

**MOTIVATING MEMORANDUM IN SUPPORT OF AN APPLICATION  
SUBMITTED IN TERMS OF SECTION 21 OF THE CITY OF  
JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016, READ IN  
CONJUNCTION WITH THE PROVISIONS OF THE SPATIAL  
PLANNING AND LAND USE MANAGEMENT ACT “SPLUMA”, 2013  
(ACT 16 OF 2013), FOR THE REZONING OF ERF 1317 GREENSIDE  
TOWNSHIP**

**PREPARED BY:**

**GE** Town Planning Consultancy CC

**DATE:**

October 2022

**JOB No.:**

1166

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## **1. BACKGROUND**

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### **1.1 Introduction and Property Description:**

- 1.1.1 Application is hereby made in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016 ("By-Law"), read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the amendment of the City of Johannesburg Land Use Scheme, 2018 (hereinafter referred to as "the Scheme") by the rezoning of Erf 1317 Greenside Township (hereinafter referred to as "the subject property"), from "Business 1" subject to certain conditions to "Business 1", subject to amended conditions.
- 1.1.2 The effect of the rezoning application will permit an increase in permissible coverage governing the subject property from 50% in terms of the Scheme to 70% (as was originally permitted for shops and business buildings in terms of the erstwhile Johannesburg Town Planning Scheme, 1979 - hereinafter referred to as "the erstwhile Scheme"). The remaining permissible land use rights will not be altered, but rather aligned with the updated Scheme where applicable.
- 1.1.3 Details of the application are set out under Section Two (2) of this memorandum.

### **1.2 Locality: (See Plan 1081/1)**

- 1.2.1 The subject property is located on the southern side of Gleneagles Road, between Barry Hertzog Avenue to the west and Greenway to the east.
- 1.2.2 The physical street address of the subject property is 22 Gleneagles Road, in the township of Greenside.
- 1.2.3 The street address is as per Council records and may differ from the displayed street address.

### **1.3 Property Size:**

The subject property measures 1 406m<sup>2</sup> in extent.

### **1.4 Property Ownership:**

The subject property is registered in the name of **PANAYIOTOU PROPERTIES CC**, by virtue of Deed of Transfer **T74738/2000**.

**1.5 Existing and Surrounding Zoning: (See Plan 1166/2)**

1.5.1 The subject property is currently zoned "Business 1" as per the general provisions of the Scheme. In terms of the said "Business 1" zoning the following uses are currently permitted on the subject property: business purposes, shops, residential buildings, place of instruction, social halls, restaurant, car sales lot, motor showrooms, showrooms, offices, public or private parking area, institutions, religious purposes, dwelling units and warehouses.

(The zoning certificate in respect of the subject properties are attached hereto as **Appendix "1"**).

1.5.2 Erven 535, 537, 539 and 541 Greenside Township, located to the north of the subject property (across from Gleneagles Road), are zoned "Residential 1" permitting single dwelling houses subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018. The zoning in respect of Erven 539 and 541 Greenside Township incorporates offices as secondary land use rights in terms of Amendment Scheme 3515.

1.5.3 Erf 206 Greenside Township bordering the subject property to the west is zoned "Business 1" permitting business purposes, shops, residential buildings, place of instruction, social halls, restaurant, car sales lot, motor showrooms, showrooms, offices, public or private parking area, institutions, religious purposes, dwelling units and warehouses, subject to certain conditions in terms of the City of Johannesburg Land Use Scheme, 2018.

1.5.4 Erf 608 and Portion 1 of Erf 609 Greenside Township, bordering the subject property to the south are zoned "Residential 1" permitting single dwelling houses, subject to certain conditions, in terms of the City of Johannesburg Land Use Scheme, 2018. We are uncertain if Council consent for parking on (inter alia) these two properties was ever granted (see paragraph 1.6.4 hereunder).

1.5.5 Erf 203 Greenside Township, bordering the subject property to the east is currently zoned "Business 1" permitting business purposes, shops, residential buildings, place of instruction, social halls, restaurant, car sales lot, motor showrooms, showrooms, offices, public or private parking area, institutions, religious purposes, dwelling units and warehouses, subject to certain conditions in terms of the City of Johannesburg Land Use Scheme, 2018, as read with amendment scheme 13-5135.

**1.6 Current and Surrounding Land Use: (See Plan 1166/3)**

- 1.6.1 The subject property is currently developed with variety of shops, including a liquor store and restaurant with ancillary and related uses.
- 1.6.2 Erven 535, 537, 539 and 541 located to the north of the subject property (across from Gleneagles Road) are currently developed with residential buildings that have been converted to accommodate a variety of businesses.
- 1.6.3 Erf 206 Greenside Township bordering the subject property to the west is currently developed with a restaurant on the ground floor and vacant offices on the remaining three storeys.
- 1.6.4 Erf 608 Greenside Township, bordering the subject property to the south is currently developed with single residential dwellings and associated and related structures.
- 1.6.5 Portion 1 of Erf 609 Greenside Township is currently utilised for parking purposes (in conjunction with Portion 1 and the Remaining Extent of Erf 610 and Erf 611).
- 1.6.6 Erf 203 Greenside Township, bordering the subject property to the east is currently developed with businesses on the ground floor and apartments on the remaining three (3) floors.

**1.7 Legal Aspects:**

- 1.7.1 There are conditions of title in the governing deed of transfer pertaining to the subject property which are deemed to be restrictive to the proposed development.
- 1.7.2 Separate application for the removal of the restrictive/superfluous conditions of title has been submitted to Council in terms of Section 41 of the By-Law.
- 1.7.3 No servitudes or other encumbrances are registered in the governing title deed.
- 1.7.4 The subject property is bonded. A copy of the bondholders' consent is enclosed with the application documents.

## 2. APPLICATION PROPOSAL

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### 2.1 Rezoning and Proposed Controls:

Application is hereby made in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the amendment of the City of Johannesburg Land Use Scheme, 2018, by the rezoning of Erf 1317 Greenside Township from "Business 1" subject to certain conditions to "Business 1" including a public garage subject to the following further development controls:

In addition to the general provisions of the City of Johannesburg Land Use Scheme, 2018, the following conditions shall apply.

Use Zone 6:	"Business 1" with ancillary and related uses.
Primary Rights:	As per Scheme – Business purposes, shops, residential buildings, place of instruction, social halls, restaurant, car sales lot, motor showrooms, showrooms, offices, public or private parking area, institutions, religious purposes, dwelling units, warehouse, public garage and ancillary and related uses.
Consent Rights:	As per Scheme – Any additional use with the consent of the Local Authority excluding noxious industries.
No Rights:	As per Scheme – noxious industries, scrapyards, panel beaters and spray painting.
Servitude:	-
Height:	As per Scheme – three (3) storeys excluding basements and parking structures, with the proviso that basements may protrude higher than 1,5m above natural ground level.
Coverage:	As per Scheme – 70%.
FAR:	As per Scheme; Provided that the following areas are excluded from the calculation of floor area: roof gardens and associated structures, parking structures and canopies, internal and external fire escapes, brick walled access passages/lobbies, corridors, restaurant preparation and/or storage areas, balconies and

entrance halls/foyers, covered pedestrian ways and public conveniences.

**Parking Provision:** As per Scheme – provided that parking may be relaxed with the written consent of the Council and the JRA upon evaluation of a site development plan.

**Density:** As per Scheme.

**Building Lines:** As per Scheme – zero (0) meters along street frontages.

**General Conditions:**

1. Access to and egress from the erf to the public street shall be provided to the satisfaction of the Local Authority.
2. Effective paved, parking spaces, together with the necessary maneuvering area, shall be provided on the erven to the satisfaction of the Local Authority, with the proviso that parking may be relaxed by the Local Authority in terms of an approved site development plan.
3. A site development plan, drawn to a scale of 1:500 or such other scale as approved by the Local Authority, shall be submitted to the Local Authority for approval before the submission of any building plans. No building may be erected on the erven prior to the approval of such development plan by the Local Authority and the entire development of the erven shall be in accordance with this plan: provided that, with the written consent of the Local Authority, the plan may be amended from time to time.

## **2.2 Applicant's Intention:**

2.2.1 The effect of the rezoning application will regularise the existing development on the subject property, which development currently comprises shops, restaurants, and storage facilities. Although the existing structures were compliant in terms of coverage in terms of the provisions of the erstwhile Scheme, same exceed the modified coverage in terms of the updated Scheme.

2.2.2 In addition, it is proposed to align the development controls with the provisions of the updated Scheme, where applicable (for instance, in respect of parking provision). Furthermore, the intention is to relax the current street building line to zero (0) meters in order to accommodate the location of the existing structures (akin to structures flanking the subject property).

## MOTIVATION IN SUPPORT OF THE REZONING APPLICATION

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### 3.1 Need and Desirability in Support of the Rezoning:

- 3.1.1 Application is hereby made in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the amendment of the Johannesburg Land Use Scheme, 2018, by the rezoning of the subject property, in order to increase the permissible coverage.
- 3.1.2 Greenside Township was established in and around 1930. An original condition of title in respect of the subject property infer that retail uses were envisaged from establishment of the township. The subject property is located on Gleneagles Road in Greenside Township, and forms part of a historic retail strip which has existed for a number of decades. The strip is an active retail and restaurant destination point in the local area, which has evolved over the years to address the current needs of the local and extended residents.
- 3.1.3 The subject property was originally zoned "Business 1" in terms of the provisions of the erstwhile Johannesburg Town Planning Scheme, 1979. The subject property was developed and operated as a retail facility with related uses, prior to coming into operation of the City of Johannesburg Land Use Scheme, 2018.
- 3.1.4 In terms of the provisions of the erstwhile Scheme, the subject property was awarded inter alia a coverage of 70%. On coming into operation of the Land Use Scheme in February 2019, this permissible coverage was reduced to 50% (or "As per Scheme").
- 3.1.5 As a result of this amendment to the land use rights and permissible development controls, the existing structures on the subject property are not compliant with the Land Use Scheme, 2018. The existing coverage on the subject property is estimated as being  $\pm 67\%$  as indicated on the conceptual site plan attached hereto as Appendix "4" hereto.
- 3.1.6 Although the updated Scheme protects existing structures, the landowner is faced with the dilemma that copies of the latest approved building plans for the retail facility on the subject property cannot be located at Council Records.
- 3.1.7 Accordingly, the subject application is submitted in order to reinstate a previously permitted development control ("coverage") in order to regularize the existing structures on the subject property.



3.1.8 The current land use rights applicable to the subject property incorporate inter alia the right to erect dwelling units. Although no density is specified, Schedule 2 (Section 2.(3) of the City of Johannesburg Municipal By-Law stipulates that in the absence of a density provision, a minimum unit area of 40m<sup>2</sup> in respect of permissible residential floor area shall be utilized in order to calculate density). The permissible residential floor area in respect of the subject property is "As per Scheme" i.e. 1,2 equating to a permissible 42 units (given the site area of 1 406m<sup>2</sup>). Although there is no intention to develop residential units at this stage, this primary right is already provided for and shall be retained.

3.1.9 It is contended that the proposed rezoning displays the following positive attributes:

- a) The existing structures on the subject property are already constructed in excess of the current permitted coverage (albeit in line with the coverage previously permitted in terms of the erstwhile Johannesburg Town Planning Scheme, 1979);
- b) Precedents of higher order coverage land use rights already exist in direct proximity to the subject property (for example, Erf 203 Greenside, located directly to the east with an approved coverage of 75% in terms of Amendment Scheme 13-5135 – see **Appendix 5** hereto);
- c) The increase in coverage will facilitate implementation of land use rights already permitted in terms of the current zoning rights pertaining to the subject property;
- d) The subject property is ideally located for the proposed land uses already conducted thereon, and adjoining properties to the east and west respectively;
- e) The subject property is already serviced with existing municipal services infrastructure;
- f) Access to and egress from the subject property will remain unchanged;
- g) The existing land use rights can be updated in terms of the provisions of the City of Johannesburg Land Use Scheme, 2018 where applicable; and
- h) The enhanced development of the subject property is essentially in line with current Council Planning policies and directives.

4.1.10 Accordingly, it is contended that the rezoning application has merit from a town planning perspective and should be approved.

### **3.2 The Relevant Legislative Policy Framework:**

3.2.1 There are several policies that provide directives or guidelines relating to the use of land within the jurisdiction of the City of Johannesburg Metropolitan Municipality. The overarching objectives that are pursued in the legal and policy framework are to:

- i. Integrate urban areas and overcome apartheid induced segregation;
- ii. Integrate land use transport planning and ensure integration between public transport nodes;
- iii. Minimise urban sprawl and the adverse effects of transport and land development and redevelopment action/interventions;
- iv. Improve the quality of housing and public infrastructure;
- v. Ensure responsive, effective, efficient and collaborative governance of housing schemes; and
- vi. Increase economic efficiency and productivity of urban form and functions.

3.2.2 The most prominent Council policy regulating land use management applications in the City of Johannesburg Metropolitan Municipality is the Nodal Review Policy 2019/2020 and the City of Johannesburg Metropolitan Municipality Spatial Development Framework, 2040 (SDF).

3.2.3 Conformity to the above policy guidelines is outlined below.

- **The City of Johannesburg Metropolitan Municipality Spatial Development Framework, 2040 (SDF):**

The Spatial Development Framework, 2040 (SDF 2040), promotes a compact polycentric city where the inner city would form the strong urban core lined by efficient public transport to dense, mixed use sub centres situated within a protected and integrated natural environment.

The future polycentric Johannesburg will bring jobs to residential areas and housing opportunities to job centres rather than merely transporting people between the two. It will create complete nodes where people can live, work and play that are efficiently connected by public transport. It will bridge spatial and social barriers and build a framework for a spatially just city.

It is imperative that the Spatial Development Framework, 2040, supports the City's Economic Development Strategy and provides an enabling urban structure for economic growth, job creation and poverty alleviation.

To facilitate the spatial transformation needed in the city, the SDF 2040 endorses the following intertwined concepts of the new image of Johannesburg:

- **Compact city** – *combining density, diversity, proximity and accessibility, reducing distances, travel times and costs, bringing jobs and social amenities to single use, marginalised residential areas, reducing energy consumption and infrastructure costs.*

The application will fully answer the call for the establishment of a compact city by intensifying coverage (as already permitted on nearby properties within the Gleneagles retail strip) and enabling realisation of a higher site potential by implementing land uses on the subject property (which uses are already permitted in terms of the Scheme).

- **Inclusive city** – *ensuring balanced service provision (hard and soft) and opportunities for all by diversifying land uses, promoting social mixing and bridging social, spatial and economic barriers.*

This proposed redevelopment will, by its very nature work towards creating an inclusive city by diversifying the land-uses and more fully exploit municipal services infrastructure.

- **Connected city** – *enhancing public transit and ICT infrastructure at provincial and urban scales to re-connect the city, starting from 'the Corridors of Freedom' to street and neighbourhood-level connectivity.*

The subject property is located within the Greenside Emmarentia Precinct, and along a High Street (Gleneagles Road, previously referred to as a Mobility Road in the RSDF 2010/2011). There are a number of municipal bus stops located along this roadway, and is an active taxi route (with nearby taxi facilities along Barry Hertzog Avenue). Therefore, the public transport system will be more fully utilised, by providing the intended residents of the development with excellent transport opportunities.

- **Resilient city** – *building a metropolitan open space system as a protection buffer, preserving valuable green infrastructure and areas of high agricultural potential, promoting sustainable energy use, reinforcing the urban development boundary and protecting biodiversity resources.*

This proposal will not negatively impact sensitive environmental areas or valuable agricultural land, since it represents the expansion of an existing development on the subject property.

- **Generative city** – *focusing investment in transformation areas and nodes towards achieving positive social, economic and environmental returns on investment; spurring economic growth and job creation and enhancing public space and promoting sustainability (social, environmental and economic).*

The application and regularisation of the current land uses on the subject property represents a focused investment on a piece of

well-located land, which will attract development to the area, without negatively impacting on the residents of the area.

It has been illustrated how the subject application aligns itself with the (SDF, 2040) and its guiding principles. The application will work towards the City's spatial transformation goals by its specific land use mix, which aims to move people closer to economic opportunities available within the neighbourhood and the greater Johannesburg.

- **The City of Johannesburg Nodal Review Policy, 2019/2020:**

The City of Johannesburg Nodal Review Policy, 2019/2020, is a fairly new development policy, adopted by Council on 27 February 2020. This replaces the RSDF as Johannesburg's City-wide development policy. It aims to concentrate development around existing urban nodes to limit urban sprawl and the cost of infrastructure.

According to the Nodal Review Policy, the subject property falls within the "General Urban Zone". The development intent for such a zone is to encourage residential or mixed-use buildings of up to five (5) storeys.

A General Urban Zone has been classified as a medium intensity area with a mix of land uses (i.e. local shops and businesses mixed throughout the area).

The subject property is located within direct or close proximity to an array of community support services including places of employment (including the subject property and the Gleneagles Road retail strip of which the subject property forms part and the Village Green Shopping Centre to the south east along Greenway Avenue), places of public worship (including the Greenside Mosque in close proximity to a church to the south-west and south east respectively), schools (including Greenside Primary and High Schools), public open spaces (including a nearby neighbourhood park ±130m to the north) and important transportation routes (Barry Hertzog Avenue and Gleneagles Road).

In terms of the Nodal Review Policy, the height of any development should generally not exceed more than one (1) storey higher than a neighboring property. The subject application does not seek to increase height beyond the current approved height of 3 (three) storeys.

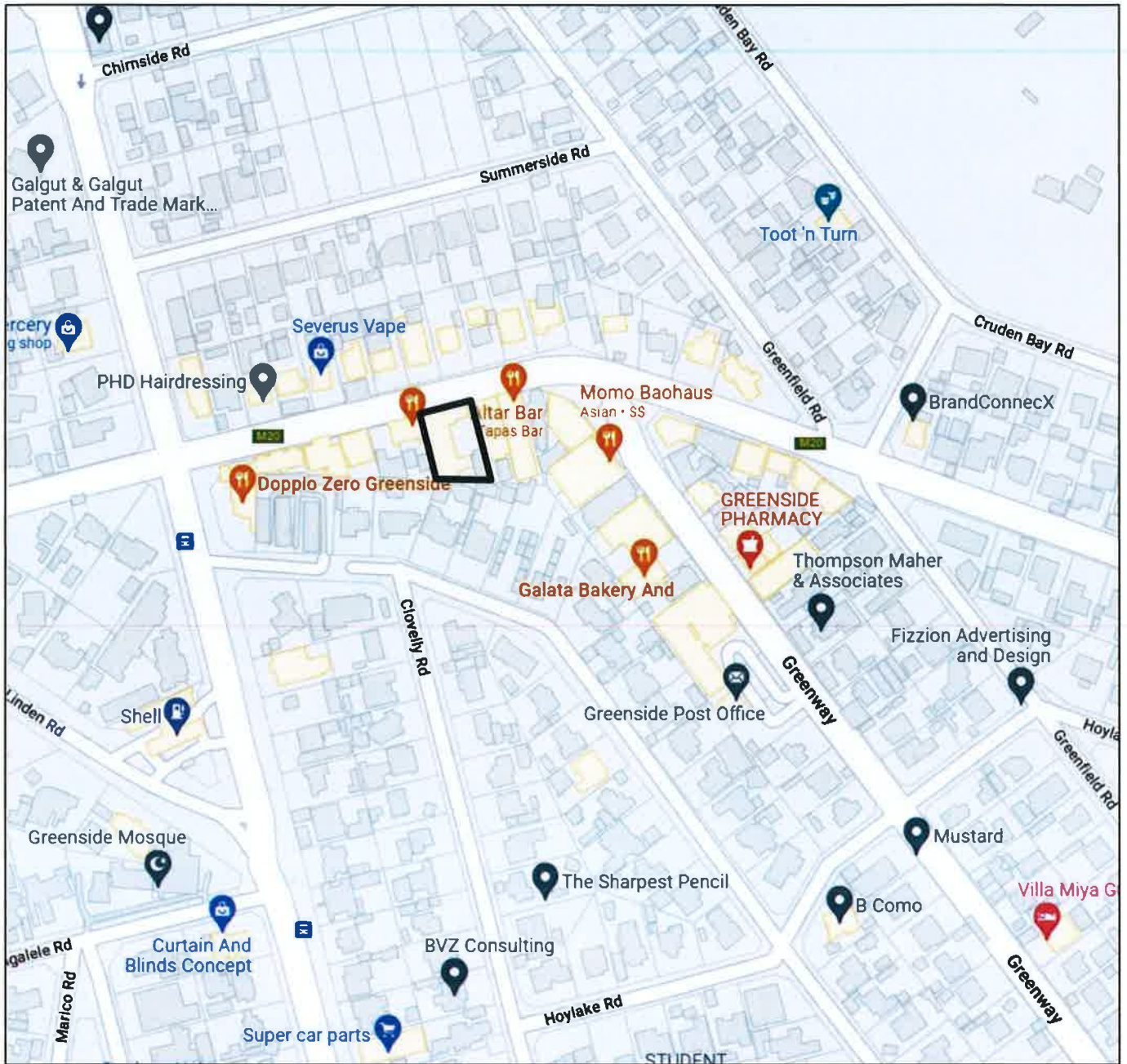
The intended development is in line with the mentioned guidelines and will therefore complement the existing urban fabric and make a valuable contribution to enriching the existing land-use mix.

- 3.2.4 In this regard, the application complies with the objectives of the SDF, Nodal Review Policy and the general aspirations of the Scheme.
- 3.2.5 All policies, and spatial development guidelines provided by Council that are currently utilised to regulate land use development were consulted in the completion of this application, and it has been motivated that the envisaged development complies with said guidelines.
- 3.2.6 Accordingly, the proposed development is considered both necessary and desirable and in line with current and future policy directives as well as the SPLUMA developmental principles and should be approved.

**4. CONCLUSION:**

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- 4.1 Application is hereby made in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, read in conjunction with the relevant provisions of the Spatial Planning and Land Use Management Act "SPLUMA", 2013 (Act 16 of 2013), for the amendment of the City of Johannesburg Land Use Scheme, 2018, by the rezoning of the Erf 1317 Greenside Township, from "Business 1", subject to certain conditions to "Business 1" subject to amended conditions.
- 4.2 The effect of the rezoning application will permit an increase in permissible coverage governing the subject property from 50% in terms of the City of Johannesburg Land Use Scheme, 2018 to 70% (as was originally permitted for shops and business buildings in terms of the erstwhile Johannesburg Town Planning Scheme, 1979). The remaining permissible land use rights will not altered, but rather aligned with the Scheme where appropriate.
- 4.3 The application represents an ideal opportunity to promote sustainable development in the area and the city as a whole.
- 4.4 The application is in line with current policy directives as well as the SPLUMA developmental principles. The application is also an improvement to the controlling town planning scheme and is necessary, desirable and worthy of approval.



APPLICATION SITE

ERF 1317  
GREENSIDE TOWNSHIP

# LOCALITY PLAN



**Town Planning Consultancy**

6 Porsche Avenue  
Wierdapark Ext.5  
Centurion, 0157








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

Email: [gavingetp@outlook.com](mailto:gavingetp@outlook.com)

Date:	OCT. 2022
Scale:	1:20 000
Plan No:	1166/1





-  APPLICATION SITE
-  RESIDENTIAL 1
-  BUSINESS 1
-  BUSINESS 3
-  BUSINESS 4
-  SPECIAL FOR DWELLING HOUSES
-  PUBLIC OPEN SPACE

ERF 1317  
GREENSIDE TOWNSHIP

# ZONING PLAN



Town Planning Consultancy

6 Porsche Avenue  
Wierdapark Ext.5  
Centurion, 0157

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

Email: [gavingetp@outlook.com](mailto:gavingetp@outlook.com)

Date:	OCT.2022
Scale:	1: 2 000
Plan No:	1166/2







	APPLICATION SITE		SHOPS
	SINGLE RESIDENTIAL DWELLING		HARDWARE STORE
	PARKING		OFFICES
	BUSINESS		TYRE SHOP
	BUSINESS & OFFICES		RETAIL
	BUSINESS & VACANT OFFICES		PARK
	BUSINESS & FLATS		
	CAR SERVICE CENTRE		
	BUSINESS & RESIDENTIAL		
	JUICE BAR & COFFEE SHOP		
	HAIR & BEAUTY SALON		
	BUTCHER & GROCER		
	FURNITURE STORE		
	CANNABIS SHOP		

**ERF 1317  
GREENSIDE TOWNSHIP**

# LAND USE PLAN

GE

**Town Planning Consultancy**

6 Porsche Avenue  
Wierdapark Ext.5  
Centurion, 0157

Tel: (012) 653-4488  
Fax: 086-651-7555  
Cell: 082 553 3589  
Email: [gavingtp@outlook.com](mailto:gavingtp@outlook.com)

Date:	OCT.2022
Scale:	1: 2 000
Plan No:	1166/3





a world class African city

## ZONING INFORMATION NOTE PAD

REQUESTED BY:

LAND USE SCHEME: CITY OF JOHANNESBURG LAND USE SCHEME , 2018

NAME OF APPLICANT:

ERF / HOLDING / FARM PORTION: Erf 1317

TOWNSHIP NAME / HOLDING NAME / FARM NAME: Greenside

STREET NAME AND NUMBER: Gleneagles road

USE ZONE: Business 1

HEIGHT ZONE: A (0) As per attached table 4

FLOOR AREA RATIO: As per attached table 6

COVERAGE As per attached table 5

DENSITY: One dwelling per erf

BUILDING LINE: As per attached table 7

PARKING: As per scheme

AMENDMENT SCHEME APPLICABLE: N/A

SERVED BY: Sandy

DATE: 13 September 2022

City of Johannesburg Land Use Scheme 2018 is open for inspection at the 8<sup>th</sup> floor, 158 Civic Boulevard (previously 158 Loveday Street) between 8:00 and 15:30 weekdays. The applicant must verify the information contained herein by inspection of the Land Use Scheme. Whilst the utmost is done to ensure accuracy, the City of Johannesburg does not accept responsibility for any incorrect information given on this form.

The applicant's attention is drawn to the general provisions of the Land Use Scheme.

It should be noted that the provisions of the Land Use Scheme do not override any restrictive conditions that may be contained in the Title Deeds.



LTSDTY1003947

ampoty	R.....
oelreg	R.....
Fees/Foole	Cat.....
Exempted	Kat.....
Vrygestel	Kat.....

DOCUMENT NO. CASTLEDEX  
  
D0001326571

16

Webber Wentzel Bowens  
10th Floor  
Office Tower  
Sandton City  
Sandton

Prepared by me

*[Signature]*  
CONVEYANCER  
PINNOCK AMJ

VERBIND		MORTGAGED	
VIR FOR R 1.200.000.00			
B	56901/2000	<i>[Signature]</i>	
08 DEC 2000		REGISTRATEUR/REGISTRAR	

BC000029560 / 2009
GEKANSALLEER CANCELLED
REGISTRATEUR/REGISTRAR
2009-08-27

### DEED OF TRANSFER

T 74738 / 2000

BE IT HEREBY MADE KNOWN:

THAT NICOLE KATHERINE SINOVICH

appeared before me, REGISTRAR OF DEEDS at JOHANNESBURG, he the said  
Appearer being duly authorised thereto by a Power of Attorney signed at  
Vanderbijlpark on 16 August 2000 and granted to him by:-

FOODTOWN PROPERTIES CC  
No. 1989/037546/23

And the Appearer declared that his said principal had truly and legally sold and  
that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede

Vir verdere endossemente sien For further endorsements see.....
<i>[Signature]</i>

*m*

157

VERBIND		MORTGAGED	
VIR FOR R 6 00 000 000			
<b>B</b>	013805/06	<i>[Signature]</i>	
2006-02-23			
REGISTRATEUR/REGISTRAR			

<b>BO</b> 000029561/2009
GEKANSLEER CANCELLED
REGISTRATEUR/REGISTRAR
2009-08-27

VERBIND		MORTGAGED	
VIR FOR R 3 600 000-00			
<b>B</b>	000020953/2009	<i>[Signature]</i>	
2009-08-27			
REGISTRATEUR/REGISTRAR			

VERBIND		MORTGAGED	
VIR FOR R 2 000 000,00			
<b>B</b>	000008112/2019	<i>[Signature]</i>	
2019-04-12			
REGISTRATEUR/REGISTRAR			

and transfer, to and on behalf of:

PANAYIOTOU PROPERTIES CC  
No. 1999/067670/23

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

**Erf 1317 Greenside Township, Registration Division IR, The Province  
of Gauteng;**

**MEASURING 1406 (ONE THOUSAND FOUR HUNDRED AND SIX)  
Square Metres**

**FIRST REGISTERED and still held by Certificate of Consolidated Title  
No T7370/1959 with Diagram SG No. A 3108/59 annexed thereto**

THE Portions lettered AefD and eBCf on Diagram SG No A 3108/59 annexed to  
Certificate of Consolidated Title No T 7370/1959, are each subject to the following  
conditions:

- (a) IN these conditions the term "the Company" shall mean the  
TRANSVAAL CONSOLIDATED LAND AND EXPLORATION  
COMPANY, LIMITED and its Successors in Title.
- (b) THE erf may be sub-divided only in exceptional circumstances  
and then subject to the consent in writing of the Administrator,  
who in granting such consent may impose whatever conditions  
he may deem fit, having regard to the character of the township,  
provided that no sub-division shall be less than 1012 square  
metres.
- (c) THE erf shall be neatly fenced on any street frontage and the  
owner shall use hardwood or iron palings or good wire fencing  
or properly built stone, brick or cement walls, but shall not erect  
an unsightly fence or one of galvanised iron, canvas or other  
fabric or reeds, grass, softwood or inflammable material. The  
fence shall be kept in proper repair by the said owner.
- (d) ALL iron roofs must be painted. The maximum period allowed  
for such painting shall be twelve months after completion of the  
buildings.
- (e) PLANS and specifications of all buildings and of additions or  
alterations to be erected on the erf shall be submitted to and

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approved by the Company before the commencement of building operations and such buildings and any additions or alterations shall be constructed of stone, brick or other similar material approved by the Company.

- (f) NO tenement houses and only one shop, together with the necessary dwelling and outbuilding accommodation for the occupier and his servants who render service on the erf, shall be erected on the erf. No canteen, hotel or other place for the sale of wines, beers or spirituous liquors shall be erected on the erf nor shall any such business be conducted on the erf.
- (g) OUTBUILDINGS shall be built simultaneously with the erection of the main building. The location of the buildings on the erf shall be subject to the approval of the Company, and no building shall be erected within a distance of one metre from the Street boundary of the erf.
- (h) NOTWITHSTANDING anything to the contrary, the erf may be used exclusively for residential purposes, provided always that any owner wishing so to use it may do so only in the event of his being registered as owner of an adjoining erf, which together shall be considered as forming one residential erf on which only one house with the necessary outbuildings may be erected. In the event of a business erf being used solely for residential purposes as aforesaid, it shall be subject to all the conditions imposed upon residential erven hereinbefore described.
- (i) SHOULD the Company cease to exist or should it notify the City Council of Johannesburg that it is no longer prepared to exercise the powers conferred upon it under these conditions, or should it at any time neglect to enforce them when required, the said Council shall have the right to do so.

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

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

**FOODTOWN PROPERTIES CC**

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:-

**PANAYIOTOU PROPERTIES CC**

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

*m*



acknowledging the purchase price to be the sum of R1 200 000,00 (ONE MILLION TWO HUNDRED THOUSAND RANDS) and the date of sale to be 1 March 2000.

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer q.q., have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds at Johannesburg on

08 DEC 2000

q.q.

*S. ...*

In my presence

*Chudick*

REGISTRAR OF DEEDS

*n*







**LOCAL AUTHORITY NOTICE**  
**CITY OF JOHANNESBURG**  
**REMOVAL OF RESTRICTIVE ACT, 1996**  
**(Act No 3 of 1996)**

**NOTICE NR. 189 OF 2008**

It is hereby notified in terms of section 6 (8) of the Gauteng Removal of Restrictions Act, 1996, that the City of Johannesburg has approved that :

- 1) conditions (f), (g) and (h) from Deed of Transfer T53853/2004 in respect of Erf 203 Greenside be removed, and
- 2) Johannesburg- Town-Planning Scheme, 1979, be amended by the rezoning of Erf 203 Greenside from "Business 1" to "Business 1", subject to certain conditions, which amendment scheme will be known as Johannesburg amendment scheme 13-5135 as indicated on the approved application which are open for inspection at the office of the Executive Director: Development Planning, Transportation and Environment, 158 Loveday Street, Braamfontein, 8<sup>th</sup> floor, A block Civic Centre, and are open for inspection at all reasonable times.
- 3) Johannesburg- amendment scheme 13-5135 will come into operation 28 days after the date of publication hereof.

**Executive Director : Development Planning and Environment**  
Date: 27/02/2008  
Noticenr: 189/2008

**PLAASLIKE BESTUURKENNISEWING**  
**STAD VAN JOHANNESBURG**  
**GAUTENG WET OP OPHEFFING VAN BEPERKING, 1996**  
**(Wet No 3 van 1996)**  
**KENNISEWING 189 VAN 2008**

Hierby word ingevolge van artikel 6(8) van die Gauteng Wet op Opheffing van Beperkings, 1996, bekendgemaak dat die Stad van Johannesburg goedgekeur het dat :

- 1) voorwaardes (f), (g) en (h) van Aktevan transport T53853/2004 betrekking tot Erf 203 Greenside opgehef word; en
- 2) Johannesburg- dorpsbeplanningskema, 1979, gewysig word deur die hersonering van erf 203 Greenside vanaf "Besigheid 1" na "Besigheid 1", onderworpe aan sekere voorwaardes, welke wysigingskema bekend sal staan as Johannesburg wysigingskema 13-5135 soos aangedui op die goedgekeurde aansoek wat ter insae lê in die kantoor van die Uitvoerende Direkteur : Ontwikkelings Beplanning, vervoer en Omgewing, Lovedaystraat 158, Braamfontein, 8<sup>str</sup> vloer, A Blok, Burgersentrum.
- 3) Johannesburg – wysigingskema 13-5135 sal in werking tree 28 dae vanaf die datum van publikasie hiervan.

**Uitvoerende Direkteur: Ontwikkelingsbeplanning en Stedelike Bestuur**  
Datum: 27/02/2008  
Kenniseewing No : 189/2008

**JOHANNESBURG TOWN PLANNING SCHEME, 1979  
AMENDMENT SCHEME 13-5135**

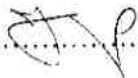
JOHANNESBURG TOWNPLANNING SCHEME, 1979, APPROVED BY VIRTUE OF ADMINSTRATOR'S NOTICE 1157 DATED 3 OCTOBER 1979, IS HEREBY FURTHER AMENDED AND ALTERED IN THE FOLLOWING MANNER:

1. THE MAP, SHEET 19 AS SHOWN ON MAP 3, AMENDMENT SCHEME 13-5135
2. BY THE ADDITION OF THE FOLLOWING IN NUMERICAL AND ALPHABETICAL SEQUENCE TO TABLE N OF THE SCHEDULE OF THE SCHEME, READ WITH CLAUSE 70:

COLUMN 1.	<b>USE ZONE</b> 'BUSINESS 1'
COLUMN 2.	<b>DESCRIPTION OF LAND</b> GREENSIDE ,ERF 203
COLUMN 3.	<b>PRIMARY RIGHTS (LAND USE TABLE 'C')</b>
* COLUMN 4.	<b>USES WITH CONSENT (LAND USE TABLE 'C')</b>
* COLUMN 5.	<b>USES NOT PERMITTED (LAND USE TABLE 'C')</b>
COLUMN 6.	<b>WIDTH OF SERVITUDE AREA - STREET</b>
COLUMN 7.	<b>STOREYS OR HEIGHT IN METRES</b> HEIGHT ZONE 0-FOUR STOREYS
* COLUMN 8.	<b>COVERAGE</b> 75%
* COLUMN 9.	<b>F.A.R. OR FLOOR AREA</b>
* COLUMN 10.	<b>PARKING PROVISION</b>
* COLUMN 11.	<b>BUILDING LINES</b>

1. ACCESS SHALL BE TO THE SATISFACTION OF THE COUNCIL.
2. A SITE DEVELOPMENT PLAN SHALL BE SUBMITTED FOR APPROVAL PRIOR TO THE SUBMISSION OF BUILDING PLANS IN TERMS OF CLAUSE 5 OF THE SCHEME.
3. ERF203 GREENSIDE AND PORTION 1 OF ERF 609 SHALL BE NOTARIALLY TIED FOR PARKING AND ACCESS PURPOSES, PRIOR TO THE SUBMISSION OF BUILDING PLANS.

.....  
APPROVED



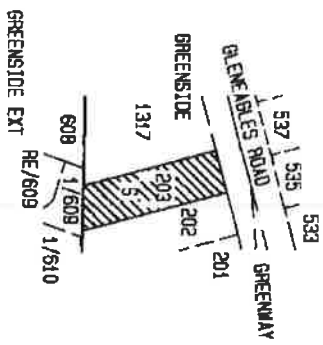
.....  
DATE

12/02/08

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

SCALE 1:2500

CODE 2-JOHANNESBURG TOWNPLANNING SCHEME 1979 MAP 3-A SERIES AMENDMENT SCHEME 13-5-135 SHEET 1 OF 1 SHEETS



# GREENSIDE

ERF 203

REFERENCE

S SCHEDULE

USE ZONES



BUSINESS 1

APPROVED

.....  
*[Signature]*  
 EXECUTIVE DIRECTOR DEVELOPMENT  
 PLANNING AND URBAN MANAGEMENT  
 (CITY OF JOHANNESBURG)

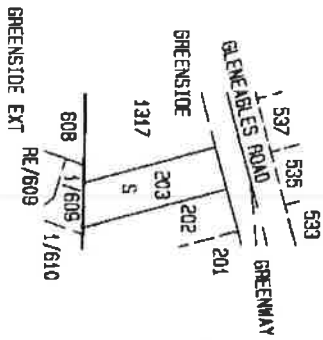
DATE .. 12/02/08 .....

USE ZONES



SCALE 1:2500

CODE 2-JOHANNESBURG TOWNPLANNING SCHEME 1979 MAP 3-B SERIES AMENDMENT SCHEME 13-5135 SHEET 1 OF 1 SHEETS



# GREENSIDE

ERF 203

REFERENCE

S SCHEDULE

APPROVED

.....  
*[Signature]*  
 EXECUTIVE DIRECTOR DEVELOPMENT  
 PLANNING AND URBAN MANAGEMENT  
 (CITY OF JOHANNESBURG)

DATE .. 12/02/08 .....

DENSITY AND HEIGHT ZONES