

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF SECTION 69 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PART OF PORTION 224 OF THE FARM HOUTKOP 594-IQ, PROVINCE OF GAUTENG, BY SCHULDEN PROPERTIES (PTY) LTD (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) TO ESTABLISH A TOWNSHIP ON SUCH LAND IN ITS OWN NAME, HAS BEEN APPROVED

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE TOWNSHIP BEING DECLARED AN APPROVED TOWNSHIP

(1) REMOVAL OF EXISTING TITLE RESTRICTIONS / OBLIGATIONS

The township applicant shall at its own expense cause conditions / servitudes, in Deed of Transfer T2701/2009, which affect the proposed township adversely (if any) to be altered, suspended or removed excluding those referred to in clause 2 (3).

(2) SUBDIVISION OF COMPONENT PORTIONS

The applicant shall at his own expense cause the component portion comprising the township to be subdivided where necessary.

(3) REGISTRATION OF SERVITUDES

The applicant shall at his own expense cause the registration of a right of way servitude across Portion 171 of the farm Houtkop 594-IQ as indicated on the layout plan.

(4) GENERAL

- (a) The township applicant shall make the necessary arrangements to ensure that –
 - (i) an Engineering Services Agreement has been entered into;
 - (ii) an additional Dolomite Stability Investigation has been approved by the Council for Geoscience for the proposed residential development on Erven 5154 and 5155;
 - (ii) that the Section 125 amendment scheme has been prepared and lies ready for proclamation with the township.
- (b) The township applicant shall comply with the provisions of Sections 72 (General Plan), 75 (General Plan: Local Authority) and 101 (Township Register) of the Town Planning and Townships Ordinance 1986 (Ordinance 15 of 1986).



2. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Unitas Park Extension 21.

(2) LAYOUT / DESIGN

The township shall consist of erven and streets as indicated on layout plan SMR 419/p2.

(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes in T2701/2009, if any, including the reservation of rights to minerals and real rights, but excluding the conditions and servitudes which do not affect the township due to the location thereof.

(4) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing municipal services, the cost thereof shall be borne by the township applicant.

(5) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office Plant, the cost thereof shall be borne by the township applicant.

(6) INSTALLATION OF SERVICES

- (a) The township applicant shall be responsible for the installation and provision of internal engineering services.
- (b) Once water, sewer, electricity and street networks (including storm water) have been installed, same will be transferred to the local authority who shall maintain these networks.
- (c) The local authority shall install and provide external engineering services for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

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or/eks by [Signature]
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(7) CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 5154 and 5155 in the township consolidated. The Emfuleni Local Municipality hereby grants its consent to the consolidation in respect of Section 92(2) of Ordinance 15 of 1986.

3. CONDITIONS OF TITLE

(1) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

(a) ALL ERVEN

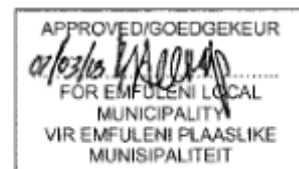
All erven shall be made subject to the following conditions:

- (i) All erven are subject to a servitude, 2 metres wide, in favour of the local authority for sewerage and other municipal purposes, along any two boundaries other than a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes 2 metre wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may relax or grant exemption from the required servitudes.
- (ii) No building or other structure shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2 metres thereof.
- (iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude, such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

(b) ERVEN SUBJECT TO SPECIAL CONDITIONS

- (i) Erf 5154

The erf is subject to a right of way servitude with varying widths as indicated on the General Plan.



4. LAND USE CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986

(1) ALL ERVEN

An engineer shall be appointed before building plans are submitted, who shall submit, together with the building plans, a certificate which states that he has studied the relevant geological report and that he has established the necessary measures with regard to building work, drainage of the buildings and the site and the installation of wet services so that the whole development is safe as far as possible from a geological point of view. On completion he shall certify that all his specifications have been met.

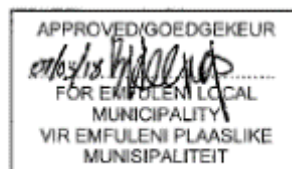
(2) ERVEN 5154 AND 5155: "RESIDENTIAL 4"

- (a) The erf shall be zoned "Residential 4".
- (b) The height, coverage and FAR shall be in accordance with Height Zone 0 of the Scheme.
- (c) A Site Development Plan must be approved by the local authority prior to commencement of any building activities on site.
- (d) Parking must be provided in accordance with the provisions of the Scheme.
- (e) The erf is subject to a 16m building line along Houtkop Road (K180) and future K55.
- (f) A right of way servitude must be registered over Portion 171 of the farm Houtkop 594-IQ to ensure access to the erf.

(3) ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out above, the undermentioned erven shall be subject to the conditions as indicated:

- (a) Erf 5155
 - (i) The registered owner of the erf shall erect a physical barrier consisting of a 2 m high brick or concrete wall or a barrier of such other material as may be approved by the local authority, in accordance with the most recent standards of the Gauteng Provincial Government (Department of Public Transport and Roads) before or during development of the erf along the south-western boundary thereof abutting on Provincial Road K180 to the satisfaction of the local authority and shall maintain such barrier to the satisfaction of the local authority: Provided that if the said Road has not yet been declared, the relevant physical barrier shall be erected within a period of six months after declaration of such road.



- (ii) Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on Road K180.
 - (iii) Except for the physical barrier referred to in subclause (i) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of the land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 16 m from the north-eastern boundary of Provincial Road K180, nor shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made except with the consent in writing of the Gauteng Provincial Government (Department of Public Transport and Roads).
- (b) Erven 5154 and 5155
- (i) The registered owner of the erf shall erect a physical barrier consisting of a 2 m high brick or concrete wall or a barrier of such other material as may be approved by the local authority, in accordance with the most recent standards of the Gauteng Provincial Government (Department of Public Transport and Roads) before or during development of the erf along the north-western boundary thereof abutting on Provincial Road K55 to the satisfaction of the local authority and shall maintain such barrier to the satisfaction of the local authority: Provided that if the said Road has not yet been declared, the relevant physical barrier shall be erected within a period of six months after declaration of such road.
 - (ii) Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on Road K55.
 - (iii) Except for the physical barrier referred to in subclause (i) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of the land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 16 m from the south eastern boundary of Provincial Road K55, nor shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made except with the consent in writing of the Gauteng Provincial Government (Department of Public Transport and Roads).

