships Ordinance, 1986 (Ord 15 of 1986) to advertise the application in the Provincial Gazette, Beeld and Citizen newspapers as well as to undertake all external referrals to the requisite para-statal and governmental departments."

[ANNEXURE 'D' : EMAIL CONFIRMATION re ADVERTISING & REFERRAL]

The applicant proceeded to place the approved advertisement / legal notice for publishing in the mentioned media, on 08 and 15 October 2014. A site notice will also be erected on the premises on 08 October where it will be maintained for a 14-day period.

2. PROPERTY PARTICULARS

2.1 DESCRIPTION

The proposed township is being established on a certain part of the parent property described in title deed T32482/13 as:

“REMAINING EXTENT OF PORTION 26 (A PORTION OF PORTION 3) OF THE FARM TWEEFONTEIN 372 REGISTRATION DIVISION J.R. PROVINCE OF GAUTENG.” (p2)

Reference to the particular part of the property under consideration in the balance of the memorandum will be as ‘subject property’, ‘the Property’, ‘part of Portion R/26’, ‘site’ or ‘development site’.

[ANNEXURE ‘E’ : TITLE DEED T32482/13]

2.2 EXTENT

The parent property (Portion R/26) extends to 1,5988 hectares. The proposed township will be approximately 0,3222 hectares in extent.

2.3 LOCALITY

2.3.1 Urban context

The Property is located in the central-eastern parts of the developed urban areas of Tshwane, immediately east of the former Pretoria municipal boundary, surrounded by the Olympus Agricultural Holdings complex. The latter is in process of being transformed to urban townships, such as Boardwalk and Bronberg extensions.

The townships of Faerie Glen extensions (north / northwestwards), Garsfontein extensions (westwards) and Pretorius Park extensions (southwest / southwards) serve to elucidate the locality in urban context. The high-order roads of:-

- Solomon Mahlangu Drive (M10-route) (northwestwards);
- Atterbury Road (M11-route) (westwards);
- Lynnwood Road / Graham Road (M6-route) (northwestwards); and
- De Villebois Mareuil / Olympus Drive (east / southeastwards, and abutting the subject property;

serve to further identify the Property in wider surrounding context.

[FIGURE 1a: LOCALITY IN URBAN CONTEXT]

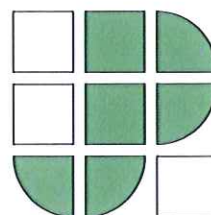
PROPOSED TOWNSHIP ON PART OF
REMAINDER PORTION 26 OF THE FARM
TWEEFONTEIN 372-JR



FIGURE 1a: LOCALITY IN
URBAN CONTEXT



PROPOSED TOWNSHIP ON PART OF
REMAINDER PORTION 26 OF THE FARM
TWEEFONTEIN 372-JR



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The Property is located approximately 5,4 kilometres east / southeast of the Menlyn Node. Furthermore, the Tshwane Central Business District (CBD) is situated approximately 14,7 kilometres north-west of the subject property and is easily accessible *via* Atterbury Road (M11-route).

2.3.2 Local context

The Property abuts Olympus Drive along its eastern boundary. On a more localized scale the development site is further defined by the following adjacent properties / features, *viz:-*

- **North-west :** Erven 53/99, 34/99, 35/99, 46/99, 47/99 Bronberg (Proper);
- **South-west :** Erf 104 Boardwalk Manor;
- **North-east :** Olympus Drive; opposite, Erf 133 Bronberg Extension 1.
- **South-east :** Olympus Drive; opposite Erf 26 Boardwalk Meander; Erf 125, Boardwalk Extension 5

[FIGURE 1b: LOCALITY IN LOCAL CONTEXT]

The GPS co-ordinates for the approximate centre point of the Property are as follows: S25° 47' 55.39"S and E28° 19' 52.00".

2.4 SHAPE AND DIMENSIONS

The parent property approaches a conical shape with the base section forming its northeastern boundary and the apex protruding southwestwards. The two long sides orientate northeast -/ southwestwards and the base / apex-sides southeast -/ northwestwards.

The proposed new township will be situated along the northwestern boundary of the parent property, in the form of a panhandle. The "handle" part will be approximately 35-metres long (southwest / northeast) and 4,4-metres wide (northwest / southeast). The "pan" part will be roughly 77-metres long (southwest / northeast) and 38-metres wide (northwest / southeast) on average.

The township shape and dimensions are well-suited for the envisaged purposes.

PROPOSED TOWNSHIP ON PART OF
REMAINDER PORTION 26 OF THE FARM
TWEEFONTEIN 372-JR

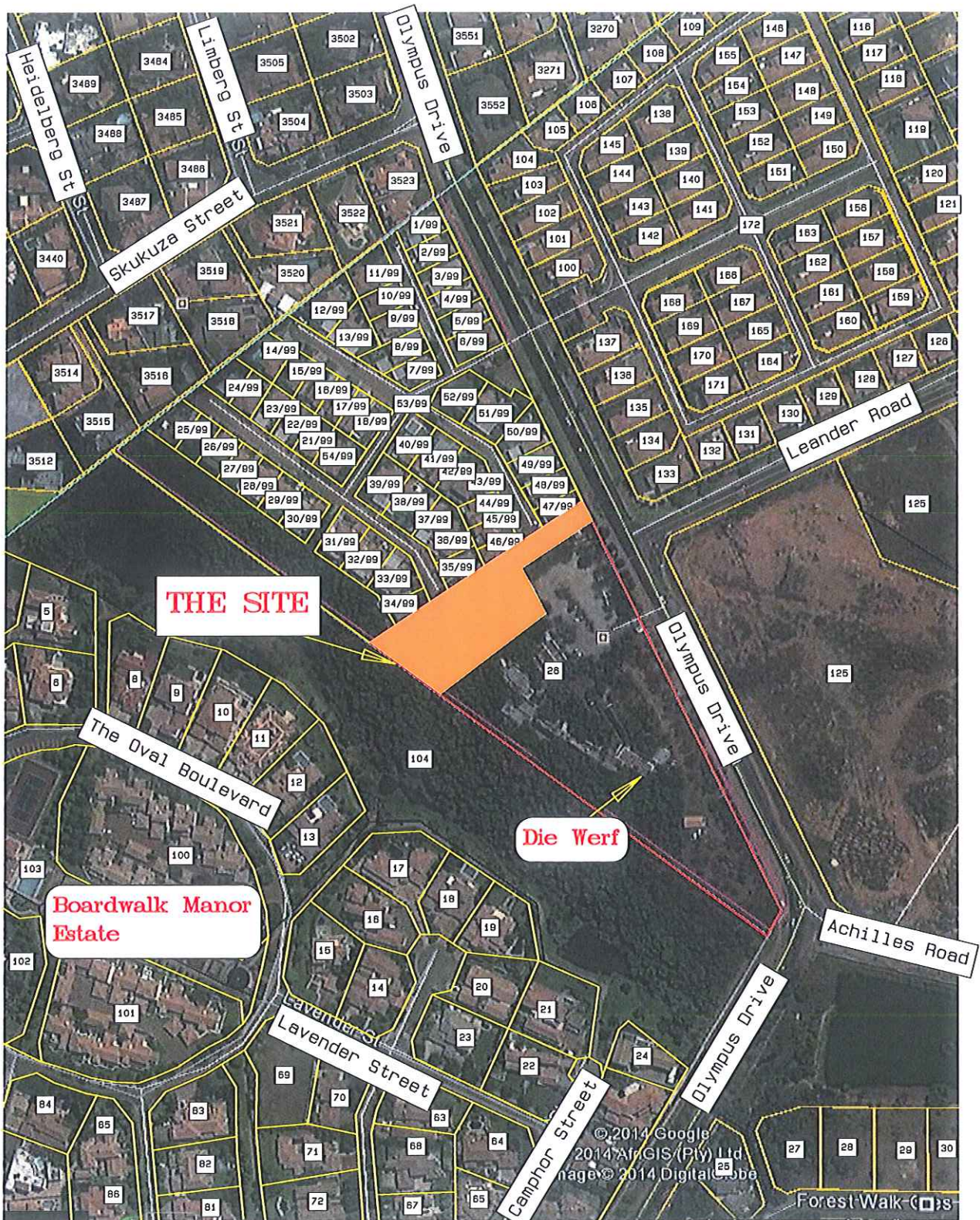
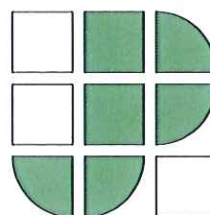


FIGURE 1b: LOCALITY IN
LOCAL CONTEXT



PROPOSED TOWNSHIP ON PART OF
REMAINDER PORTION 26 OF THE FARM
TWEEFONTEIN 372-JR



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2.5 OWNERSHIP

Portion R/26 is owned by a company registered as Atlanta Investments (Pty) Ltd (Reg No 1993/02494/07), as confirmed in the registered title deed for the subject property.

2.6 MORTGAGE BOND

There is no bond registered against the property title.

2.7 SERVITUDES

The title deed of the Property (T 32482/13) in Condition D (p2) refers to the following servitude in favour of the Municipality:

“By virtue of a Notarial Deed K2380/2000S dated 17 March 2000. The within mentioned property is subject to a servitude. The right in perpetuity to convey and transmit sewerage in, on, over or under the property by means of pipelines already laid and which may thereafter be laid along a strip of ground which is 2 (two) metres wide, of which the North Western border is indicated by the line BC on diagram S.G. Number A 11080/1994 attached to Deed of Transfer Number T37307/1998 as will more fully appear from the Notarial Deed of Servitude.

This servitude is denoted on township layout plan (Plan No CPD/BRONBERG X26/01) as figure AlqJ.

A Landsurveyor’s Report has been prepared by messrs Conradie Land Surveyors to *inter alia* determine whether the subject property is affected by this servitude. The report confirms that the Property is indeed affected by the servitude and that it should be carried over to the township title conditions

[ANNEXURE ‘F’ : LAND-SURVEYOR’S CERTIFICATE]

2.8 CONDITIONS OF TITLE

Save for Condition D of title deed T32482/13 (p2) as discussed in para 2.7 *supra*, no other conditions of title or endorsements will be applicable to or will affect the proposed township development.

Messrs Prinsloo Bekker Attorneys have confirmed same in their Conveyancer’s Report prepared for the township application.

[ANNEXURE ‘G’ : CONVEYANCER’S REPORT]

2.9 MINERAL RIGHTS

All mineral rights have reverted to the State on 30 April 2005 by virtue of the provisions of the Mineral and Petroleum Resources Act, 2002 (Act 28 of 2002), which means the consent of the Department of Mineral Resources (DMR) is required to comply with the requirements for township establishment as per Section 53 of the mentioned Act, but also in accordance with the relevant provisions of the Ordinance.

An application requesting the mineral rights holder's consent has been submitted to the Department of Mineral Resources, and the applicant is awaiting its response.

3. ZONING AND LAND-USE

The present and future land-use and zoning of the subject property form the subject of discussion in this section of the motivating memorandum.

3.1 EXISTING ZONING

Portion R/26 is currently zoned Undetermined (Use-zone XV) in terms of the Peri Urban Areas Townplanning Scheme, 1975. In terms of this zoning the Property may be lawfully used for purposes of:-

- Agricultural buildings
- Dwelling-houses

The zoning certificate in addition refers to the following consent-uses as per attachment MU749 (representing the approval issued by the erstwhile TPA as discussed more fully in para 1.2.1 *supra*):

- House market 200m² maximum;
- Tea garden 150m² maximum;
- Flea market 150m² maximum;
- Periodic workshops 100m² maximum;
- Art gallery 600m² maximum;
- Gift shop 50m² maximum;
- Guesthouse 500m² maximum;
- Restaurant 300m² maximum;
- Hotel with a maximum of 100 rooms;
- Conference facilities 200m² maximum;
- Swimming pool 80m² minimum;
- Dining room to a maximum of 100m² (excluding kitchen facilities);
- Squash courts;
- Tennis courts and other recreational facilities; and
- Administrative offices for hotel management;

(Translated from Afrikaans text)

[ANNEXURE 'H' : ZONING CERTIFICATE]

3.2 PRESENT LAND-USE

3.2.1 Subject property

The subject property presently houses 3 dwelling-units with associated outbuildings, including garages and carports. Three families currently reside on the subject property in the dwelling-houses that have been established there for some time.

The subject property has been terraced and extensively landscaped, and exhibits a tranquil natural ambience in harmony with the surrounding natural features (i.e. the Tweefontein Spruit and its riverine vegetation (including grown indigenous trees) and bird and animal life).

An MTN-telecommunications mast is located on the southeastern boundary of the Property.

3.2.2 Proposed new Remainder of Portion R/26

As mentioned earlier, the land-use activities to be situated on the proposed new Remainder of Portion R/26 have been temporarily suspended for a few months, pending certain upgrades and renovations to the existing buildings and outside recreational areas. These land-use activities comprise of *inter alia* the following:

- A restaurant / tea garden with supporting kitchen facility;
- A hotel / guesthouse function with associated dining / lounge areas, reception, administration and ablution facilities;
- Conference facilities
- Managers' residence and staff housing
- Store-rooms (e.g. wine cellar)
- Sport & recreation facilities, including change rooms

The development complex can be expected to reopen in phases, the first being around December 2014 and the balance within the first quarter of 2015.

3.3 FUTURE LAND-USE

The future land-use for the proposed new Remainder of Portion R/26 will be in essence in accordance with the description set out in para 3.2.2 above.

The future land-use in the township area will remain unchanged, comprising of three individual / autonomous dwelling-houses with associated outbuildings and landscaped private recreational gardens. The communal garden areas will be somewhat enlarged due to the township boundary not following the existing perimeter wall enclosing the residential complex at present. The wall will in time be relocated to coincide with the township boundary.

The township boundary also sponsors an MTN telecommunications mast, which will over the short to medium term remain in position. There is a possibility that it may be relocated to a position outside the township boundary in future.

3.4 ZONING REQUIRED

The zoning required for the development of the future land-use described in para 3.3 *supra*, which will be bestowed on the subject property by virtue of Section 125 of the Ordinance, is Residential 1 (Use-zone 1) of the Peri Urban Areas Townplanning Scheme, 1975 (PUATPS) for purposes of dwelling-houses and outbuildings, including a telecommunications mast. Also to increase the coverage and floor space ratio for Residential 1 as per Table C of the PUATPS from a maximum of 30% and 0,3 to 50% and “not applicable” respectively.

The term **dwelling-house** is defined in Clause 1 (p2) of the PUATPS, as follows:

“Means a building designed for and / or used as a residence by one family together with such buildings as are reasonably accessory and / or necessary to and used in connection therewith.”

The term **telecommunication mast** is not defined in the PUATPS and for purposes of this application the following definition will be adopted from the Tshwane Town Planning Scheme, 2008 (p25):

“Means a mast and a base station which is designed for communication over a distance by means of telephone, radio, television, etcetera”.

The following table serves as summary of the particular zoning and development parameters to guide / control the future development of the built environment component in the township.

TABLE 1 : PROPOSED ZONING & DEVELOPMENT CONTROL PARAMETERS
(DRAFT SECTION 125 AMENDMENT SCHEME)

1	Use Zone	I: Residential 1
2	Uses permitted	Dwelling-houses, including a telecommunication mast.
3	Uses with consent	Table D, Column 4
4	Uses not permitted	Table D, Column 5
5	Definitions	(1) Dwelling house Clause 1.16 (2) Telecommunication mast Means a mast and a base station which is designed for communication over a distance by means of telephone, radio, television, etcetera.
6	Density	One dwelling-house per 900m ²

7	Coverage	50 percent.
8	Height-restriction	<p>(1) 2 storeys: Provided that a second storey shall only be allowed if the Municipality is satisfied that such storey will not detrimentally affect the privacy of the adjoining owners.</p> <p>(2) Solar access to residential structures south of the property shall be protected as far as practicable.</p> <p>(3) Windows to be positioned sensitively in relation to the boundaries of the property so as to minimize possible privacy infringement of neighbouring residential developments.</p>
9	Floor area ratio	Not applicable
10	Site development plan and landscape development plan	Not required
11	Building-lines	<p>(1) Street boundaries: Five metres (5m)</p> <p>(2) Southwestern boundary: One metre (1m)</p> <p>(3) Other boundaries: Two metres (2m)</p>
12	Parking requirements	<p>Demarcated parking spaces, together with the necessary paved maneuvering space, shall be provided on the erf in the following ratios to the satisfaction of the Municipality:</p> <p>(1) Two bays per dwelling-house.</p> <p>(2) Adequate visitor's parking to the satisfaction of the Municipality.</p>
13	Paving of traffic areas	All parts of the erf upon which motor vehicles may move or park, shall be provided with a permanent dust-free surface, which surface shall be paved, drained and maintained to the satisfaction of the Municipality. Only permeable paving shall be used.
14	Access to the erf	<p>(1) Entrances to and exits from the erf shall be sited, constructed and maintained to the satisfaction of the Municipality.</p> <p>(2) Any panhandle must be at least 3 metres wide.</p>
15	Loading and off-loading facilities	Not required.
16	Turning facilities	Not required.

17	Physical barriers	A well-designed wall of brick shall be constructed on boundaries of abutting neighbouring residential properties which shall be maintenance free on the side of the adjacent property. The wall shall be at least 1,8m in height. No prefabricated walls shall be permitted.
18	Health measures	Any requirements for air pollution-, noise abatement- or health measures set by Municipality shall be complied with to the satisfaction of the Municipality without any costs to the Municipality.
19	Outdoor advertising	Advertisements and/or sign boards shall not be erected or displayed on the erf without the approval of the Municipality in terms of municipal by-laws for outdoor advertising.
20	<p>General:</p> <p>(1) Erven 1 and 2 shall be consolidated.</p> <p>(2) An engineer shall be appointed before the approval of building plans, who shall design, specify and supervise structural measures for the foundations of structures, according to the soil conditions prevalent on site. On completion of the structures, he / she shall certify that all specifications have been met.</p> <p>(3) In addition to the above conditions the erf and buildings thereon are further subject to the general provisions of the Peri Urban Areas Town-planning Scheme, 1975.</p>	

Annexure 'I' contains a summary of the approved use-rights which can be (and are being partially) exercised on the new Remainder of Portion R/26 which will originate at time of proclamation of the proposed Bronberg Extension 26.

[ANNEXURE 'I' : SUMMARY OF USE-RIGHTS ON NEW REMAINDER OF PORTION R/26]

These rights have been confirmed through its actual implementation in the early 1990's and will remain current and applicable to the part of Portion R/26 of the farm Tweefontein 372-JR not forming part of the township.

The reason for the increase in coverage for the Residential 1 - zoning from 30% to 50% and the discarding of the FSR for purposes of this proposal is found in the fact that the PUATPS is archaic (almost 40-years old) and not in touch with contemporary residential densities anymore. Historically Residential 1 developments comprised of large sprawling erven, for which a coverage of 30% and FSR of 0,3 would render an acceptable building extent and configuration. Today 30% coverage and an FSR of 0,3 applied to a much smaller erf (or a big enough erf with 3 dwellings on in this case) would be insufficient to ensure liveable conditions for families on same.

4. DEVELOPMENT PROPOSAL

4.1 CONCEPT

The development concept being pursued entails a small, low-density residential estate comprising of three dwelling-houses evenly distributed across the township area. The estate will be secured along the township perimeter by means of a solid brick wall (except the southwestern boundary) with electrical fencing to enhance the safety of the three families residing on the premises.

The garden area surrounding the dwelling-houses has been fully landscaped and sponsors luscious vegetation of a variety of trees, shrubs and undergrowth creating a sought-after ambience both aesthetically pleasing and psychologically calming. Paved areas have been minimized to capitalize on the numerous advantages of the natural environment component of the estate, like stormwater and climate control.

Ownership of all three dwelling-houses in this micro estate will remain with the township owner / developer. The Property will neither be subdivided, nor sectionalized in future. For this and for other physiographic reasons access and on-site vehicular movement and parking have deliberately been contained to the higher-lying, less steep part of the Property closest to the entrance on Olympus Drive. This has the advantage of a safer deeper-lying (vehicle-free) zone where resident families can in a tranquil and most relaxing atmosphere conduct their recreational activities.

4.2 TOWNSHIP DETAILS

4.2.1 Name

As confirmed in para 1.6 *supra* the name which was assigned by the CTMM to the township under consideration is Bronberg Extension 26 (refer Annexure 'C')

4.2.2 Layout plan

The requisite township layout plan underpinning the present application has been included (overleaf) as figure 2.

[FIGURE 2 : TOWNSHIP LAYOUT PLAN]

The township reference is Plan No CPD/Bronberg X 24/01.

LAND-USE TABLE

KEY	ERF NUMBER	AREA		LAND-USE	USE-RIGHTS	ZONING
		ha	(%)			
	01	0,2279	14,25	Dwelling houses & outbuildings	-	Residential 1
	02	0,0943	5,90	Dwelling house & outbuildings	-	Residential 1
TOTAL: TOWNSHIP		0,3222	20,15			
	Proposed Remainder of Portion R/26	1,2766	79,85	Restaurant Hotel	Hotel, conference facilities, tennis and squash courts, administrative offices and dining hall	Undetermined with permit approval
TOTAL: PROPERTY		1,5988	100,0			

TOWNSHIP LAYOUT PLAN

PROPOSED TOWNSHIP ESTABLISHMENT ON PART OF PORTION 26, FARM TWEEFONTEIN 372-JR

PROPOSED BRONBERG EXTENSION 26

LOCALITY MAP: (1:50 000)



Scale bar: 500m, 750m, 1000m, 1250m

NOTES

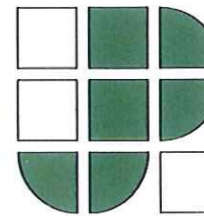
1. THERE ARE NO SEWERAGE WORKS WITHIN A 3km RADIUS OF THE SITE
2. NO AERODROME NOISE ZONES APPLICABLE

MUNICIPALITY

CITY OF TSHWANE
METROPOLITAN MUNICIPALITY
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PRETORIA
0001

APPLICANT:

ATLANTA INVESTMENTS (PTY) LTD
C/o WMS ARCHITECTS
331 GROSVENOR STREET
HATFIELD
0083



J PAUL VAN WYK

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DRAWN SILVIA

ST

FIGURE

2

SCALE 1:1000

DATE 2014/09/03

CAD NO. die werf-layout03

DESIGN J.P. van Wyk

CONTOUR INT. 1,0m

PLAN NUMBER CPD/BRONBERGX26/01

BRONBERG (PROPER)

BRONBERG EXT 1

BOARDWALK EXT 5 ON HOLDING 65 OLYMPUS A.H.

OLYMPUS DRIVE

ERF 104 BOARDWALK MANOR

PROPOSED REMAINDER OF R/26 FARM TWEEFONTEIN 372-JR

Twееfontein Spruit

ERF 26 BOARDWALK MEANDER



FLOODLINE

I HEREWITH CERTIFY THAT THE PROPOSED TOWNSHIP IS NOT AFFECTED BY ANY 1:20, 1:50 AND 1:100 YEAR FLOOD-LINES, IN TERMS OF THE PROVISIONS OF SECTION 144 OF THE NATIONAL WATER ACT, 1998 (ACT 36 OF 1998) AS WELL AS THE PROVISIONS OF REGULATION 10 (1) (a) (xiv) OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE, 1988 (ORD 15 OF 1988)

[Signature] 18/9/2014
PR. ENG. 880532 DATE

CONTOURS

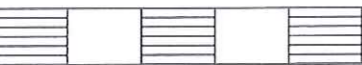
THE CONTOUR SURVEY ADHERES TO THE REQUIREMENTS FOR TOWNSHIP ESTABLISHMENT IN TERMS OF SECTION 138 OF THE ORDINANCE ON TOWNPLANNING AND TOWNSHIPS, 1988 (ORD 15 OF 1988).

- * CONTOURS OBTAINED FROM THE CITY OF TSHWANE COGIS WEBSITE.
- * DATUM PLANE: MEAN SEA LEVEL
- * CONTOUR INTERVAL: 1m
- * Geodetic grid system: NGS 84

- NOTES**
1. Approximate areas and measurements shown only, subject to final survey.
 2. Township boundary: ABCDEFGHJ
 3. Title deed number: T32485/2013
 4. Minimum erf size: 0,0943 ha
 5. Maximum erf size: 0,2279 ha
 6. Ruling erf size: Not applicable
 7. Erven 1 and 2 to be consolidated
 8. Minimum and maximum gradient of streets: Not applicable
 9. Length of streets: Not applicable
 10. Area of streets: Not applicable
 11. Area of streets as percentage of total area of township: Not applicable
 12. Area of parks and open spaces: Not applicable
 13. Access to all erven shall be to the satisfaction of the Municipality

- SERVITUDE NOTES**
1. Figure A1qJ represents a 2m wide municipal services servitude in favour of the Municipality vide Notarial Deed of Servitude No K 2380/2000S
 2. Figure JrpH represents a 2m wide sewerage servitude to be registered in favour of the Municipality

Scale bar: 50m, 75m, 100m, 125m



67100.00 2854900.00

66200.00 2854900.00

4.2.3 Floodplains

The township area is not affected by the 1:100-year floodlines of the nearby Tweefontein Spruit, as certified on the layout plan by messrs SRK Consulting (mr Matt Braune (Pr Eng: Reg No 880552).

4.2.4 Contours

The contours for the site were obtained from the City of Tshwane CGIS website, and adheres to the requirements of Section 138 of the Ordinance.

The layout reflects one-metre contour intervals ranging from approximately 1 453 amsl (northeast) to 1 442 amsl (southwest) representing a fall of around eleven metres (11m) in an essentially western direction over a distance of approximately 128 metres (amsl – above mean sea level). This translates to an average gradient across the length of the site (panhandle included) of 1:11,6 or 8,6 percent (say 1:12 or 9 percent).

4.2.5 Servitudes

The township area sponsors a two metre (2m) wide sewerage servitude registered along its northwestern boundary in favour of the CTMM, *vide* Notarial Deed of Servitude No K2380/2000S.

Similarly will a two metre (2m) wide sewerage servitude also be registered along its southwestern boundary in favour of the CTMM, to accommodate the sewer pipeline for effluent discharge emanating from the development project situated on the (to be) new Remainder of Portion R/26 after proclamation of the township.

4.2.6 Development density

With the township area extending to around 3 060m² (panhandle area excluded) the residential density for three dwelling-houses on same would be one dwelling-house per 1 020m². The application makes provision for one dwelling-house per 900m² to be safe, which will still amount to only three dwelling-houses being permitted on the development site.

4.3 DESIGN CONSIDERATIONS

4.3.1 Number of erven

Provision has been made for two erven in the township – this being the minimum statutory number for a township being established. The

two erven will however be consolidated again simultaneously with the opening of the township register at the Deeds Office and the proclamation of the township.

4.3.2 Access

The township will derive indirect access to the public street system (Olympus Drive) *via* a 4,4 metre wide, 35,3m long panhandle. The width of the access route is restricted by the prevalence of a Vodacom telecommunication mast and base station installation on the new Remainder of Portion R/26 to originate upon proclamation of the present application. Its positioning *in loco* prohibits the provision of a wider panhandle, although the proposed 4,4 metre width for same should be adequate for its envisaged purpose of serving the access needs for the three families residing in the township area.

The access position being proposed on Olympus Drive has been discussed with and pre-approved by messrs Jacques du Preez, Ben Molleman and Luts Johannes of the CTMM Roads and Stormwater Department. Due consideration was given to matters like the position of the access *vis-à-vis* the existing as well as possible future configuration of the nearby Leander Road / Olympus Drive junction. Traffic flows (direction, volume, breaks) were also taken into consideration.

[FIGURE 3 : AMPLIFIED TOWNSHIP LAYOUT PLAN]

4.3.3 Vehicular circulation and parking

One-way traffic can be comfortably accommodated in the panhandle access area of the township. With only three dwelling-houses established in the township it can be expected that a maximum of six passenger vehicles would leave the premises during the morning peak hour and the same six returning during the afternoon peak hour period, in one direction at a time. Incidences of opposing traffic encounters in the panhandle area will be infrequent and with the minimum disruption of convenience. There is sufficient space available for vehicles egressing the premises to back up onto the site in the event of an ingressing vehicle arriving unexpectedly.

The positioning of the three sets of garages / carports in a U-shape on the northeastern parts of the development site has served to create a "vehicular court yard" for manoeuvring in- and out of the carports / garages, and for casual parking by visitors to the estate.

AMPLIFIED TOWNSHIP LAYOUT PLAN

LAND-USE TABLE

KEY	ERF NUMBER	AREA		LAND-USE	USE-RIGHTS	ZONING
		ha	(%)			
	01	0,2279	14,25	Dwelling houses & outbuildings	-	Residential 1
	02	0,0943	5,90	Dwelling house & outbuildings	-	Residential 1
TOTAL: TOWNSHIP		0,3222	20,15	-	-	-
Proposed Remainder of Portion R/26		1,2766	79,85	Restaurant Hotel	Hotel, conference facilities, tennis and squash courts, administrative offices and dining hall	Undetermined with permit approval
TOTAL: PROPERTY		1,5988	100,0	-	-	-

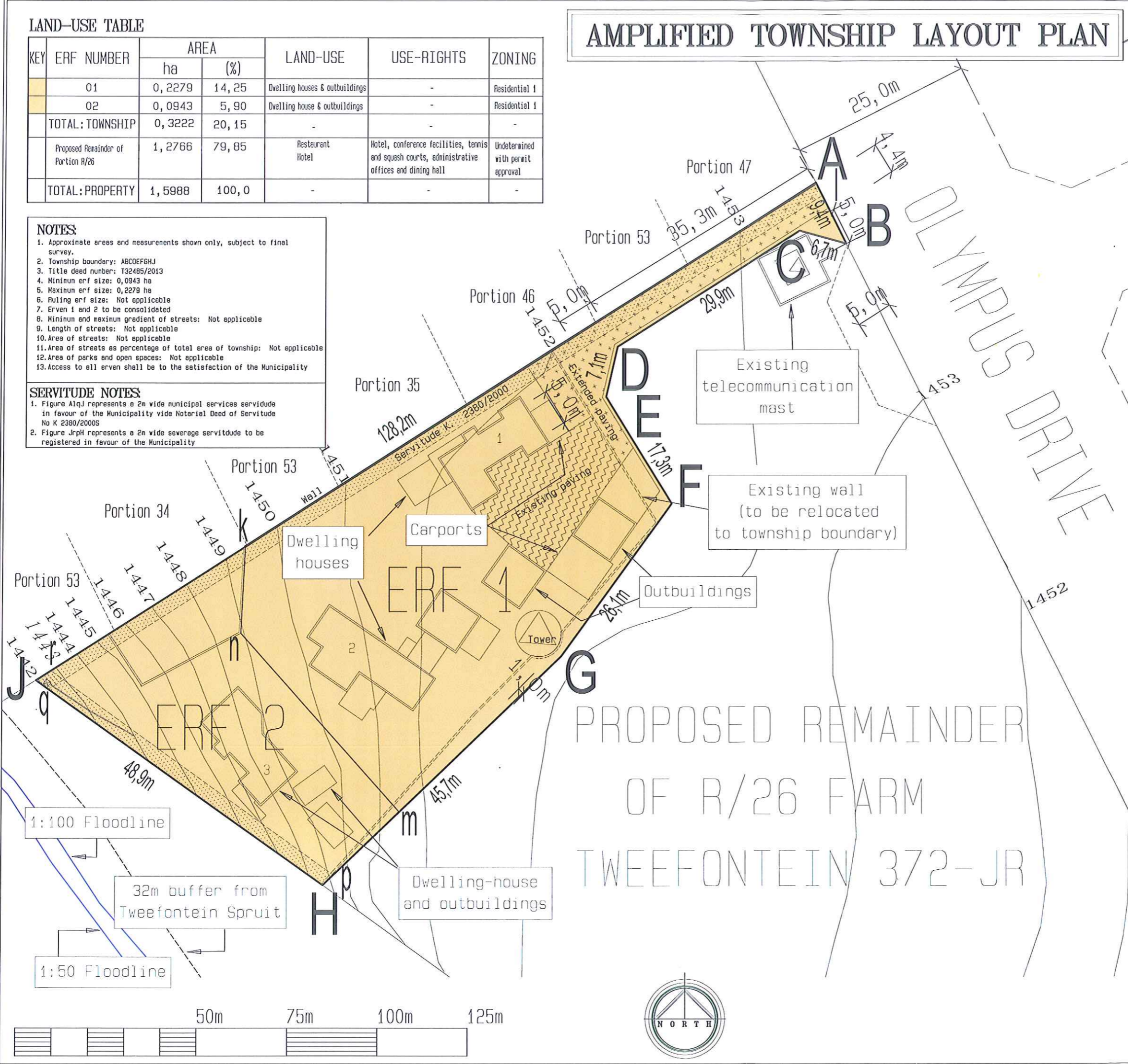
- NOTES:**
- Approximate areas and measurements shown only, subject to final survey.
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 - Title deed number: T32485/2013
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- SERVITUDE NOTES:**
- Figure A1q represents a 2m wide municipal services servitude in favour of the Municipality vide Notarial Deed of Servitude No K 2380/2000S
 - Figure Jph represents a 2m wide sewerage servitude to be registered in favour of the Municipality

PROPOSED TOWNSHIP ESTABLISHMENT ON PART OF PORTION 26, FARM TWEEFONTEIN 372-JR
PROPOSED BRONBERG EXTENSION 26

LOCALITY MAP: (1:50 000)

NOTES:

- THERE ARE NO SEWERAGE WORKS WITHIN A 3km RADIUS OF THE SITE
- NO AERODROME NOISE ZONES APPLICABLE



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DRAWN	SILVIA	ST	FIGURE
SCALE	DATE	CAD NO.	3
1:500	2014/09/18	die werf-layout03	
DESIGN	CONTOUR INT.	PLAN NUMBER	
J.P. van Wyk	1,0m	CPD/BRONBERGX26/AMPLIFIED/01	



The paved area of the court yard is foreseen to be enlarged in a northeastwards direction at time of relocating the existing enclosing wall to the township boundary in future. This will create further manoeuvring and parking opportunities for visitors to the households in the estate.

Only the northernmost dwelling-house is linked with its vehicle storage facility. The other two houses are divorced from theirs and linked to same by means of a paved pedestrian walkway in proximity to the southeastern boundary of the development site.

4.3.4 Natural *versus* built environment

The three existing dwelling-houses have been designed and positioned on site in response to the exceptional natural features of the terrain. The westward gradient offers magnificent views towards and on to the Tweefontein Spruit and its rich and pristine associated riverine corridor.

The building design, materials, finishes and colours have together culminated in a rustic built environment which blends-in superbly with the contextual natural environment on offer by the site and the abutting river feature. The minimalist development footprint approach through provision of elevated horizontal wooden deck protrusions has gone a long way towards creation of a most conducive spatial environment for preservation of the natural environment for quality family living.

[ANNEXURE 'J' : PHOTOGRAPHS OF BUILT & NATURAL ENVIRONMENT OF SITE]

All three dwelling-houses face generally north for maximum sunlight into, and solar heating of the living rooms and recreational areas of these dwellings. The site planning, plantscaping and vegetation of the site have also been done with circumspection and due cognisance to the maximisation of stormwater infiltration through attenuation and the concomitant minimization of erosion and surface scouring pursuant to high volume / speed of stormwater run-off over the steeper gradients prevalent on the southwesternmost parts of the terrain.

It is therefore evident that the township owner has gone to great lengths with the designs, materials and detailed site planning to reduce energy consumption and create an improved human environment commensurate with the principles of the draft Green Building Policy and Bylaws soon to be formally adopted by the CTMM.

5. MOTIVATION OF MERIT

5.1 PRECEDING SECTIONS

Several elements of the merit of the application have already been addressed in preceding sections of the memorandum. It is therefore important for the memorandum and accompanying annexures, figures and plans to be read in its entirety for a full comprehension of the need, desirability and sustainability of the development proposal at hand.

5.2 NEED / NECESSITY

5.2.1 Market demand

The need for housing in South Africa, and especially in metropolitan cities like Tshwane is an undisputed fact. Rural-urban migration volumes have increased over the past decades with these cities being viewed as places of potential employment. Other drawcards serving to reinforce the urbanisation trend include better equipped and run schools, a diverse range of shopping facilities and products / services not available in the countryside, availability of cultural land-use activities (e.g. art galleries), proximity to well-equipped and functioning hospitals, clinics and step-down facilities, and more.

The subject property is located between a well-established and sought-after middle class residential neighbourhood to its north, west and south on the one hand, and an emerging residential neighbourhood east / southeastwards on the other. It will as such be generally compatible with its wider surrounds, the latter which serves as the market for residential dwellings like the three houses in the proposed new township under consideration. Estate agents have confirmed the increasing demand in this particular area for dwelling-houses in the price range of R1,2 to R2,2 million.

5.2.5 Rental market

The rental market for housing in South Africa has received a major stimulus through introduction of the National Credit Act, 2005 (Act 34 of 2005). This has put a damper on mortgage lending by financial institutions on dwelling-houses and other forms of housing to individuals / families not qualifying for such loans as measured against the stringent criteria for lending in the mentioned Act. The resultant surge and continued growth in the rental market for housing confirm the need for rental accommodated in all areas and housing market segments.

The deteriorating purchase: rental relationship in the housing market is further strengthened by other economic adversities. Examples include the persistent high debt levels of households, uncertainties in the labour (jobs) market, low investor confidence and an economy struggling to maintain constant positive growth.

The existence of a strong rental market for middle- to up-market housing in the particular area under consideration has been proved unequivocally. The applicant has been living in one of the three houses on the premises and renting out the other two to other families. The additional houses are permanently occupied, with the applicant having historic proof of the increase in the demand for same over time.

5.2.3 Need for legal separation

The township owner is also part-owner of the non-residential land-use activities on the same property as alluded to in para 3.2.2 *supra* and Annexure 'I' to the memorandum. The need has now arisen to separate the three dwelling-houses belonging to the township owner / applicant exclusively, from the co-owned other land-use activities and supporting infra- and superstructures.

The applicant has initially explored the subdivision of the parent property to facilitate separate ownership, but due to the three dwelling-houses being situated on a part of the property smaller than one hectare, the CTMM was not in support of a division of land application in terms of the Division of Land Ordinance, 1986 (Ord 20 of 1986). The township establishment process hereby being followed remained the only alternative available in law to separate the ownership of the land-uses, as required.

Upon proclamation of the proposed Bronberg Extension 26 township ownership of the three dwelling-houses will officially vest in the private company registered as Atlanta Investments (Pty) Ltd (Reg No 1993/02494/07) being controlled by director CRJ Thirion – currently in possession of the three dwelling-houses concerned. The balance of the property not being subjected here to township establishment will after proclamation of Bronberg Extension 26 be located on the new Remainder to originate at time of proclamation, which will then be transferred / registered in name of a co-owned private company styled as Sederhout (Pty) Ltd.

5.2.4 Synthesis

It has been demonstrated that there is a general universal need for housing in South Africa, also including the City of Tshwane, a

metropolitan city subjected to high and continuous immigration of individuals / families. Also more specifically, an active demand for the purchase and rental of dwelling-houses in the price range here under consideration. The fact that the dwelling-houses have already been constructed and occupied full-time (one by owner, two by tenant-families) unequivocally confirms the need / necessity of dwelling-houses in this particular location.

It has furthermore been explained that there is a need by the applicant to sever his residential interests from the existing non-residential land-use activities on the same property. The need originated at time of entering into a business partnership with an investor in the non-residential development project, which now requires the residential and non-residential components to be owned and controlled by separate legal entities.

5.3 DESIRABILITY

5.3.1 Future planning for area

The Regional Spatial Development Framework: Region 6, 2013 (RSDF) adopted by the CTMM on 27 March 2014 is the embodiment of the official planning vision / policy for the future spatial development of *inter alia* the area where the subject property is located. The RSDF is the culmination of the union of several provincial and municipal forward planning strategies, policies and plans and its amplification to higher levels of detail for the planning region under consideration. Examples include the Gauteng Spatial Development Plan, the Tshwane Strategy 2055, Tshwane Metropolitan Spatial Development Framework, the Tshwane Compaction and Densification Strategy and more.

An extract from the RSDF spatial presentation for the area on which the development site has been highlighted, has been appended hereto as Annexure 'K'.

[ANNEXURE 'K' : EXTRACT FROM RSDF MAP]

It is evident that the subject property is located in a Suburban Densification Zone, which is described in the RSDF as follows:

"Suburban Densification Zones are those existing suburban areas where there is potential for moderate densification because of the area's strategic location within the city (within a 25km radius of the CBD). This zone makes for good application in areas that are close to places of employment, major retail centres and

prominent transport routes, but where it is still desirable and warranted to maintain a suburban character. These areas are indicated in yellow on the Densification Map. The maximum densities in these areas will be restricted to 25 dwelling-units per hectare.” (p62).

The application at hand is indeed supportive of the RSDF in the following way:

- The development density of this residential township will be one dwelling-house per 1 020m² (net of the panhandle area) which equates to a development density of around 9,8 dwelling-units per hectare. This is higher than the single dwelling-house usually associated with a farm-portion of land, but still less than the 25 dwelling-units per hectare maximum allowed for in the RSDF.
- The site is close to a variety of existing and future shopping centres and employment opportunities in the area. Examples of existing opportunities are found in the shops, restaurants and related land-use activities in the nearby Glen Village and Olympus Plaza Shopping Centres (± 1,1 and 0,9 kilometres away respectively), the Boardwalk Meander office complex (± 0,8 km), the Plantland Nursery and shopping complex (± 0,9 km), schools and churches like Doxa Deo (± 1 km) and Woodlands College (± 1,6 km) and more.

It is also situated adjacent to a hotel / guesthouse, restaurant, etc complex (refer para 3.2.2 *supra*) currently still on the same property and opposite the already proclaimed Boardwalk Extension 5 township on which a neighbourhood shopping centre will be developed shortly.

- Olympus Drive is furthermore a Mobility Road which according to the RSDF serves to facilitate intra-metropolitan traffic flows. Public transport is confirmed to be very important along Mobility Roads (RSDF, p53).

It therefore follows that the proposal at hand is fully commensurate with the RSDF guidelines for future development of the area.

5.3.2 Contextual milieu

The current and future contextual milieu of a development application is a function of three components, *viz*:

- The future planning of the area;

- Existing zoning / use-rights pattern; and
- Current land-use pattern and distribution in the area

The future planning for the area has to a large extent been discussed already in para 5.3.1 above, but the following additional information deserves mentioning:

- The authors of the RSDF appear to be uninformed about the extensive development rights approved by the former Transvaal Provincial Administration on Portion R/26 of the farm Tweefontein 372-JR (of which the area on which the township is being established forms part). The approval has been granted in terms of the title conditions of the property and has been exercised / confirmed (refer CTMM Zoning Certificate – Annexure ‘H’ dated 03 September 2014).
- Together with the above, the future new shopping centre to be erected shortly in the approved township of Boardwalk Extension 5 will form a formidable node in local (and wider) context which cannot be ignored.
- The existing dwelling-houses and duette-dwellings along Olympus Drive between the Glen Village Shopping Centre (at the Solomon Mahlangu – intersection) and Kromdraai Street (Faerie Glen) have been earmarked for future office-use purposes. These properties are indeed being converted for same at an astonishing rate, since the economy has first started showing signs of a recovery.

It therefore comes as no surprise that the area currently portrays a mixed-use character, but with low-density (single residential and cluster housing) residential uses predominating. It is thus in the first instance a suburban residential neighbourhood, but interspersed with subservient and ancillary non-residential land-use activities (existing and planned) which lends credibility to the description of a mixed-use land-use pattern.

The above was observed during a visual inspection held recently, supplemented by appropriate internet research to corroborate the observations (refer fig 4 – overleaf).

[FIGURE 4 : LAND-USE MAP]

PROPOSED TOWNSHIP ON PART OF
REMAINDER PORTION 26 OF THE FARM
TWEEFONTEIN 372-JR

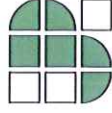
FIGURE 4:
LAND USE MAP



PROPOSED TOWNSHIP ON
PART OF REMAINDER
PORTION 26 OF THE FARM
TWEEFONTEIN 372-JR

LEGEND:

- R - SINGLE DWELLING RESIDENTIAL
- B - BUSINESS
- V - VACANT
- 6H - GROUP HOUSING



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Comparing the approved use-rights (zoning) of properties in the area to the prevailing land-use pattern it becomes evident that for the most part the *de facto* uses corresponds to the *de jure* zoning. This is reminiscent of a planning system that works, as aptly stated in Section 19 of the Ordinance, as follows:

“The general purpose of a town-planning scheme shall be the co-ordinated and harmonious development of the area to which it relates in such a way as will most effectively tend to promote the health, safety, good order, amenity, convenience and general welfare of such area as well as efficiency and economy in the process of such development.” (pp7, 8)

Figure 5 (overleaf) illustrates the current zoning / use-rights pattern in the area, which defines the uses to which a property may be lawfully and within his / her rights as property owner put.

It can realistically be expected that the dynamic influence of the approved RSDF would over time cause the existing zoning and concomitant land-use patterns to change in pursuance of the vision created in the RSDF for the future of the area.

[FIGURE 5 : ZONING PLAN]

5.3.3 Spatial sustainability

The spatial sustainability of the development proposal can be gauged against two important official requirements, viz:

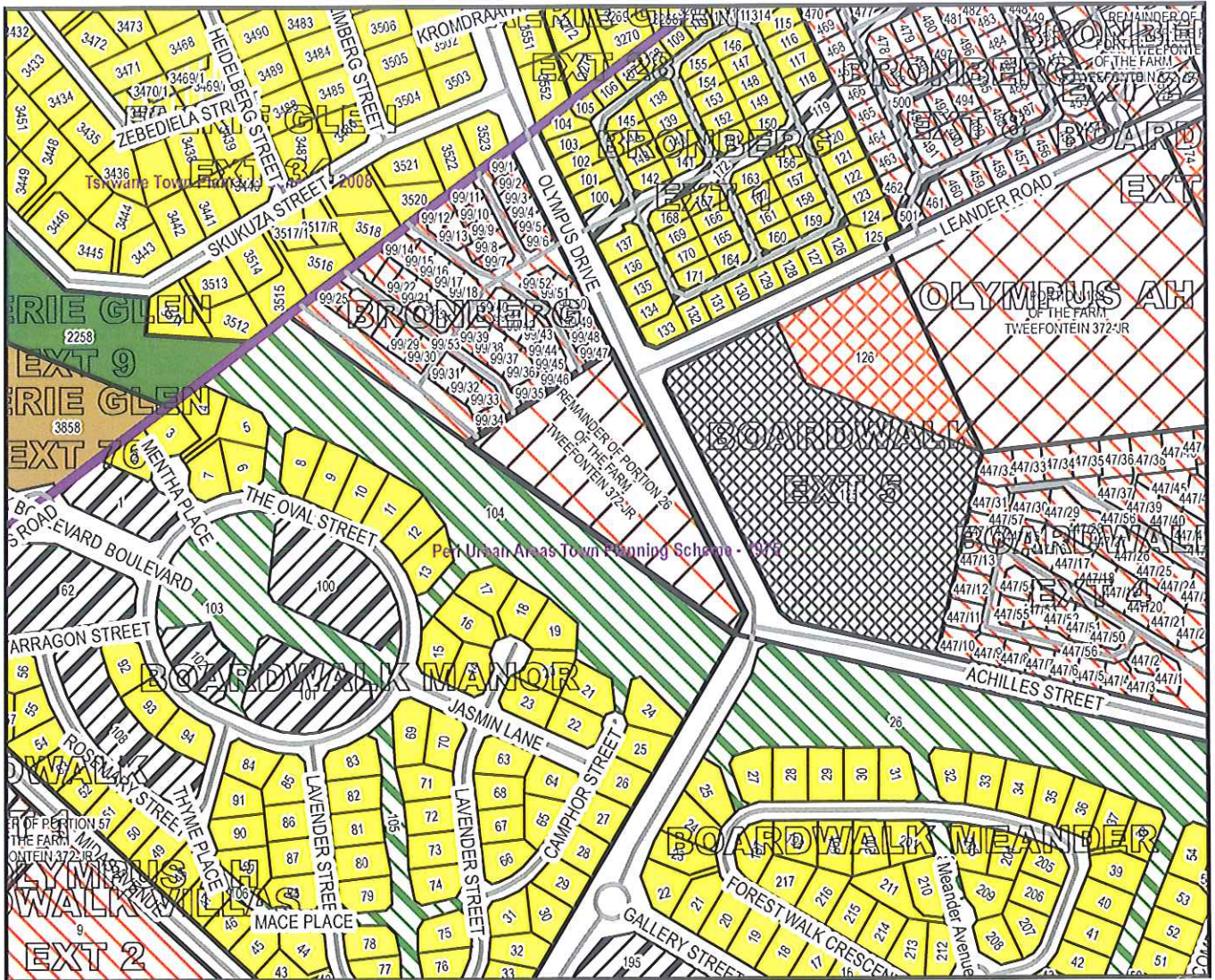
- compliance of the envisaged development with the Development Guidelines of the RSDF (pp 55 to 57); and
- Regulation 18(1)(b)(ii)(bb)(aaa) of the Ordinance which requires the applicant to demonstrate the influence which the proposed uses in the township would likely have on surrounding land-uses within a kilometre radius, and the influence in turn which these surrounding land-uses would likely have on the future uses in the township.

The RSDF Development Guidelines (pp 55 to 57) state that:-

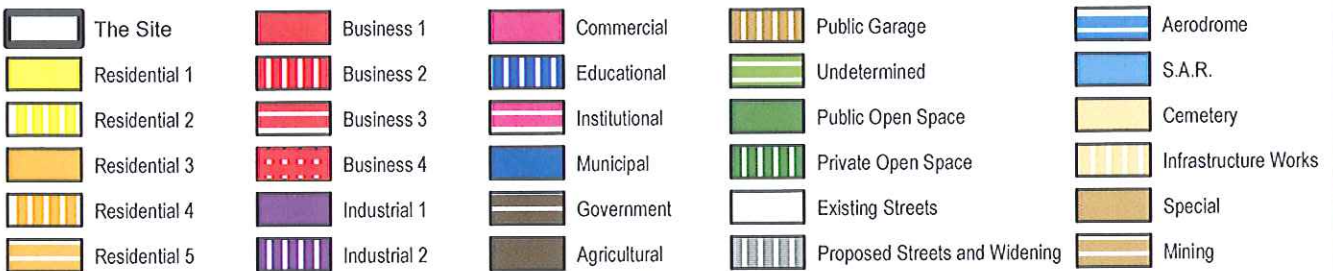
“The following criteria shall determine if a particular erf is suitable to accommodate a permitted land-use change:

ZONING PLAN

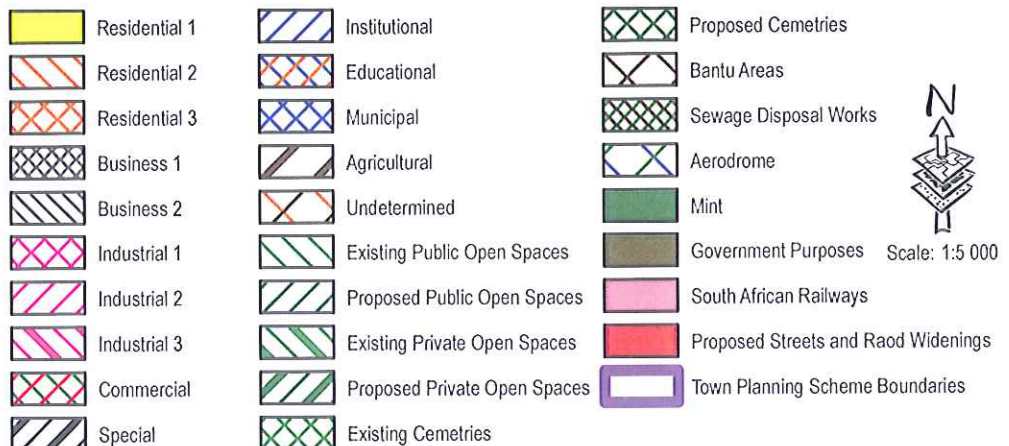
REMAINDER OF PORTION 26 OF THE FARM TWEEFONTEIN 372-JR



Tshwane Town Planning Scheme, 2008



Peri Urban Areas Town Planning Scheme, 1975



Compiled by: MJ Labuschagne
Date: 06 Aug 2014

File: Q:\City Planning\LULA - GI Technicians\Matthys\ArcInfo Maps\Town Planners\Mpo\TWEEFONTEIN 372-JR - 28-R\Zoning Plan - REMAINDER OF PORTION 26 OF THE FARM TWEEFONTEIN 372-JR.mxd

FIGURE 5

- *Acceptable safe access possible*
- *Adequate on-site parking available*
- *Adequate space available for landscaping purposes*
- *Acceptable impact on residential component*
- *Site characteristics*
- *Availability of services*

The evidence and / or motivation for most of these requirements has been provided in Section 4: Development Proposal earlier in the memorandum and para 5.3.5 *infra* regarding the provision of engineering services to the township. Apart from that, the balance of this sub-section serves to elucidate further.

With regards to the requirement of an acceptable impact on residential developments in the area it should be mentioned that there are no existing or future residential developments being planned to the immediate south, west and east of the development site. This means that the three dwelling-houses in the proposed new township will have no adverse effects with regards to the unwanted blocking / obscuring of the sun and / or solar deprivation of households to the south or west. Neither with regards to privacy infringement through overlooking / views on to adjacent residential properties.

Furthermore are two of the three dwelling-houses situated far from the northern township boundary, which is also the shared boundary with the group housing complex in the north-lying Bronberg (proper) residential township. The third house (numbered 1 on township layout plan – figure 3) is located just over 2 metres from the mentioned boundary, with two cluster homes situated to its north, i.e. on Portions 35 and 46 of Erf 99, Bronberg.

The existing dwelling-house (no 1) was already in existence before the development of the Bronberg township, which means the proximity of these residential houses / units to each other has already been considered / discounted at the time, and found to be acceptable. The township Bronberg has been established at the time on a part of the same property – hence this assertion. Dwelling-house number 1 is however not being deprived of solar energy / sunlight by the cluster homes on Erven 35/99 and 46/99, Bronberg due to an undeveloped corridor between these erven / dwellings with the advantage of allowing the passage of natural light, etc through to the south.

With regards to the reciprocal impacts of the future land-use in the proposed township and surrounding land-uses in a one kilometre radius, herewith the following:

- The proposed new township can be regarded as a buffer between the north-lying residential township of Bronberg, and the south-lying non-residential restaurant, hotel / guesthouse, etc development as discussed. It forms an ideal transitional zone between the “softer” residential amenity (north) and the more harsh non-residential character to its south.
- Since the township will merely formalise the *de facto* situation of three dwelling-houses historically erected on the premises and ever since occupied, any / all possible positive and / or negative effects of same on surrounding uses would already have been discounted / internalized / mitigated by now, and the same for the effects of surrounding land-uses on the three dwellings and the families occupying same.
- The township will in future contribute towards the better utilization of public facilities in the area (e.g. parks) and its occupants will add to the purchase power required to sustain nearby existing and future shopping and recreation facilities.
- The scale, nature and extent of the proposed new residential estate are foreseen to contribute positively towards the prevailing residential amenity of surrounding residential neighbourhoods, at the same time contributing in a sensible, harmonious way to the furthering of the mixed-use development principle in its immediate environs.
- There is finally a possibility that the future shopping centre on Erf 125, Boardwalk Extension 5 to the northeast of the township (opposite Olympus Drive) may have an adverse effect on the northeasternmost dwelling-house in the township through e.g. light and noise pollution, littering. The applicant however contends that these adversities would be relatively low-impact and that it could be mitigated adequately.

By weighing these potential adversities against the advantages of proximity (walking distance), convenience (time-savings) and economy (reduced travel expenses) the shopping centre may well have a net beneficial effect on future households residing in the township.

5.3.4 Accessibility

Accessibility to the township is enhanced through the following higher-order mobility routes serving the area:

- Olympus Drive;
- Solomon Mahlangu Drive;
- Atterbury Road;

and a little further away:

- Garsfontein Drive;
- Lynnwood Road; and
- the N4-National Route

These roads serve to facilitate ease of movement between the development site and surrounding development nodes / concentration zones like Menlyn Development Node, Woodlands Boulevard Shopping Mall and the CBD, *via* the N4 National Road.

The site is further serviced by a well-established network of lower-order public streets, providing access to other lower-order functions of importance, like schools. In general vehicular access to / from the site can be regarded as above average.

Public transport flows in the form of mini-bus taxis in Olympus Drive, Atterbury Road and Solomon Mahlangu Drive are of high volume and regular frequency, contributing to a large degree to the accessibility of the area for people without private motor vehicles – e.g. domestic workers at residential homes in the area, including the dwelling-houses in the proposed new township. It can be expected that the future shopping centre across the road would serve to attract public transport more readily, improving the service for others in the area as well.

5.3.5 Engineering services

The township is already fully serviced and functional regarding the availability of water, electricity, roads, stormwater and sanitation. Where municipal connections have not been effected yet, these will now be done to ensure sustainable service provision to the township in future. Furthermore will service connections presently being shared between the dwelling-houses in the proposed township and the non-residential uses in the same property be severed / disentangled to ensure separate municipal connections to these uses in future.

Evidence of the proximity and availability of the necessary engineering services to the township has been sourced in the form of bulk reticulation maps for each of the engineering services. These have all been appended hereto as Annexure 'L'.

[ANNEXURE 'L' : BULK SERVICE RETICULATION MAPS FOR SURROUNDING AREA]

- (1) **Water:** A 90mm diameter bulk water pipeline traverses the area along the southwestern reserve-boundary of the abutting Olympus Drive.
- (2) **Sanitation:** A 175mm diameter bulk sewer pipeline traverses the area to the northwest of the abutting Bronberg township, in a northeast / southwestern direction. The proposed new township will connect to this line *via* a servitude already created for the purpose across Erf 53/99, Bronberg.
- (3) **Stormwater:** With the Tweefontein Spruit traversing the area to the southwest of the proposed township on the abutting Erf 104, Boardwalk Manor the applicant envisages disposing of the stormwater from the township in the Tweefontein Spruit, in an environmentally sustainable manner. In this regard the applicant has already created the opportunity for maximum infiltration of stormwater run-off through intensive landscaping and minimisation of hard surfaces in the lower-lying, steeper areas of the township.

Stormwater attenuation in this way appears to be successful since there is no evidence of soil erosion or surface scouring. The stormwater release takes place well-above the 1:100-year floodline, with no adverse environmental impacts at all.

With Sustainable Urban Drainage Systems (SUDS) being encouraged / propagated by the CTMM in accordance with the yet to be finally adopted Green Building Policy and Bylaws, 2013 it is recommended that the township not be connected to the municipal stormwater system, but that SUDS be employed to dispose of any residual stormwater run-off after attenuation / mitigation, in an environmentally responsible way.

- (4) **Electricity:** The CTMM at present supplies electricity to all the land-use activities on the overall premises, including the three dwelling-houses in the proposed new township. The current connection will be split to obtain two separate connections, of which one will serve to connect the proposed township to the CTMM bulk supply system.

- (5) **Roads:** An extract from the approved Roads Master Plan for the area has been obtained from the CTMM Roads and Stormwater Department: Integrated Roads Planning on which Olympus Drive has been earmarked as a higher-order Mobility Road. Its reserve-width according to the General Plan is 25 metres.

Upon enquiry to the mentioned CTMM department, the Deputy Director: Integrated Roads Planning in an email dated 14 July 2014 confirmed that:-

“25m for Olympus Drive should be sufficient.”

[ANNEXURE ‘M’ : ROADS MASTER PLAN AND
CONFIRMATION OF RESERVE-WIDTH FOR
OLYMPUS DRIVE]

It is thus evident that no road-widening would be required for Olympus Drive which would affect the township layout.

5.3.6 Geological conditions

A fully-fledged geotechnical investigation is presently being undertaken for the development site at the base of the proposed township. The engineering geologist, mr Louis Kruger of Louis Kruger Geotechnics cc has in the interim confirmed that based on the 1:250 000 scale geological maps for the area, as well as the results for a similar geotechnical study for the approved Boardwalk Extension 5 across Olympus Drive from the site, there should be no insurmountable geological problems which would stand in the way of the successful establishment of the township.

Although there are hard rock and rock outcrop prevalent in the area, this could be favourable for foundation purposes. There are furthermore no dolomites or doline structures occurring in these parts.

5.3.7 Environmental considerations

Preliminary investigations by messdames LEAP Environmental Consulting (dr Gwen Theron) have shown that it is unlikely that the proposed township would trigger any of the activities listed in the Regulations (2010) to the National Environmental Management Act, 1998 (Act 107 of 1998 [NEMA]). She confirms the following in an email to the firm on 29 January 2014:

“If the development does not encroach on the 1:100-year floodline and the 32 metre buffer zone around the river and does not encroach the areas classified as important or ecological support areas by GDARD you would not require environmental authorization...”

Both the 1:100-year floodline and the 32-metre buffer zone along the Tweefontein Spruit to the southwest of the subject property have been indicated on the accompanying township layout plan. Both these lines fall outside the township boundary.

The township owner has erected a permeable fence along the southwestern boundary of the township shared with Erf 104, Boardwalk Manor on which the Tweefontein Spruit has been accommodated, with the following advantages:

- the migration of small animals between the properties; and
- the free flow of stormwater between the properties, although at slow speeds and low volumes due to the reasons explained earlier.

The southwestern parts of the site sponsor exceptional specimens of a variety of mature indigenous trees, which will be left unaffected by the township approval. As alluded to earlier it forms part of an integrated conservation-led landscaping initiative implemented and maintained by the township owner to protect and enhance the natural environment component of the development in support of the creation of a much desired residential amenity and living environment for inhabitants of the estate.

The township application will be referred to the Gauteng Department of Agriculture and Rural Development (GDARD) for comment and a final decision on whether any listed activities are triggered by the limited in scale and impact residential activity in the proposed new township.

[ANNEXURE ‘N’ : EMAIL CONFIRMATION BY LEAP ENVIRONMENTAL CONSULTANTS DD 29/01/14]

5.3.8 DFA-development principles

Section 2 of the Development Facilitation Act, 1995 (Act 67 of 1995)[‘DFA’] determines that the general principles contained in Section 3 shall apply throughout the Republic of South Africa. Not all the general principles are usually applicable to a particular case and

the applicant contends that the following apply to the application at hand:

- Section 3(1)(c): The application serves to promote the integration of social, economic, institutional and physical aspects of land development. It also promotes the availability of residential, employment and study / educational opportunities in close proximity to or integrated with each other. It serves to optimize the use of land, bulk infrastructure, roads and transportation facilities and also to promote a diverse combination of land-uses on the subject property and in the area.
- Section 3(1)(d): Members of the surrounding community affected by the land development proposal will be afforded the opportunity to participate in the approval process as allowed for by Section 69 of the Ordinance.
- Section 3(1)(h): With due consideration to the provisions of the RSDF the proposed development will contribute to the establishment of a viable community, promote sustained protection of the environment and contribute towards the basic needs of affected citizens in an affordable way. It will also contribute towards the safe utilization of land with due consideration to e.g. geological formations.

The development proposal will therefore be commensurate with the general principles for land development laid down by the DFA, as applicable to the present situation.


6. CONCLUSION AND RECOMMENDATION

6.1 CONCLUSION

The applicant has demonstrated the need, desirability and sustainability of the development proposal at the base of the present township application successfully, proving the merit of the application unequivocally. The application complies with the requirements of Section 19 and Regulation 18 of the Ordinance on Townplanning and Townships, 1986 as well as Section 2 and 3 of the Development Facilitation Act, 1995.

6.2 RECOMMENDATION

In view of the proven merit of the application for township establishment in terms of the mentioned legislation, the City of Tshwane Metropolitan Municipality is hereby requested to consider the application positively and to approve it in terms of Section 98(1) of the Ordinance, as applied for.



J PAUL VAN WYK Pr Pln

In conjunction with
Silvia Tomás (MTRP)
22 September 2014

ANNEXURE 'A'

APPROVALS BY FORMER TRANSVAAL PROVINCIAL ADMINISTRATION



NAVRAE/ENQUIRIES: I. Goosen

VERWIEF: GO 15/5/2/37/118 TEL 201-2095
TAK GEMEENSKAPSONTWIKKELING
COMMUNITY DEVELOPMENT BRANCH

(371)

AANHANGSEL B

Mnre. Infraplan
Posbus 1847
PARKLANDS.
2121

TRANSVAALSE PROVINSIALE ADMINISTRASIE
TAK GEMEENSKAPSONTWIKKELING PRIVAATSAG/PRIVATE BAG X437
1990-12-20
PRETORIA 0001 COMMUNITY DEVELOPMENT BRANCH
TRANSVAAL PROVINCIAL ADMINISTRATION

VOORGESTELDE UITBREIDING VAN BESIGHEIDSREGTE OP GEDEELTE 26
(GEDEELTE VAN GEDEELTE 3) VAN DIE PLAAS TWEEFONTEIN 372-JR,
PRETORIA

U aansoek MEI 19/2 HZ gedateer 12 Junie 1990 verwys.

Ek moet u meedeel dat die Administrateur u aansoek vir die
bedryf van 'n hotel, konferensiefasiliteite en ontspannings-
geriewe goedgekeur het ingevolge die voorwaardes wat teen die
eiendom geregistreer is, onderworpe aan die volgende
voorwaardes:


1. 'n Hotel met maksimum 100 kamers/suites.
2. Konferensiefasiliteite 200 m² maksimum.
3. Swembad 80 m² minimum.
4. Eetkamer maksimum 100 m² uitgesluit kombuisfasiliteite.
5. Muurbalbane.
6. Tennisbane en ander ontspanningsfasiliteite.
7. Administratiewe kantore vir die hotelkompleks bestuur
alleen.
8. Alle vorige regte toegeken.

Die regte toegestaan in 1. is onderworpe aan die volgende
voorwaardes:

- (1) Die hotelfasiliteite is vir die gebruik van
hotelbesoekers alleen.

- (2) Personeel/arbeidershuisvesting moet deur middel van lands afgeskerm word van die publiek/hotelgaste.
9. Die regte sal verval indien enige van die voorwaardes opgelê, nie nagekom word nie.
 10. Die plasing van geboue moet tot bevrediging van die plaaslike bestuur wees.
 11. Doeltreffende parkeerplekke, tesame met die nodige beweegruimte, moet tot bevrediging van die plaaslike bestuur, op die eiendom voorsien word.
 12. Die op- en aflaai van goedere mag slegs binne die grense van die eiendom geskied.
 13. Geen geboue of strukture en geen fasiliteite wat deel van die ontwikkeling uitmaak (uitgesluit toegangsfasiliteite, parkering, grasperke en tuine) mag binne die perke van enige boulyn wat van toepassing mag wees, opgerig of voorsien word nie.
 14. Omheining en/of afskerming van die terrein moet, soos en wanneer deur die plaaslike bestuur vereis, tot bevrediging van sodanige owerheid geskied en in stand gehou word.
 15. Die geregistreerde eienaar is verantwoordelik vir die instandhouding van die hele ontwikkeling op die eiendom. Indien die plaaslike bestuur van oordeel is dat die eiendom of enige gedeelte van die ontwikkeling nie bevredigend in stand gehou word nie, is sodanige owerheid geregtig om sodanige instandhouding op koste van die geregistreerde eienaar te onderneem.
 16. Sanitêre geriewe moet tot bevrediging van die plaaslike bestuur voorsien word.
 17. Die ingange tot en uitgange vanaf die eiendom moet tot bevrediging van die plaaslike bestuur wees.

Die uwe


7 DIREKTEUR-GENERAAL

omgewende provinsiale
joedekering 1/2/1989.

- 3 -

- (9) Omheining en/of afskerming van die terrein moet, soos en wanneer deur die plaaslike bestuur vereis, tot bevrediging van sodanige owerheid geskied en in stand gehou word.
- (10) Die geregistreeerde eienaar is verantwoordelik vir die instandhouding van die hele ontwikkeling op die eiendom. Indien die plaaslike bestuur van oordeel is dat die eiendom of enige gedeelte van die ontwikkeling nie bevredigend in stand gehou word nie, is sodanige owerheid geregtig om sodanige instandhouding op koste van die geregistreeerde eienaar te onderneem.
- (11) Sanitêre geriewe moet tot bevrediging van die plaaslike bestuur voorsien word.
- (12) Die ingange tot en uitgange vanaf die eiendom moet tot bevrediging van die plaaslike bestuur wees.
- (13) Die maksimum oppervlakte word soos volg beperk:
- | | |
|------------------------|--------------------|
| Huismerk | 200 m ² |
| Teestoep | 150 m ² |
| Vlooiemark | 150 m ² |
| Periodieke werksinkels | 100 m ² |
| Kunsgallery | 600 m ² |
| Geskenkwinkel | 50 m ² |
| Gastehuis | 500 m ² |
| Restaurant | 300 m ² |
- (14) Enige voorwaardes wat deur Departement Toerisme en Ontspanning en Afdeling Natuurbewaring opgelê mag word.
- (15) Die enigste kombuis moet in die Restaurant gehuisves wees.
- (16) Alle geboue moet onder een dak geplaas word.
- (17) Al die vereistes vervat in die "Algemene Vereistes vir Toestemmingsgebruik binne die Raad se Regsgebied" soos goedgekeur deur die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede moet streng nagekom word.
- (18) Die vereistes vervat in die "Standaard Vereistes vir Terreinontwikkelingsplanne binne die Raad se Regsgebied" soos goedgekeur deur genoemde Raad moet streng nagekom word.

ANNEXURE 'B'

**CIPC CONFIRMATION OF DIRECTORS AND COMPANY RESOLUTION & SPECIAL
POWER OF ATTORNEY**

CIPC Company Report



SEARCH DETAILS	
Date requested	2014/09/22 14:58
Reference	BRONBERG EXTENSION 26

COMPANY SUMMARY	
Name	ATLANTA INVESTMENTS
Status	IN BUSINESS
Registration number	1993/002494/07
Registration date	1993/05/11

DIRECTOR AND OTHER SUMMARY				
ACTIVE				
Name	ID Number	Type	Status	
THIRION, CHRISTIAAN RUDOLF JACOBUS	3903095032009	DIRECTOR	ACTIVE	
SCHEPPEL, RICHARD THOR	5204075045081	OFFICER	ACTIVE	
INACTIVE				
Name	ID Number	Type	Status	
MEIRING, JOHANNES HENRICOS	341011	DIRECTOR	RESIGNED	
VAN DER WESTHUIZEN, WILLEM JACOBUS	5911265101082	DIRECTOR	RESIGNED	

AUDITOR SUMMARY
CALCULUS CHARTERED ACCOUNTANTS AND AUDITORS
CALCULUS
LOGISTA INCORPORATED
MASSYN VAN HUYSTEEN
RAUTENBACH & CO
RAUTENBACH AND CO

COMPANY INFORMATION			
Enterprise name	ATLANTA INVESTMENTS	Status	IN BUSINESS
Registration number	1993/002494/07	Enterprise type	PRIVATE COMPANY
Tax number	9050490649	Business start date	1993/05/11
Short name	-	Registration date	1993/05/11
Translated name	-	Financial year end	2
Old reg. number	930249407	Fin effective date	1993/05/11
Conv. company No	-	CK date received	-
Region	GAUTENG	CK date	-
Country	-	Date of type	1993/05/11
Country of origin	-		
Issued shares	-		
Issued capital	-		
Authorized shares	-		
Authorized capital	-		
SIC code	8		
Industry	FINANCIAL INTERMEDIATION, INSURANCE, REAL ESTATE AND BUSINESS SERVICES		

Registered address	306 ISIE SMUTS STREET, GARSFONTEIN - EAST, 0060
Postal address	PO BOX 1707, GARSFONTEIN - EAST, 0060

DIRECTOR(S) AND OTHER (3)

THIRION, CHRISTIAAN RUDOLF JACOBUS

Initials	CRJ	Status	ACTIVE
ID/Passport number	3903095032009	Type	DIRECTOR
Date of birth	1939/03/09	Appointment date	1993/06/07
Profession	-	Resignation date	-
Country of residence	SOUTH AFRICA	Member size (%)	0.00
Residential address	JULIUS JEPPE STRAAT 366, WATERKLOOF, 0081	Member contribution (R)	0.00
Postal address	KULIUS JEPPE STRAAT 366, WATERKLOOF, 0081		

MEIRING, JOHANNES HENRICOS

Initials	JH	Status	RESIGNED
ID/Passport number	341011	Type	DIRECTOR
Date of birth	1934/10/11	Appointment date	1993/07/07
Profession	-	Resignation date	-
Country of residence	SOUTH AFRICA	Member size (%)	0.00
Residential address	CHARLESSTRAAT 61, BROOKLYN, 0081	Member contribution (R)	0.00
Postal address	POSBUS 29698, SUNNYSIDE, 0132		

VAN DER WESTHUIZEN, WILLEM JACOBUS

Initials	WJ	Status	RESIGNED
ID/Passport number	5911265101082	Type	DIRECTOR
Date of birth	1959/11/26	Appointment date	1993/06/07
Profession	-	Resignation date	-
Country of residence	SOUTH AFRICA	Member size (%)	0.00
Residential address	GERARD MARAIS STRAAT 577, CONSTANTIA PARK, 0045	Member contribution (R)	0.00
Postal address	POSBUS 36635, MENLOPARK, 0102		

SECRETARY COMPANIES AND CC(S) (NONE)

COMPANY SECRETARY NATURAL PERSON(S) (NONE)

BOTH DIRECTOR / OFFICER(S) (NONE)

ALTERNATIVE DIRECTOR(S) (NONE)

OFFICER(S) (1)

SCHEPPEL, RICHARD THOR

Initials	-	Status	ACTIVE
ID/Passport number	5204075045081	Type	OFFICER
Date of birth	1952/04/07	Appointment date	2006/02/08
Profession	ACCOUNTANT	Resignation date	-
Country of residence	SOUTH AFRICA	Member size (%)	0.00
Residential address	725 GLOSSOTI STREET, GARSFONTEIN - EAST, 0042	Member contribution (R)	0.00
Postal address	PO BOX 1707, GARSFONTEIN - EAST, 0060		

LOCAL MANAGER(S) (NONE)

TRUST(S) (NONE)

AUDITOR(S) (6)

CALCULUS CHARTERED ACCOUNTANTS AND AUDITORS

Profession code	CHARTERED ACCOUNTS	Status	CURRENT
Profession number	900294	Type	AUDITOR
Reg. entry date	2010/09/20	Start date	2008/10/01
Expiry date	-	End date	-
Reference number	-	CM31 completed	2010/09/20
Fine letter	-	CM31 received	2010/09/20
Physical address	638 JACQUELINE DRIVE, GARSFONTEIN, 0081		
Postal address	P O BOX 1569, GARSFONTEIN-EAST, 0060		

CALCULUS

Profession code	CHARTERED ACCOUNTS	Status	NAME CHANGE
Profession number	900294	Type	AUDITOR
Reg. entry date	2008/10/01	Start date	2008/10/01
Expiry date	-	End date	2008/10/01
Reference number	-	CM31 completed	2008/10/01
Fine letter	-	CM31 received	2008/10/01
Physical address	638 JACQUELINE DRIVE, GARSFONTEIN EAST, 0060		
Postal address	PO BOX 1569, GARSFONTEIN EAST, 0060		

LOGISTA INCORPORATED

Profession code	CHARTERED ACCOUNTS	Status	RESIGN
Profession number	933759A	Type	AUDITOR
Reg. entry date	-	Start date	-
Expiry date	-	End date	-
Reference number	-	CM31 completed	-
Fine letter	-	CM31 received	-
Physical address	-		
Postal address	-		

MASSYN VAN HUYSTEEN

Profession code	INVALID PROFESSION CODE	Status	RESIGN
Profession number	-	Type	AUDITOR
Reg. entry date	1994/01/27	Start date	1994/01/27
Expiry date	-	End date	1994/09/02
Reference number	-	CM31 completed	1994/01/27
Fine letter	-	CM31 received	1994/01/28
Physical address	TWEEDE VLOER, LYNNWOOD FORUM, MENLOPARK		
Postal address	POSBUS 35346, MENLOPARK, 0102		

RAUTENBACH & CO

Profession code	CHARTERED ACCOUNTS	Status	RESIGN
Profession number	959367	Type	AUDITOR
Reg. entry date	2006/02/09	Start date	2003/02/28
Expiry date	-	End date	2008/10/01

Reference number	-	CM31 completed	2006/02/09
Fine letter	-	CM31 received	2006/02/09
Physical address	205 COROBAY STREET, WATERKLOOF, 0081		
Postal address	PO BOX 798, WAPADRAND, 0050		
RAUTENBACH AND CO			
Profession code	CHARTERED ACCOUNTS	Status	RESIGN
Profession number	959367	Type	AUDITOR
Reg. entry date	-	Start date	-
Expiry date	-	End date	2008/10/01
Reference number	-	CM31 completed	-
Fine letter	-	CM31 received	-
Physical address	205 COROBAY STREET, WATERKLOOF, 0145		
Postal address	PO BOX 798, WAPAD RAND, 0050		

CAPITAL INFORMATION

No capital information to display.

HISTORY

Effective Date	Change Type
1994/09/02	AUDITOR/ACC OFFICER CHANGE (MASSYN VAN HUYSTEEN REPORTED MATERIAL IRREGULARITY ON : 2 SEPTEMBER 1994 STATUS : RESIGN)
2002/02/28	AUDITOR/ACC OFFICER CHANGE (CHANGE RECORDNAME : = MASSYN VAN HUYSTEENSTATUS : = RESIGN)
2002/02/28	AUDITOR/ACC OFFICER CHANGE (CHANGE RECORDNAME : = RAUTENBACH AND COSTATUS : = CURRENT)
2002/02/28	AUDITOR/ACC OFFICER CHANGE (ADD RECORDNAME : = LOGISTA INCORPORATEDSTATUS : = RESIGN)
2003/02/28	AUDITOR/ACC OFFICER CHANGE (PO BOX 798WAPADRAND0050STATUS : ADDRESS CHANGE)
2004/09/02	AUDITOR/ACC OFFICER CHANGE (ADD RECORDNAME : = RAUTENBACH AND COSTATUS : = CURRENT)
2006/02/08	DIRECTOR/MEMBER/SECRETARY/TRUST/BOTH DIRECTOR AND OFFICER (SURNAME=SCHEPELFULL FORENAMES=RICHARD THORID NO=5204075045081STATUS :ACTIVENATURE OF CHANGE=NEW APPOINTMENT)
2006/02/08	DIRECTOR/MEMBER/SECRETARY/TRUST/BOTH DIRECTOR AND OFFICER (SURNAME=THIRIONFULL FORENAMES=CHRISTIAAN RUDOLF JACOBUSID NO=3903095032009STATUS :ACTIVENATURE OF CHANGE=NO CHANGE)
2006/02/08	DIRECTOR/MEMBER/SECRETARY/TRUST/BOTH DIRECTOR AND OFFICER (SURNAME=MEIRINGFULL FORENAMES=JOHANNES HENRICOSID NO=341011STATUS :RESIGNEDNATURE OF CHANGE=RESIGN)
2006/02/08	DIRECTOR/MEMBER/SECRETARY/TRUST/BOTH DIRECTOR AND OFFICER (SURNAME=VAN DER WESTHUIZENFULL FORENAMES=WILLEM JACOBUSID NO=5911265101082STATUS :RESIGNEDNATURE OF CHANGE=RESIGN)
2006/02/09	AUDITOR/ACC OFFICER CHANGE (RAUTENBACH AND CO REPORTED MATERIAL IRREGULARITY ON : 9 FEBRUARY 2006 STATUS : RESIGN)
2006/03/06	POSTAL ADDRESS CHANGE (PO BOX 1707GARSFONTEIN - EAST0060)
2006/03/06	REGISTERED ADDRESS CHANGE (306 ISIE SMUTS STREETGARSFONTEIN - EAST0060)
2008/10/01	AUDITOR/ACC OFFICER CHANGE (NO INFORMATION TO DISPLAY)
2008/10/01	AUDITOR/ACC OFFICER CHANGE (PO BOX 1569GARSFONTEIN EAST0060STATUS : ADDRESS CHANGE)

2008/10/01	AUDITOR/ACC OFFICER CHANGE (CALCULUS638 JACQUELINE DRIVEGARSFONTEIN EAST0081PO BOX 1569GARSFONTEIN EAST0060STATUS : NAME CHANGE)
2008/10/01	AUDITOR/ACC OFFICER CHANGE (CALCULUS CHARTERED ACCOUNTANTS AND AUDITORS638 JACQUELINE DRIVEGARSFONTEIN0081P O BOX 1569GARSFONTEIN-EAST0060STATUS : ADDRESS CHANGE)
2008/10/01	AUDITOR/ACC OFFICER CHANGE (RAUTENBACH & CO REPORTED MATERIAL IRREGULARITY ON : 1 OCTOBER 2008 STATUS : RESIGN)
2009/11/12	AR IN DEREGISTRATION (ANNUAL RETURN NON COMPLIANCE - DEREGISTRATIONREGISTRATION DATE: 11/05/1993AR DUE DATE: 01/05/2007AR LATE DATE: 01/07/2007DEREGISTRATION COMMENCE DATE: 01/01/2008DEREGISTRATION ACTION DATE: 12/11/2009)
2010/01/05	RE-INSTATE APPLICATION (ANNUAL RETURN NON COMPLIANCE - CANCELLATION OF DEREGISTRATION)
2014/06/30	CO/CC ANNUAL RETURN (COMPANY / CLOSE CORPORATION AR FILING - WEB SERVICES : REF NO. : 51754250)

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COMPANY RESOLUTION

EXTRACT FROM THE MINUTES OF A MEETING OF DIRECTORS OF
ATLANTA INVESTMENTS (PTY) LTD (REG NO 1993/002494/07) HELD
AT Que toria ON 29 JULY 2014.

IT WAS RESOLVED TO :-

1. apply to the City of Tshwane Metropolitan Municipality for township establishment on a certain part of Portion R/26 of the farm Tweefontein 372-JR, in terms of the relevant provisions of Townplanning and Townships Ordinance, 1986 (Ord 15 of 1986);
2. appoint the firm J Paul van Wyk Urban Economists & Planners cc, herein represented by J Paul van Wyk Pr Pln (A 089/1985) (or nominee), to undertake the application on behalf of the company;
3. authorize Christiaan Rudolf Jacobus Thirion (ID 390309 5032 08 2) to sign all documentation required to facilitate the above, including a Special Power of Attorney.

CERTIFIED AS TRUE AND JUST :


DIRECTOR

SPECIAL POWER OF ATTORNEY

I/We, the undersigned,

CHRISTIAAN RUDOLF JACOBUS THIRION
(ID 390309 5032 08 2)

duly authorized, on behalf of

ATLANTA INVESTMENTS (PTY) LTD
(Reg No 1993/002494/07)

to hereby nominate, constitute and appoint

J Paul van Wyk Pr Pln (A 089/1985)

of

J Paul van Wyk Urban Economists & Planners cc
[or nominee]

to apply to the City of Tshwane Metropolitan Municipality for township establishment on a certain part of Portion R/26 of the farm Tweefontein 372-JR in terms of Section 96(1) of the Townplanning and Townships Ordinance, 1986 (Ord 15 of 1986);


and generally for affecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein - hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Attorney(s) and Agent(s) shall lawfully do, or cause to be done, by virtue of these presents.

Signed at Pretoria this 29 day of July 2014, in the presence of the undersigned witnesses.

AS WITNESSES:

1.  _____

2. W.M. Swart _____


CRJ THIRION

ANNEXURE 'C'

NAME RESERVATION LETTER

My ref: 9/1/11-RVS, BRBX26
Your ref:
Contact person: Charlotte Williams
Section/Unit: Toponymy

Tel: 0123587949
Fax: 0866244860
Email: charlottew@tshwane.gov.za

J PAUL VAN WYK
PO BOX 11522
HATFIELD
0028

30 July 2014

Dear Sir/Madam

WITHDRAWAL OF TOWNSHIP NAME AND RESERVATION OF NEW TOWNSHIP NAME

As indicated by your letter and new Power of Attorney the name of the township establishment known as RIVERSIDE is hereby withdrawn.

We hereby confirm that the new name: **BRONBERG EXTENSION 26** has been reserved for your proposed township development to be situated on Part of the Remainder of Portion 26 of the Farm Tweefontein 372-JR.

Please take note of the following:

1. If you plan on using a popular name for this development, we urge you to supply this office with the planned name.
2. According to Regulation 18(1) (a) (VI) of Ordinance 15 of 1986, proposed street names are to be included on the layout plan accompanying the application for establishment of a township. Please mark all private streets in brackets.
3. All street names whether public or private have to go through the street naming process driven by the Toponymy section.
4. A list of existing street names (which may not be duplicated) is available on: http://www.tshwane.gov.za/streetnames_Search.cfm.
5. Please contact the author of this letter in order to start the street naming process for private streets. A list of proposed names may be forwarded to the author. The proposed names will be checked for compliance with the approved policy on the naming of Public Places and Streets, as well as for duplications.
6. If public street names are needed you are requested to submit an application for proposed public street names for this development.

Your application should include:

- Details of the Applicant, (all proposed names to be submitted on a letterhead)
- Proposed Street Names – **Name, Origin, Language, Meaning, Resource**

Also ensure the following:

- All proposed names must comply with the approved Local Geographical Names Policy. See the link to this policy on: <http://www.tshwane.gov.za/Services/Toponymy/Toponymy%20docs/Local%20Geographical%20Names%20Policy.pdf>.
- All proposed street names must be checked on <http://www.tshwane.gov.za/Services/Toponymy/Pages/Tshwane-Streetnames-Search.aspx> before the application is submitted to avoid duplications and delays. When performing the search, if the search displays the name/s it means the name/s is already in use, if the search results display nothing it means that the name/s is available for use.
- All applications for proposed public street names must be forwarded to Toponymy at toponymy@tshwane.gov.za and CC to geo6@tshwane.gov.za as soon as possible in order for this office to process the application. These proposed names will then be submitted to Councilors. Please submit separate applications for each development.

Proclamation can not be supported without approved street names.

Kind Regards



STRATEGIC EXECUTIVE DIRECTOR: CITY PLANNING AND DEVELOPMENT DEPARTMENT

ANNEXURE 'D'

EMAIL CONFIRMATION re ADVERTISING & REFERRAL

J Paul van Wyk

From: Hannes M. van der Westhuizen <HannesVDW@TSHWANE.GOV.ZA>
Sent: 10 September 2014 02:47 PM
To: J Paul van Wyk
Subject: RE: PERMISSION TO ADVERTISE AND UNDERTAKE OUTSIDE REFERRALS; PROPOSED BRONBERG EXTENSION 26 ON PART OF PORTION R/26, FARM TWEEFONTEIN 372-JR

Flag Status: Flagged



www.tshwane.gov.za

Good day Paul,

The contents of the notice is in order.

Herewith it is confirmed that consent is given in terms of Section 69(6)(a) and (b) of the Townplanning and Townships Ordinance, 1986 (Ord 15 of 1986 to advertise the applicative Gazette, Beeld and Citizen newspapers as well as to undertake all external referrals to the requisite para-statal and governmental departments.

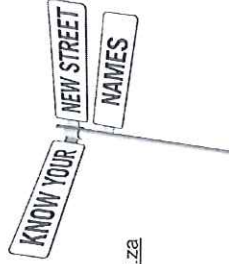
Groete / Regards



Hannes van der Westhuizen | Planning Professional

City Planning and Development | Room F 103 | Criterion Building, Centurion |
Chr of Basden & Rabie Streets | Lyttelton | PO Box 14013 | Lyttelton | 0140 | www.tshwane.gov.za

Tel: 012 358 7904 | Mobile: +27 82 657 7138 | Email: Hannesvdw@tshwane.gov.za



ANNEXURE 'E'

TITLE DEED T32482/13

Deeds Office Property



TWEEFONTEIN, 372, 26 (REMAINING EXTENT) (PRETORIA)

GENERAL INFORMATION	
Deeds Office	PRETORIA
Date Requested	2014/01/15 10:37
Information Source	DEEDS OFFICE
Reference	DIE WERF

PROPERTY INFORMATION	
Property Type	FARM
Farm Name	TWEEFONTEIN
Farm Number	372
Portion Number	26 (REMAINING EXTENT)
Local Authority	KUNGWINI LOCAL MUNICIPALITY
Registration Division	JR
Province	GAUTENG
Diagram Deed	T15281/962
Extent	1.5988H
Previous Description	PTN3
LPI Code	T0JR00000000037200026

OWNER INFORMATION	

Owner 1 of 1	
Person Type	COMPANY
Name	ATLANTA INV PTY LTD
Registration Number	199300249407
Title Deed	T32482/2013
Registration Date	2013/05/14
Purchase Price (R)	6,115,470
Purchase Date	2012/12/12
Share	
Microfilm Reference	
Multiple Properties	NO
Multiple Owners	NO

ENDORSEMENTS (6)				
#	Document	Institution	Amount (R)	Microfilm
1	K2380/2000S	-	UNKNOWN	2000 0483 2203
2	K263/1991S	-	UNKNOWN	1991 0086 2003
3	K3810/2000S	-	UNKNOWN	2000 0828 0032
4	CL-EASTERN GAUTENG C	S	UNKNOWN	-
5	FROM-OLYMPUS AH,66	-	UNKNOWN	-
6	NOTICE 1051 OF 1/8/9	7 ACT 70/70 NOT APPLICABLE	UNKNOWN	-

HISTORIC DOCUMENTS (7)	

#	Document	Owner	Amount (R)	Microfilm
1	B61028/1993	FIDELITY BANK LTD	1,400,000	1999 0399 1333
2	B18983/1999	-	UNKNOWN	2000 0483 2194
3	B111839/2007	-	UNKNOWN	-
4	B111840/2007	-	UNKNOWN	-
5	T6434/1983	MEIRING MARTIE	EXCISED	1993 0733 1980
6	T58000/1993	ATLANTA INV PTY LTD	1,000,000	2000 0828 0024
7	T89783/2007	POINT BLANK TRADING 78 PTY LTD	7,068,000	-

DISCLAIMER

This report contains information gathered from our suppliers and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. WinDeed will not be liable for any damage caused by reliance on this report. This report is subject to the terms and conditions of the [WinDeed End User Licence Agreement \(EULA\)](#).

1005

BREDELLS ATTORNEYS
138 Muckleneuk Street
Nieuw Muckleneuk
Pretoria

Prepared by me

SEELREG STAMP DUTY	_____
FOOI FEES	R1800.00

L. BredeLL

CONVEYANCER
LOUIS MARTIN BREDELL

T 32482 13

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

LERINA BOTHA

appeared before me, REGISTRAR OF DEEDS at Pretoria, she the said Appearer being duly authorised thereto by a Power of Attorney signed at PRETORIA on the 14th day of March 2013 and granted to her by

POINT BLANK TRADING 78 PROPRIETARY LIMITED
Registration Number 2007/006787/07

SANTJIE
2013-06-04
PRETORIA
CAPTURED

And the Appearer declared that her said principal had truly and legally sold on 12 December 2012 and that she, the said Appearer, in her capacity aforesaid, did, by these presents, cede and transfer to and on behalf of

ATLANTA INVESTMENTS PROPRIETARY LIMITED
Registration Number 1993/002494/07

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

REMAINING EXTENT OF PORTION 26 (A PORTION OF PORTION 3) OF THE FARM TWEEFONTEIN 372 REGISTRATION DIVISION J.R. PROVINCE OF GAUTENG MEASURING 1,5988 (ONE COMMA FIVE NINE EIGHT EIGHT) Hectares

FIRST TRANSFERRED by Deed of Transfer T15281/1962 with diagram relating thereto and held by Deed of Transfer Number T89783/2007

SUBJECT TO THE FOLLOWING CONDITIONS

- A. "PORTION 3 (a portion of portion A) of the farm TWEEFONTEIN 372 (formerly Number 423) Registration Division J.R. Gauteng (of which property hereby transferred forms a portion) is subject to an Order of the Water Court (Supreme Court), North district 21 dated Pretoria 22 November 1948, and 27th June 1949, as will appear from Servitude 620A/1949.S".
- B. Tensy die skriftelike toestemming van die Administrateur vooraf daartoe verkry is, mag nie meer as een woonhuis, dit beteken 'n huis wat ontwerp is vir gebruik as woning deur een gesin, tesame met sulke buitegeboue as wat gewoonlik in verband daarmee gebruik word op die grond opgerig word nie.
- C. Tensy die skriftelike toestemming van die Administrateur vooraf daartoe verkry is, mag die grond net vir woon-en landboudoeleindes gebruik word.
- D. By virtue of a Notarial Deed K2380/2000S dated 17 March 2000. The withinmentioned property is subject to a servitude. The right in perpetuity to convey and transmit sewerage in, on, over or under the property by means of pipelines already laid and which may thereafter be laid along a strip of ground which is 2 (two) metres wide, of which the North Western border is indicated by the line B C on diagram S.G. Number A 11080/1994 attached to Deed of Transfer Number T37307/1998 as will more fully appear from the Notarial Deed of Servitude.



E. By virtue of a Notarial Deed K3810/2000S dated 24 July 2000 the withinmentioned property is entitled to a servitude. The right in perpetuity to convey and transmit sewerage in, on, over or under the property PORTION 55 (A Portion of Portion 26) of the farm Tweefontein, 372, Registration Division J.R, measuring 2,7062 (two comma seven nought six two) hectares and held by Deed of Transfer T37307/1998 by means of pipelines already laid and which may hereafter be laid along a strip of ground which is 2 (two) metres wide, of which the South Western boarder is indicated by the line CD on General Plan S.G. Number A1466/1997, as will more fully appear from the Notarial Deed of Servitude.

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

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

POINT BLANK TRADING 78 PROPRIETARY LIMITED
Registration Number 2007/006787/07

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


ATLANTA INVESTMENTS PROPRIETARY LIMITED
Registration Number 1993/002494/07

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 R6 115,470,33 (SIX MILLION ONE HUNDRED AND FIFTEEN THOUSAND FOUR HUNDRED AND SEVENTY RAND AND THIRTY THREE CENTS)

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 Pretoria on

14 05 13



q.q.

In my presence



REGISTRAR OF DEEDS

For Information Only

ANNEXURE 'F'

LAND-SURVEYOR'S CERTIFICATE

CONRADIE

LANDMETERS LAND SURVEYORS

**Professionele Landmeters
Deeltitel Praktisyns**

GLOBAL HOUSE EAST
298 GLENWOODWEG / ROAD
LYNNWOOD PARK
PRETORIA

**Professional Land Surveyors
Sectional Title Practitioners**

Posbus / PO Box 35801
MENLO PARK
0102



Tel: 012 348 2570
Fax: 012 348 7962

E-mail: admin@landmeet.co.za

U verw./Your ref.
Ons verw./Our ref. 3132

City of Tshwane

PO Box 440
Pretoria
0001

Land Surveyors Certificate: Proposed New Township: Bronberg Extension 26 (Situated over the Remainder of Portion 26 of the farm Tweefontein No 372 JR)

I, the undersigned Jacobus Daniel Conradie, a Professional Land Surveyor, practicing as such at 298 Glenwood Road, Lynnwood Park, Pretoria do hereby certify that:

1. The Surveyor General has approved the Diagram of the Remainder of Portion 26 of the farm Tweefontein No 372 JR.
2. The Remainder of Portion 26 of the farm Tweefontein No 372 JR (proposed Erven 1 and 2) is subject to a Servitude 2 metres wide as per Notarial Deed of Servitude No K 2380/2000s.

Dated at Pretoria on the 5th of September 2014.

A handwritten signature in black ink, appearing to be 'JD Conradie', written in a cursive style.

JD Conradie PLS 0973
Professionele Land Surveyor

ANNEXURE 'G'

CONVEYANCER'S REPORT

CONVEYANCER'S REPORT

[BRONBERG EXTENSION 26]

FOR PURPOSES OF THE APPROVAL OF A PROPOSED TOWNSHIP DEVELOPMENT TO BE KNOWN AS **BRONBERG EXTENSION 26** SITUATED ON THE REMAINING EXTENT OF PORTION 26 (A PORTION OF PORTION 3) OF THE FARM TWEEFONTEIN 372, REGISTRATION DIVISION JR, PROVINCE OF GAUTENG.

I, the undersigned

ANTON BEKKER

Conveyancer, practicing as such in Pretoria, Province of Gauteng and of the firm Prinsloo Bekker Attorneys, Pretoria, do hereby certify that I have perused the records of the Deeds Registry, Pretoria and all existing Title Deeds which are relevant and confirm that:

1. The following property namely –

**REMAINING EXTENT OF PORTION 26 (A PORTION OF PORTION 3) OF THE FARM TWEEFONTEIN 372, REGISTRATION DIVISION JR, PROVINCE OF GAUTENG
IN EXTENT: 1, 5988 (ONE comma FIVE NINE EIGHT EIGHT) HECTARES**

Held by Deed of Transfer: T32482/13

(hereinafter "**the Property**")

is registered in the name of

ATLANTA INVESTMENTS PROPRIETARY LIMITED

Registration Number: 1993/002494/07

2. The following details relating to the conditions of title contained in **Deed of Transfer T32482/13** ("hereinafter "**the Title**") in terms of and under which the Property is held and the applicability thereof to the proposed Township Development known as **BRONBERG EXTENSION 26**:

2.1 Condition numbered A on page 2 the Title

This title condition and the rights created thereby do not affect the proposed Township Development. This servitude, right and/or provision is in any event historical in nature and is no longer utilized. These title conditions have also been superseded/replaced, subject to certain conditions, by the subsequent statutory conditions imposed in terms of the National Water Act, 1998 (Act 36 of 1998). These conditions have therefore become obsolete and there is no reason why it should remain included in the Title.

2.2 Conditions numbered B and C on page 2 the Title

These title conditions and the rights created thereby are historical in nature and are no longer applicable. If necessary, these conditions will have to be removed by means of an application in terms of Section 5 of the Gauteng, Removal of Restrictions Act , 1996 (Act No 3 of 1996).

2.3 Condition numbered D on page 2 the Title

This title condition and servitude does affect the proposed Township Development by reason of its nature and/or location and to the extent that it affects both the proposed Erven no's 1 and 2. These Erven shall consequently be made subject thereto.

2.4 Condition numbered E on page 3 the Title

This servitude/condition does not affect the proposed Township or the proposed erven therein by virtue of the Property being entitled thereto. This servitude/condition will consequently be dealt with under the disposal of conditions.

3. Save for the abovementioned, no other conditions of title or endorsements applicable to the proposed Township Development known as BRONBERG EXTENSION 26 appear on the Title of the Property.

SIGNED at PRETORIA on this 15th day of SEPTEMBER 2014.

CONVEYANCER

ANNEXURE 'H'

ZONING CERTIFICATE



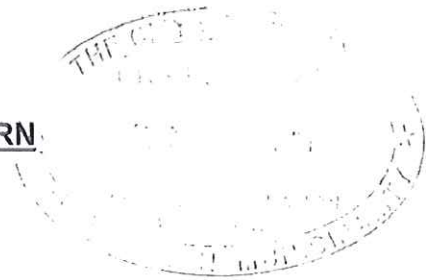
City Planning and Development Department

Room 12007 | 12th Floor | Isivuno | 143 Lilian Ngoyi Street (Van der Wal) | Pretoria | 0002
PO Box 3242 | Pretoria | 0001
Tel: 012 358 0975 | Fax: 086 214 4411
Email: makooremeliem@tshwane.gov.za | www.tshwane.gov.za | www.facebook.com/CityOfTshwane

My ref:
Your ref:
Contact person: Benedict Winkler
Section/Unit: City Planning : Scheme Team

Tel: 012 358 1977
e-mail: benedict@tshwane.gov.za
Date :3 September 2014

TO WHOM IT MAY CONCERN



ZONING CERTIFICATE IN TERMS OF THE PERI –URBAN AREAS TOWN-PLANNING SCHEME, 1975

PROPERTY DESCRIPTION:

REMAINDER OF PORTION 26 OF THE FARM TWEEFONTEIN 372-JR.

1. **USE ZONE XV: UNDETERMINED**
2. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED IN TERMS OF TABLE D (COLUMN 3):**
Agriculture Buildings
Dwelling-houses
3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE CONSENT OF THE MUNICIPALITY IN TERMS OF TABLE D (COLUMN 4):**
All other uses (see clause 6.1(c)(v) and 6.1(c)(vi) of the Scheme)
4. **PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED OR USED IN TERMS OF TABLE D (COLUMN 5):**
Other uses not specified under columns (3) and (4)
5. **PERMISSION FOR A SECOND DWELLING-HOUSE IN TERMS OF CLAUSE 11.3.**
6. **DENSITY: One dwelling-house.**

7. **HEIGHT:** 2 Storeys
8. **FLOOR SPACE RATIO:** Not applicable.
9. **COVERAGE:** 10%
10. **BUILDING LINES:** Farm portions: 30m from any street boundary, where it has not been otherwise fixed and 5m from any other boundary
11. **CONSENT USES:** MCU749

Disclaimer: Please note that the validity of the Consent Use cannot be verified as the rights may have elapsed in terms of the conditions of the Consent Use approval. The validity will have to be proven by the owner of the property.

12. **ATTACHED DOCUMENTS:**

MCU749

NOTE:

The above zoning information must be read in conjunction with the relevant Annexure , if any, and the rest of the Clauses of the Peri- Urban Areas Town-planning Scheme, 1975. Where an Annexure does not specify or stipulate a land use or development control (for eg. Height, F.S.R. etc) the stipulations of the said Scheme clauses and the above Zoning Certificate shall prevail.

Kind regards



Makgorometje A. Makgata Pr. Pla (A1243/2002)
STRATEGIC EXECUTIVE DIRECTOR





NAVRAE/ENQUINES: I. Goosen

VERWIEF: GO 15/5/2/37/118 TEL: 201-2095
TAK GEMEENSKAPSONTWIKKELING
COMMUNITY DEVELOPMENT BRANCH

(371)

AANHANGSEL B

Mnre. Infraplan
Posbus 1847
PARKLANDS.
2121

TRANSVAALSE PROVINSIALE ADMINISTRASIE
TAK GEMEENSKAPSONTWIKKELING
PRIVAATSAK/PRIVATE BAG X137
1990-12-20
PRETORIA 0091
COMMUNITY DEVELOPMENT BRANCH
TRANSVAAL PROVINCIAL ADMINISTRATION

VOORGESTELDE UITBREIDING VAN BESIGHEIDSREGTE OP GEDEELTE 26
(GEDEELTE VAN GEDEELTE 3) VAN DIE PLAAS TWEEFONTEIN 372-JR,
PRETORIA

U aansoek MEI 19/2 HZ gedateer 12 Junie 1990 verwys.

Ek moet u meedeel dat die Administrateur u aansoek vir die
bedryf van 'n hotel, konferensiefasiliteite en ontspannings-
geriewe goedgekeur het ingevolge die voorwaardes wat teen die
eiendom geregistreer is, onderworpe aan die volgende
voorwaardes:

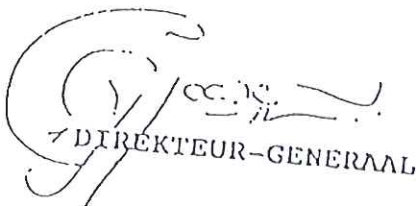
1. 'n Hotel met maksimum 100 kamers/suites.
2. Konferensiefasiliteite 200 m² maksimum.
3. Swembad 80 m² minimum.
4. Eetkamer maksimum 100 m² uitgesluit kombuisfasiliteite.
5. Muurbalbane.
6. Tennisbane en ander ontspanningsfasiliteite.
7. Administratiewe kantore vir die hotelkompleks bestuur
alleen.
8. Alle vorige regte toegeken.

Die regte toegestaan in 1. is onderworpe aan die volgende
voorwaardes:

- (1) Die hotelfasiliteite is vir die gebruik van
hotelbesoekers alleen.

- (2) Personeel/arbeidershuisvesting moet deur middel van lands hotelgaste. afgeskerm word van die publiek/
9. Die regte sal verval indien enige van die voorwaardes opgelê, nie nagekom word nie.
10. Die plasing van geboue moet tot bevrediging van die plaaslike bestuur wees.
11. Doeltreffende parkeerplekke, tesame met die nodige beweegruipte, moet tot bevrediging van die plaaslike bestuur, op die eiendom voorsien word.
12. Die op- en aflaai van goedere mag slegs binne die grense van die eiendom geskied.
13. Geen geboue of strukture en geen fasiliteite wat deel van die ontwikkeling uitmaak (uitgesluit toegangsfasiliteite, parkering, grasperke en tuine) mag binne die perke van enige boulyn wat van toepassing mag wees, opperig of voorsien word nie.
14. Omheining en/of afskerming van die terrein moet, soos en wanneer deur die plaaslike bestuur vereis, tot bevrediging van sodanige owerheid geskied en in stand gehou word.
15. Die geregistreeerde eienaar is verantwoordelik vir die instandhouding van die hele ontwikkeling op die eiendom. Indien die plaaslike bestuur van oordeel is dat die eiendom of enige gedeelte van die ontwikkeling nie bevredigend in stand gehou word nie, is sodanige owerheid geregtig om sodanige instandhouding op koste van die geregistreeerde eienaar te onderneem.
16. Sanitêre geriewe moet tot bevrediging van die plaaslike bestuur voorsien word.
17. Die ingange tot en uitgange vanaf die eiendom moet tot bevrediging van die plaaslike bestuur wees.

Die uwe


DIREKTEUR-GENERAAL

algemene provinsiale
goedgekeuring 1/2/1989.

- 3 -

- (9) Omheining en/of afskerming van die terrein moet, soos en wanneer deur die plaaslike bestuur vereis, tot bevrediging van sodanige owerheid geskied en in stand gehou word.
- (10) Die geregistreerde eienaar is verantwoordelik vir die instandhouding van die hele ontwikkeling op die eiendom. Indien die plaaslike bestuur van oordeel is dat die eiendom of enige gedeelte van die ontwikkeling nie bevredigend in stand gehou word nie, is sodanige owerheid geregtig om sodanige instandhouding op koste van die geregistreerde eienaar te onderneem.
- (11) Sanitêre geriewe moet tot bevrediging van die plaaslike bestuur voorsien word.
- (12) Die ingange tot en uitgange vanaf die eiendom moet tot bevrediging van die plaaslike bestuur wees.
- (13) Die maksimum oppervlakte word soos volg beperk:
- | | |
|-------------------------|--------------------|
| Huismark | 200 m ² |
| Teestoep | 150 m ² |
| Vlooiemark | 150 m ² |
| Periodieke werkswinkels | 100 m ² |
| Kunsgallery | 600 m ² |
| Geskenkwinkel | 50 m ² |
| Gastehuis | 500 m ² |
| Restaurant | 300 m ² |
- (14) Enige voorwaardes wat deur Departement Toerisme en Ontspanning en Afdeling Natuurbewaring opgelê mag word.
- (15) Die enigste kombuis moet in die Restaurant gehuisves wees.
- (16) Alle geboue moet onder een dak geplaas word.
- (17) Al die vereistes vervat in die "Algemene Vereistes vir Toestemmingsgebruik binne die Raad se Regsgebied" soos goedgekeur deur die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede moet streng nagekom word.
- (18) Die vereistes vervat in die "Standaard Vereistes vir Terreinontwikkelingsplanne binne die Raad se Regsgebied" soos goedgekeur deur genoemde Raad moet streng nagekom word.

ANNEXURE 'I'

SUMMARY OF USE-RIGHTS ON NEW REMAINDER OF PORTION R/26

SUMMARY
**USE-RIGHTS ON NEW REMAINDER OF PORTION R/26 OF THE FARM
TWEEFONTEIN 372-JR**

INTERPRETATION

Please note the following foundational matters underpinning the interpretation of the use-rights and development controls applicable to the (new) Remainder of Portion R/26 of the farm Tweefontein 372-JR:

1. The approval for the use-rights by the former Transvaal Provincial Administration (TPA) now being regarded as a consent-use approval by the CTMM, was granted in terms of the conditions of title of the subject property. The significance is that the conditions of title (and by implication also the approvals granted in terms of these conditions) weigh more, and indeed supersede the provisions of any townplanning scheme applicable to the property concerned.

In case of discrepancies between the approval in terms of the title deed and the zoning in terms of the Peri Urban Areas Town Planning Scheme, 1975 for the property, the former will prevail.

2. Based on a preliminary design and building area schedule by the renowned WMS Architects (mr Wim Swart) for the approved use-rights, a floor space ratio (FSR) of 0,6 was derived, based on an area of 1,2766 for the new Remainder after exclusion of the township area. The definition of FSR as per Clause 1.22 (pp 2,3) of the Peri Urban Areas Town Planning Scheme, 1975 applies.
3. The restrictions on the permissible areas for an art gallery (600m²), gift shop (50m²), and restaurant (300m²) only apply to these uses if not included in the over-arching hotel function / configuration. If incorporated as part of the hotel, there is no restriction on these.
4. Presumably the functions of the former Department of Tourism and Recreation: Nature Conservation Division have since been assumed and expanded through pertinent environment legislation by the Gauteng Department of Agriculture and Rural Development (GDARD).
5. Efforts over the years to obtain a copy of the "General Requirements for Consent Uses in the Council's Jurisdiction" as approved by the erstwhile Transvaal Council for the Development of Peri Urban Areas, have been unsuccessful. It is therefore not possible to interpret this condition accurately.

6. Since the hotel was approved almost two years later, the condition imposed to restrict the provision of a kitchen to the restaurant facility does not preclude the hotel from installing / operating its own kitchen.
7. The hotel and dining hall (maximum 100m²) have been approved as two separate / autonomous land-uses. The restriction of 100m² does therefore not apply to any dining rooms / halls which may be provided in the hotel complex. Similarly the conference facilities and the hotel. The restriction of 200m² on conference facilities as an autonomous land-use has no bearing on the area of any conference facilities which may be provided as part of the hotel function.

This interpretation is corroborated by the wording of the second paragraph of the former TPA-approval letter dated 20/12/1990 which reads as follows:

"I must inform you that the Administrator has approved your application for the operating of a hotel, conference facility and recreational facilities in terms of the conditions registered against the property, subject to..."

The extract confirms the intention of three separate / autonomous land-use activities unambiguously.

8. Due to the Hotels Act, 1965 (Act 70 of 1975) having been repealed since, it is suggested the definition favoured and used in hotel approvals previously by the CTMM, be adopted. This definition has been incorporated under "Condition 5: Definitions" below.
9. For practical purposes and due to its proven effectiveness the definitions of the Tshwane Town Planning Scheme, 2008 in Clause 5 for the following uses, have been "adopted" to assist with the interpretation of the use-rights:
 - * Restaurant and tea patio: Place of refreshment
 - * Guesthouse: excluding the restriction on the number of rooms and including the 500m² (maximum) restriction.
 - * Conference facilities: Conference centre.


The other uses approved have not been specifically defined and will be interpreted for what their meaning generally purports to be.

10. The original approval documentation was issued in Afrikaans, and have been translated by writer to English.

DEVELOPMENT		
	PARAMETER	CONTROL
1	Use-zone	XV: Undetermined
2	Uses permitted	Agricultural buildings, dwelling houses, hotel (including staff accommodation), restaurant, guest house, gift shop, art gallery, periodic workshops, dining hall, conference facilities, tea patio ('stoep'), house market, fleamarket, sport & recreation facilities (swimming pool, squash courts, tennis courts & other).
3	Uses with consent	All other uses (Refer Clauses 6.1 (c)(v) and 6.1 (c) (vi) of Scheme
4	Uses not permitted	Other uses not specified in Table D, Columns 3 and 4 of Scheme
5	Definitions	<p>(1) Clause 1: Agricultural building, dwelling-house</p> <p>(2) Hotel: <i>"means a building(s) used as an accommodation establishment as defined in the Tourism Act, 1993 (Act 72 of 1993), as amended and may include staff accommodation, a place of refreshment for the guests and a conference centre, but it excludes a block of flats, a block of tenements, boarding house, hostel, guest house, backpackers and retirement centre."</i></p> <p>(3) Restaurant: <i>"means land and buildings used for the preparation, sale and consumption of refreshments on the property such as a restaurant, café, coffee shop, tea room, tea garden, sports bar, pub, bar and may include take-aways and a maximum of two table games, two dartboards, two electronic games, television screens and soft background music for the customers but excludes a place of amusement. The kitchen layout shall comply with the Municipality's health requirements."</i></p> <p>(4) Guesthouse: <i>"means a building, excluding a Home Enterprise, extending to a maximum of 500m², a dining-room, lounge, bar and may include ancillary and subservient facilities for the exclusive use of such guests and which shall be managed by the owner or manager who shall reside on the same property."</i></p> <p>(5) Conference facilities: <i>"means land and buildings used for congresses, seminars, training, meetings, cultural events and social activities."</i></p>
6	Density	Not applicable
7	Coverage	Not imposed

8	Height-restriction	Two-storeys
9	Floor area ratio	0,6, subject to the following restrictions: (1) Hotel: 100 rooms (2) Gift shop: 50m ² (3) Art gallery: 600m ² (4) Periodic workshops: 100m ² (5) Dining hall: 100m ² (excluding kitchen facilities) (6) Conference facilities: 200m ² (7) Tea patio: 150m ² (8) House market: 200m ² (9) Flea market: 150m ² (10) Swimming pool: 80m ² (11) Guesthouse: 500m ² (12) Restaurant: 300m ²
10	Site development plan	(1) The requirements in the “Standard Requirements for the Site Development Plans within the Council’s Jurisdiction” as approved by the mentioned Council shall be strictly complied with. (2) The siting of buildings shall be to the satisfaction of the Municipality. (3) All buildings shall be incorporated under a single roof.
11	Building-lines	(1) Farm portions: 30 metres from street boundary (where not otherwise fixed) and other boundaries: 5 metres. (2) No buildings or structures and no facilities forming part of the development (excluding access facilities, parking, lawns and gardens) may be erected or provided within the confines of any building-lines which may be applicable.
12	Parking requirement	Effective parking spaces, together with the necessary manoeuvring space, shall be provided on the property to the satisfaction of the Municipality.
13	Paving of traffic areas	Not imposed
14	Access	Entrances to and exits from the property shall be to the satisfaction of the Municipality.
15	Loading and off-loading	The loading and off-loading of goods may only take place within the boundaries of the property.
16	Turning facilities	Not imposed
17	Physical barriers	Fencing in or screening off of the site shall, if and when required by the Municipality, be complied with and maintained to the satisfaction of the Municipality.
18	Health measures	Not imposed

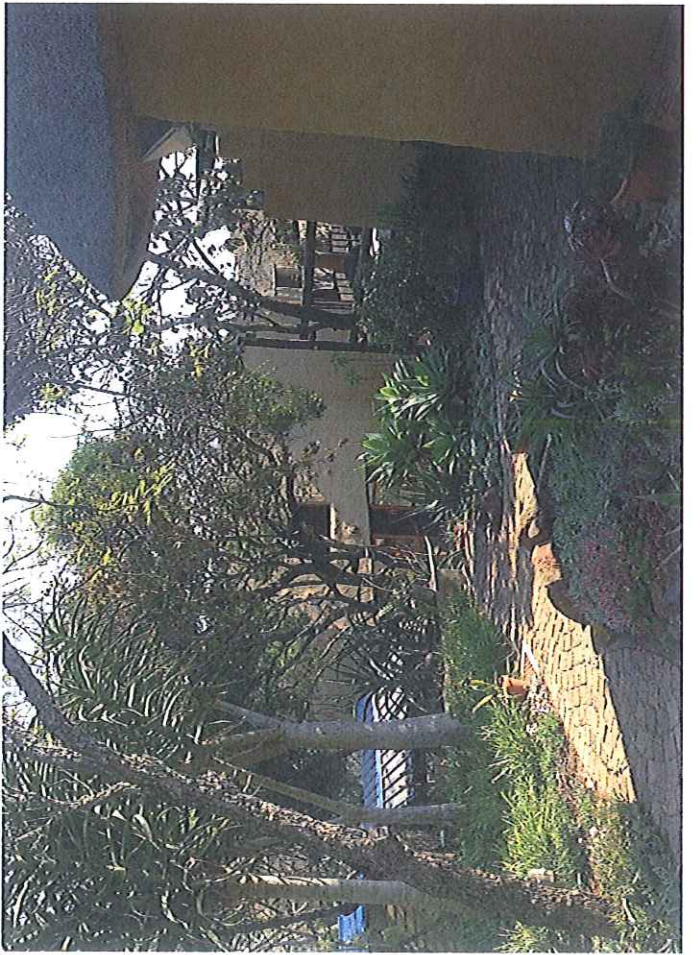
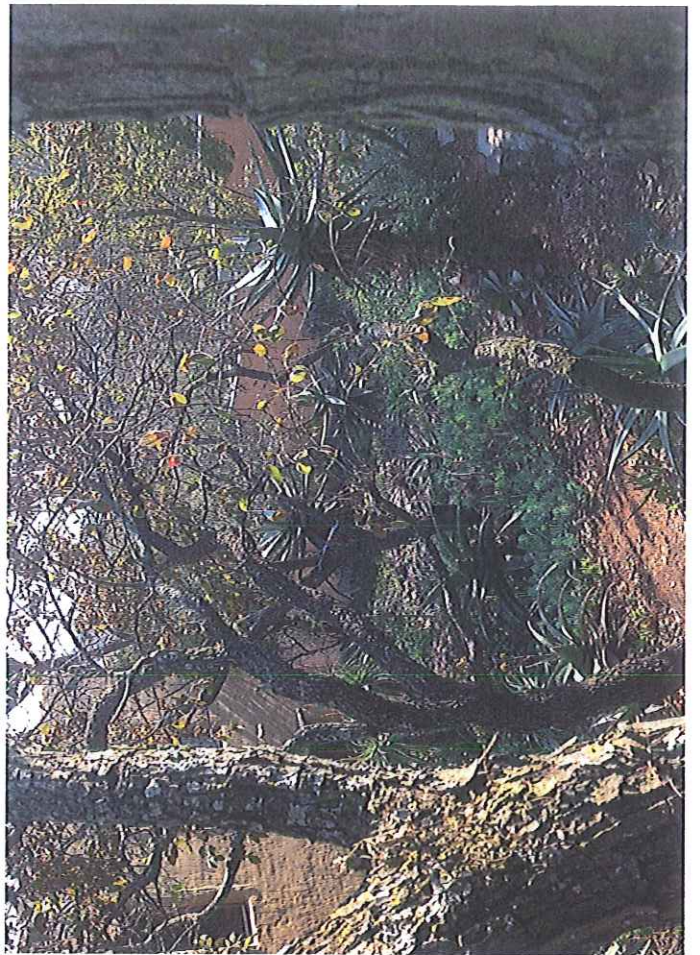
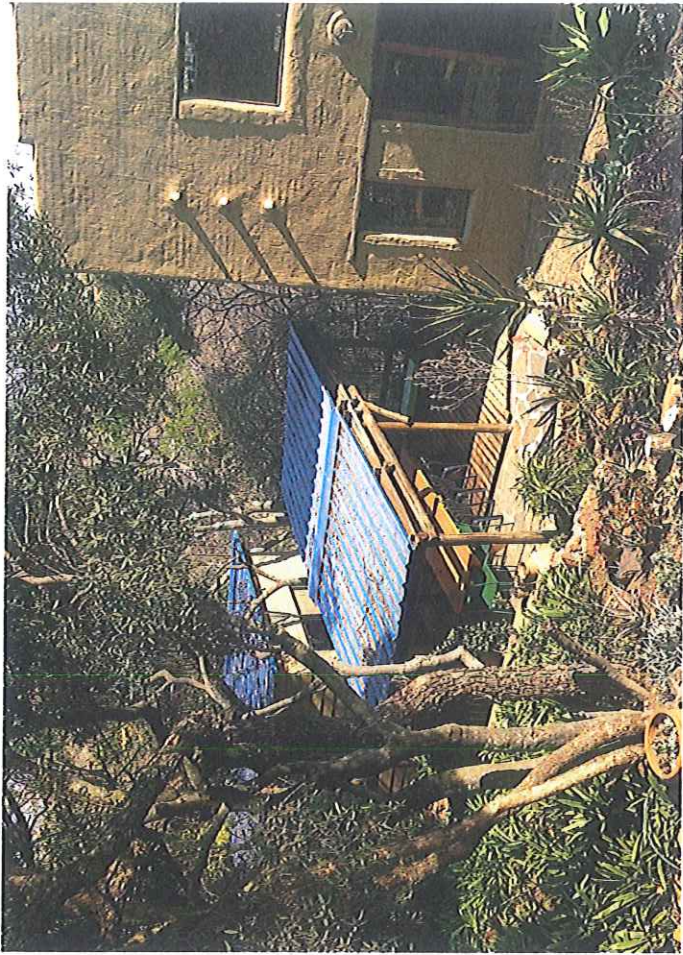
19	Outdoor advertising	Not imposed
20	<p>General</p> <p>(1) The only kitchen to serve the following uses shall be accommodated in the restaurant: House market, tea patio, flea-market, periodic workshops, art gallery, gift shop, guesthouse and restaurant.</p> <p>(2) The registered owner is responsible for the maintenance of the entire development on the property. Should the Municipality be of the opinion that the property, or any part of the development is not being maintained satisfactorily, the Municipality will be entitled to undertake such maintenance at the cost of the registered owner.</p> <p>(3) Sanitary facilities shall be provided to the satisfaction of the Municipality.</p> <p>(4) Any conditions which may be imposed by the Gauteng Department of Agriculture and Rural Development (GDARD) shall be complied with.</p> <p>(5) All the requirements in the "General Requirements for Consent Uses within the Council's Jurisdiction" as approved by the Transvaal Board for the Development of Peri Urban Areas shall be strictly complied with.</p> <p>(6) The rights shall lapse if any of the conditions imposed is not complied with.</p>	

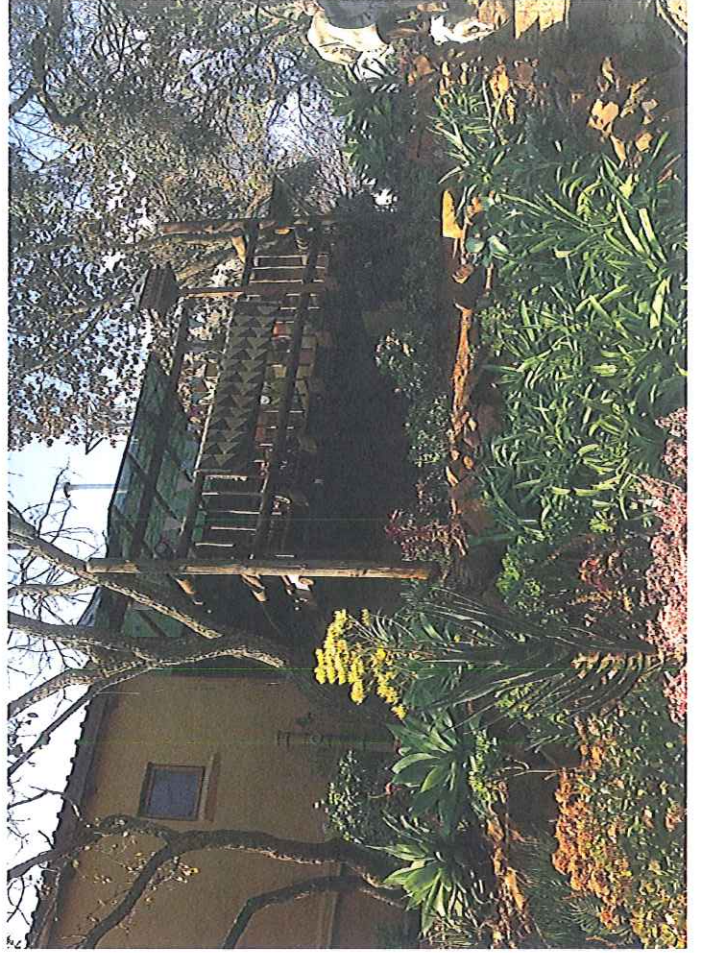


J PAUL VAN WYK Pr Pln (A/089/1985)
September 2014

ANNEXURE 'J'

PHOTOGRAPHS OF BUILT & NATURAL ENVIRONMENT OF SITE

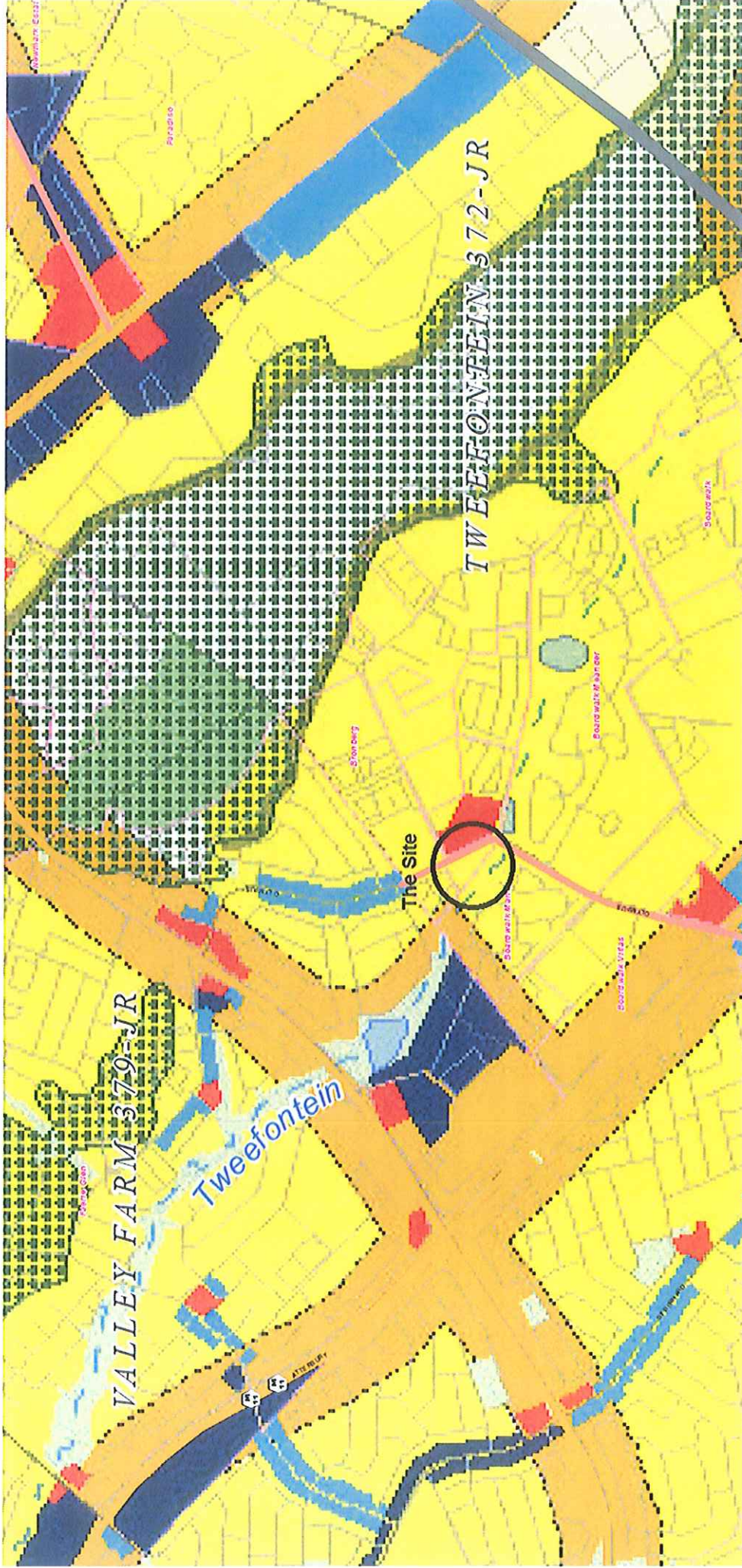




ANNEXURE 'K'

EXTRACT FROM RSDF MAP

RDSF REGION 6 2013: DENSITY MAP EXTRACT PROPOSED TOWNSHIP BRONBERG EXTENSION 26



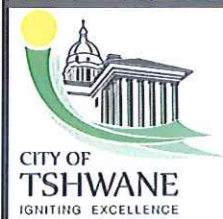
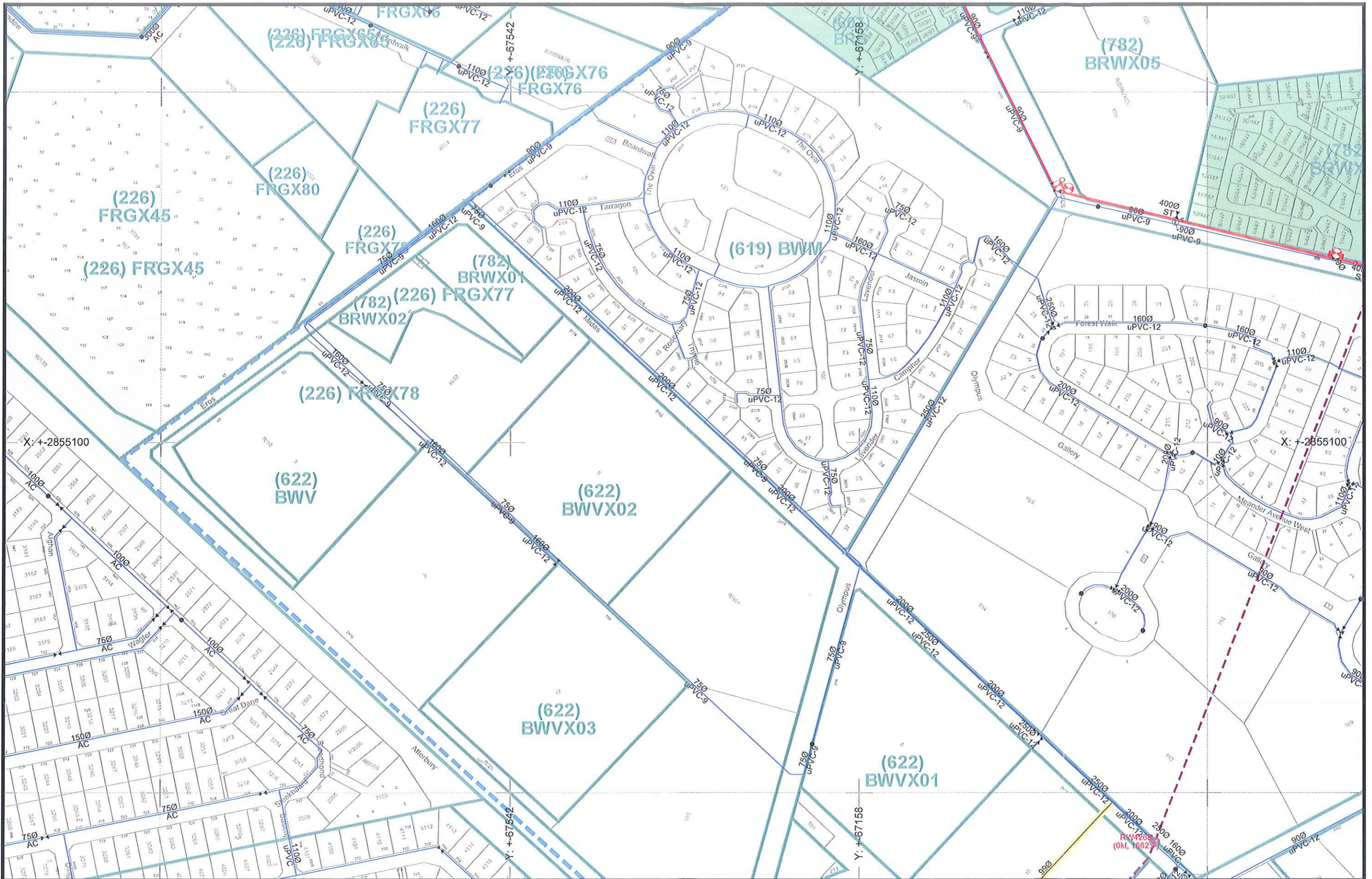
Legend

- Water Shed / Development Edge
- Urban Edge 2013
- CBD 25 km Radius
- Gautrain Station
- Proposed Railway
- PWV & K Routes
- Existing PWV-Routes
- Proposed PWV-Routes
- Existing K-Routes
- Proposed K-Routes
- Proposed BRT
- Proposed Highways
- Existing Highways
- Proposed Mobility Road
- Existing Mobility Road
- Proposed Mobility Spine
- Existing Mobility Spine
- Cemetery
- Mixed Uses
- Spot Incubator
- Office
- Airport
- Campus
- Future Nodes
- Future Regional Cemetery
- Industrial
- Mining
- Protected Residential Area
- Proposed Local Nodes
- Cores / Node
- Transit Zone
- Linear Zone
- Suburban Density
- Low Density Zone
- Low Density Zone
- Rural Density 5000m²
- Rural Density 1 Ha
- Rural Density 2 Ha
- Rural Density 4 Ha-5 Ha
- Rural Density 8.5 Ha
- Rural Density 10 Ha
- Rural Density >20 Ha
- Conservation Areas
- Dinokeng Game Reserve
- Game Reserve Startup
- Nature Reserve
- Open Space
- Ridge



ANNEXURE 'L'

BULK SERVICE RETICULATION MAPS FOR SURROUNDING AREA



LEGEND	
	Private Reticulation
	External Reticulation
	Private Raw Water
	Dummy pipes
	Other
	Private Distribution main
	External Distribution main
	External Raw Water
	Schematic pipes
	Rand Water & Connections
	Private Bulk
	External Bulk
	Raw water
	Sleeve/Culvert/Encasement
	Diameter Material-Class
	Distribution Zone
	Townships
	Borehole or Well/Tower
	Water Treatment Plant
	Other Tanks
	Pump Station
	Closed Valve
	Distribution Zone
	Pressure Reducing Valve
	Flow Control Valve
	Throttle Control Valve
	Pressure Sustaining Valve
	Pressure Breaker Valve
	Pressure Sustaining Valve
	Pressure Breaker Valve
	Bulk Meter & Meter
	Valve
	Non Return Valve
	Air Valve
	Scour Valve
	Servitudes
	Hydrant & Locked Hydrant
	Stand Pipe
	Reducer
	Pipe Cap
	Double & Single House Connection
	Private Areas/Section 21

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AE59	AF59	AG59
AE60	AF60	AG60

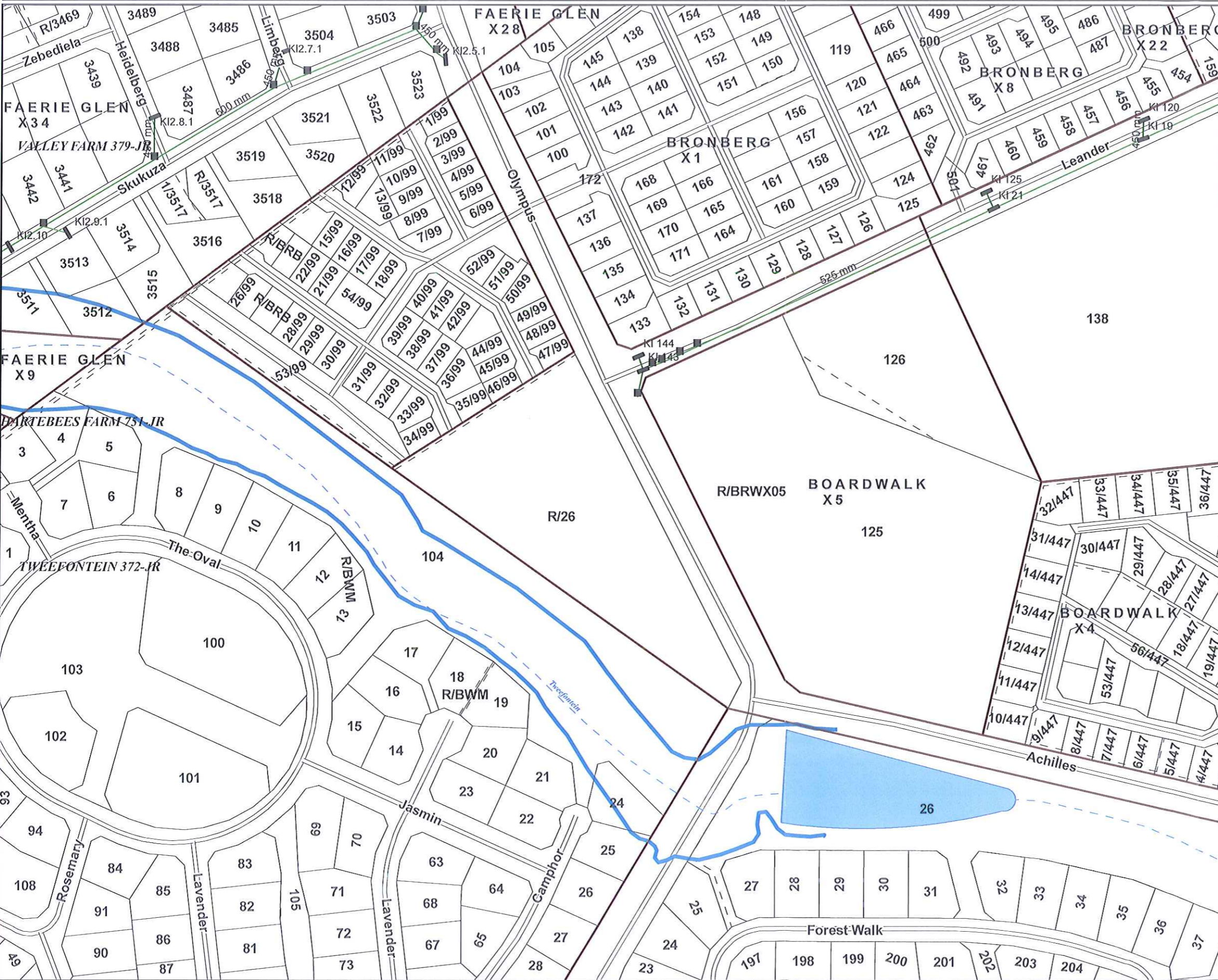
Water Distribution System

TSHWANE

DATE:	REV:	SCALE:	WGS 29°
October 2013	37	1 : 5 000	
No:	AF59		

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

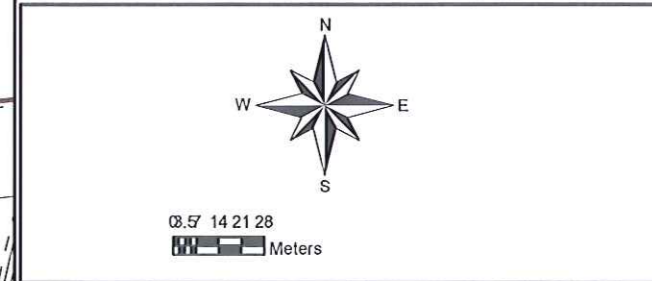
TRANSPORT DEPARTMENT.
INFRASTRUCTURE DESIGN, CONSTRUCTION AND MAINTENANCE DIVISION.
SECTION: INFRASTRUCTURE PROVISION.
SUB-SECTION: INFRASTRUCTURE TECHNICAL INFORMATION MANAGEMENT



LEGEND: STORMWATER NETWORK

- JunctionPoints**
 - ST
- Inlets**
 - ST
- Outlets**
 -
 - <all other values>
 - Junction Box
 - Manhole
- Pipes**
 -
 - Channel
 - Tshwane_100yr_Floodlines
 - Tshwane_50yr_floodlines
 - sde.SDE.TPC_DAM
 - sde.SDE.RIVER

NOTAS / NOTES:
 GEEN SIVIELE DIENSTE MAG OORSKRY WORD NIE.
 NO CIVIL SERVICES MUST BE ENCROACH UPON.
 DIE PLAN MAG NIE AS 'N KONSTRUKSIE DOKUMENT
 GEBRUIK WORD NIE, MAAR ALLEENLIK AS 'N
 INLIGTINGSSTUK.
 THIS DRAWING MUST NOT BE USED AS AN
 CONSTRUCTION DOCUMENT, BUT
 FOR INFORMATION ONLY.



TITEL/TITLE:
**TWEEFONTEIN 327JR
 PORTION R/26**
STORMWATER LAYOUT.

**STORMWATER INFRASTRUCTURE
 INFORMATION SHOULD BE
 VERIFIED ON SITE.**

VERWYS NR. / REF. NO.	WL/
SKAAL / SCALE:	NOT TO SCALE
GETEKEN / DRAWN:	MN MSIZA
HANDTEKENING / SIGNATURE:	
DATUM / DATE:	18 SEP 2014

J Paul van Wyk

From: Riaan Breytenbach <RiaanBr@TSHWANE.GOV.ZA>
Sent: 18 September 2014 10:48 AM
To: J Paul van Wyk
Subject: RE: ELECTRICAL SERVICES PLANS FOR R/26, FARM TWEEFONTEIN 372-JR



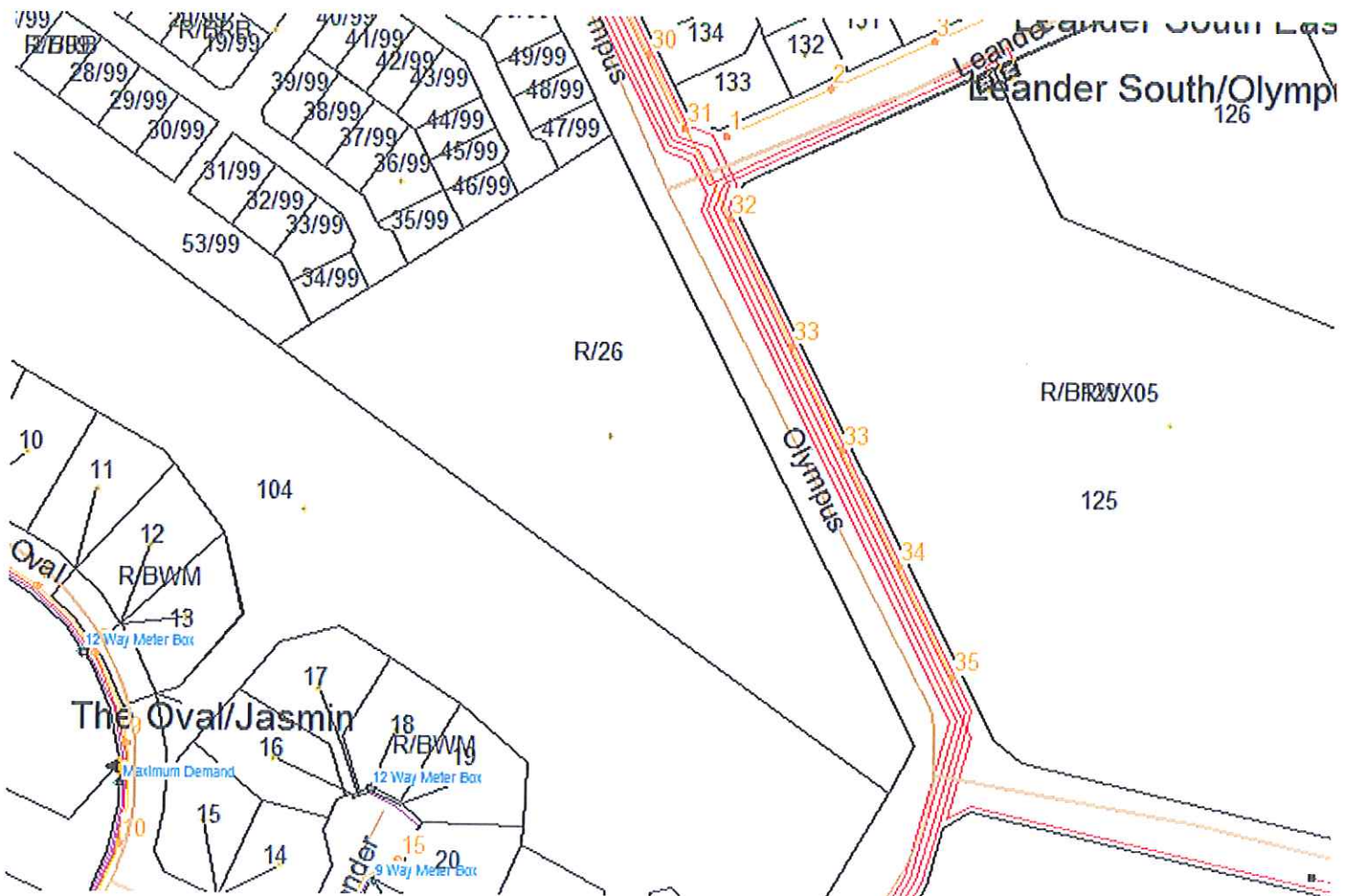
Official Host City
CITY OF TSHWANE
HOLDING EXCELLENCE

AFRICA
AEROSPACE & DEFENCE
2014

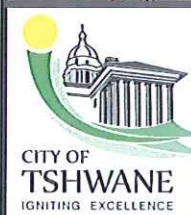
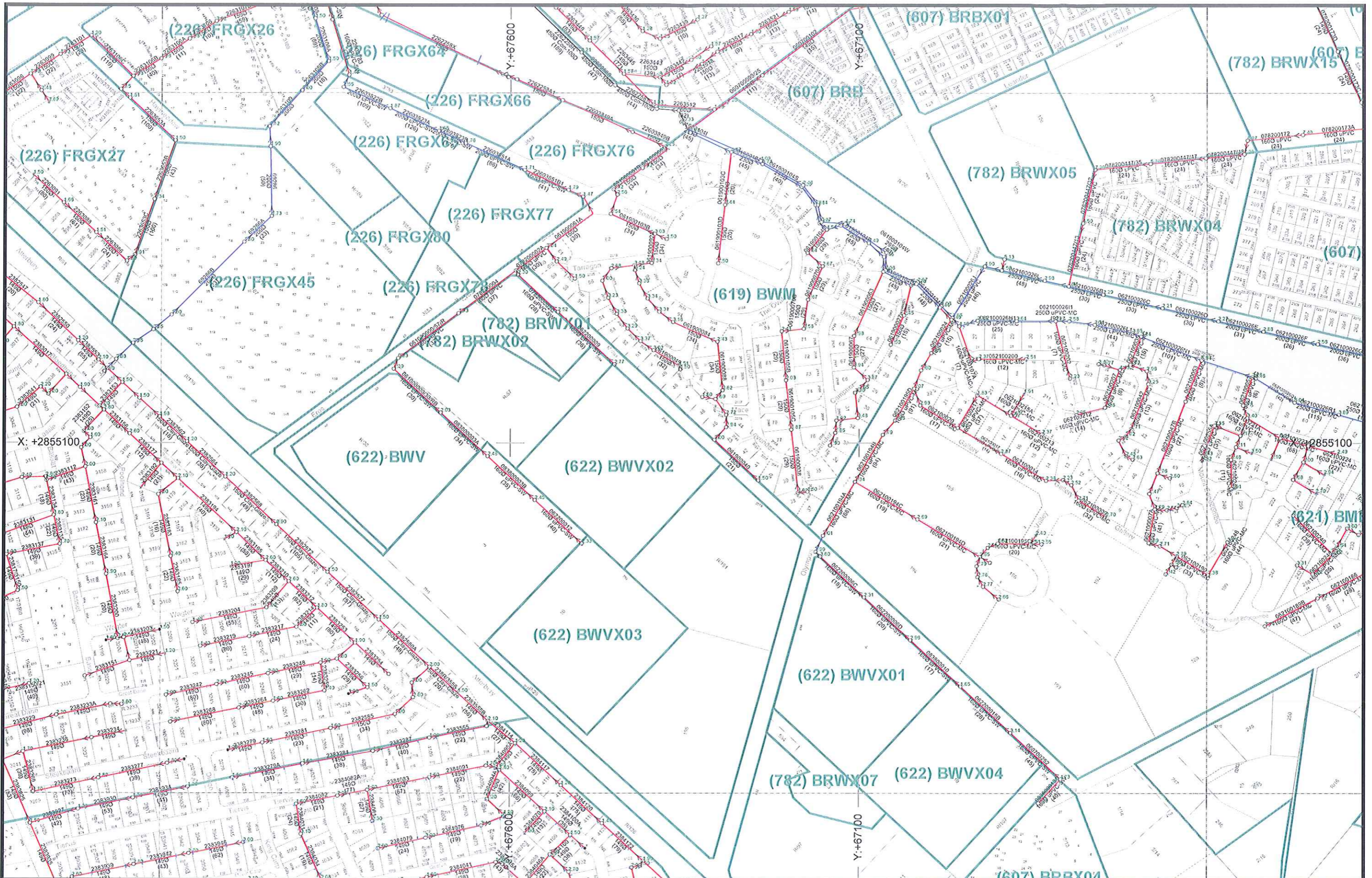
TICKET SALES NOW OPEN AT COMPUTICKET
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Visit Website: www.aadexpo.co.za

www.tshwane.gov.za



Riaan Breytenbach
Engineering Technician
Tshwane Energy & Electricity
Sel 083 676 5962
Tel 012 358 4475
Fax 086 215 0492



**Tshwane
System**

LEGEND

- | | | | |
|--------------------------|-----------------|--------------------------|------------------|
| <= 175 mmØ | > 175 <= 325mmØ | Manhole (Depth in meter) | Flow Meter |
| > 325mmØ | Abandon | Rodding Eye | House Connection |
| Private Internal Network | Rising Mains | Top End | Pipe Bridge |
| Private Rising Mains | Pipe Number | Diversion | Syphon |
| 680127 | 350Ø HOPE (101) | Pump Station | Tunnel |
| | | Special Structures | Encased |



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**Sewer System
Tshwane**

DATE: July 2012 REV: 32 SCALE: 1:5 000 WGS 29°


No: **AF59**

ANNEXURE 'M'

**ROADS MASTER PLAN AND CONFIRMATION OF RESERVE-WIDTH FOR
OLYMPUS DRIVE**



J Paul van Wyk

From: Lutz Johannes <LutzJ@TSHWANE.GOV.ZA>
Sent: 14 July 2014 10:22 AM
To: J Paul van Wyk (airtaxi@mweb.co.za)
Cc: Ben Molleman
Subject: FW: PROPOSED TOWNSHIP ON A CERTAIN PART OF PORTION R/26, FARM TWEEFONTEIN 372-JR
Attachments: Road Master Plan.pdf; General Plan.TIF



**WINTER HOLIDAY FUN
IN TSHWANE**

[more info](#) [View activities](#)



www.tshwane.gov.za | 

Hallo Paul

25m for Olympus Drive should be sufficient.

Regards



Lutz Johannes
Deputy Director: Integrated Roads Planning

Capitol Towers North | 2th Floor | Room B213 | 225 Madiba Street
Pretoria | PO Box 1401 | 0001 | www.tshwane.gov.za

Tel: 012 358 7732 | Cell: 082 563 5679 | Email: Lutzj@tshwane.gov.za



From: J Paul van Wyk [mailto:airtaxi@mweb.co.za]
Sent: 14 July 2014 09:39 AM
To: Ben Molleman; Lutz Johannes
Subject: PROPOSED TOWNSHIP ON A CERTAIN PART OF PORTION R/26, FARM TWEEFONTEIN 372-JR

Hi Ben / Lutz

We are in possession of the Roads Master Plan for the Olympus area (see attached) and would like to enquire whether any road widening will be required along Olympus Drive (currently 25m, see General Plan attached) adjacent to Portion R/26 of the farm Tweefontein 372-JR?

We are in the process of preparing our township layout plan for a residential township to house 3 Residential 1 dwellings and would appreciate your feedback in this regard.

Looking forward to hearing from you.

With kind regards.

ANNEXURE 'N'

**EMAIL CONFIRMATION BY LEAP ENVIRONMENTAL CONSULTANTS DD
29/01/14**

J Paul van Wyk

From: Jitske <jitske@telkomsa.net>
Sent: 29 January 2014 04:05 PM
To: 'Dr Gwen Theron'; 'J Paul van Wyk'
Subject: RE: ENVIRONMENTAL OPINION: PROPOSED TOWNSHIP ON PORTION R/26, FARM TWEEFONTEIN 372-JR
Attachments: c-plan 3.jpg

Good day Sylvia

The above matter and your e-mail below refers.

According to C-plan 3, attached hereto, the south western and southern section of the proposed site, contains ecologically important areas according to GDARD as well as a river that runs along the western border of the site.

If the development does not encroach on the 1:100 year floodline and the 32metre buffer zone around the river and does not encroach the areas classified as important or ecological support areas by GDARD you would not require environmental authorisation, however should you wish to encroach into the aforementioned areas a Basic Assessment will have to be completed.

Kind regards
Jitske
On behalf of Dr Gwen Theron.

From: Dr Gwen Theron [mailto:gwen.theron@telkomsa.net]
Sent: 28 January 2014 07:50 PM
To: 'J Paul van Wyk'
Cc: jitske@telkomsa.net
Subject: RE: ENVIRONMENTAL OPINION: PROPOSED TOWNSHIP ON PORTION R/26, FARM TWEEFONTEIN 372-JR

Hi Silvia
Based on the size of the property and based on the property location in an urban area it may not be required. However _ I will have to look at the GDARD Cplan 3.3 to confirm any potential other applicable listed activities Will give feedback tomorrow.

best Gwen



LEAP

Dr. Gwen Theron • P/L Arch No 97082
Landscape Architect • Environmental Planner
Inboks nr. 201008581023 • P.O. Box 13185 Hatfield 0028
012 243 2751 tel • cel 083 302 2116
083 606 6120 fax • gwen.theron@telkomsa.net



From: J Paul van Wyk [mailto:airtaxi@mweb.co.za]
Sent: 28 January 2014 04:02 PM
To: 'Gwen Theron'
Subject: ENVIRONMENTAL OPINION: PROPOSED TOWNSHIP ON PORTION R/26, FARM TWEEFONTEIN 372-JR