

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

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**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

Prevention is the cure

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

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**CONTENTS • INHOUD**

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
<b>LOCAL AUTHORITY NOTICE</b>			
901	Town-planning and Townships Ordinance (15/1986): Ekurhuleni Metropolitan Municipality: Establishment of township: Glen Erasmia Extension 22 .....	3	187

## LOCAL AUTHORITY NOTICE

### LOCAL AUTHORITY NOTICE 901

EKURHULENI METROPOLITAN MUNICIPALITY  
(KEMPTON PARK CUSTOMER CARE CENTRE)  
DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality, Kempton Park Customer Care Centre hereby declares GLEN ERASMIA EXTENSION 22 township to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY TRANS-ACHT (EIENDOMS) BEPERK AND OASIS FELLOWSHIP (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 97 AND PORTION 129 (PORTIONS OF PORTION 32) OF THE FARM WITFONTEIN 15 I.R HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Glen Erasmia Extension 22.

(2) DESIGN

The township shall consist of erven and streets as indicated on S.G. Plan 2765/2012.

(3) ENDOWMENT

Payable to the local authority:

The township owner shall, in terms of the provisions of Section 81, as well as Section 98(2) and (3) of the Town Planning and Townships Ordinance, 1986 pay a lump sum endowment of R00.00 to the local authority. This money can be used for the purposes of upgrading any parks.

(4) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any:

A. EXCLUDING THE FOLLOWING CONDITIONS WHICH WILL NOT BE PASSED ON TO THE OWNERS OF ERVEN IN THE TOWNSHIP DUE TO THE LOCALITY THEREOF:

1. PORTION 129 (A PORTION OF PORTION 33) OF THE FARM WITFONTEIN 15 IR

(a) Die voormalige resterende gedeelte van die gemelde plaas, groot as sodanig 1723,5741 hektaar (waarvan die eiendom hiermee getranspoteer, deel uitmaak) is onderworpe aan 'n reg ten gunste van die VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED om elektrisiteit te vervoer oor hierdie eiendom soos meer ten volle sal blyk uit Notariële AKte Nr. 646/1928-S.

(b) ONDERWORPE aan die reg aan die Elektrisiteitsvoorsieningskommissie om elektrisiteit oor die gemelde eiendom te vervoer langs sodanige lyn as wat op die Kaart Nr. A2944/69 aangedui word deur die figuur "X'A" tesame met bykomende regte en soos meer ten volle sal blyk uit Notariële Akte Nr. 789/1959-S gedateer 29 Julie 1959.

(c) Die voormalige resterende gedeelte van die gemelde plaas groot as sodanig 1700,5786 hektaar, waarvan die eiendom hiermee getranspoteer, deel uitmaak, is onderhewig aan 'n ondergrondse elektriese kabelroete 3,5 meter wyd ten gunste van die Regering van die Republiek van Suid-Afrika (in sy Spoorweë en Hawens Administrasie), tesame met sodanige bykomstige regte soos meer ten volle sal blyk uit Notariële Akte van Serwituut Nr. 1071/1953-S gedateer 14 November 1953.

(d) Kragtens Notariële Akte Nr. 193/1965-S gedateer 22 Januarie 1965 is die voormalige resterende gedeelte van die gemelde plaas, groot as sodanig 1671,2170 hektaar (hierna

genoem die dienende eiendom) waarvan die gedeelte hiermee getranspoteer, deel uitmaak:

- (i) Onderhewig aan en geregtig tot 'n ooreenkoms betreffende waterverdeling met sekere Gedeelte D van die plaas Witfontein voormeld (hierna genoem die heersende eiendom), gehou kragtens Transportakte Nr. 907/1934, gedateer 1 Februarie 1934 in terme waarvan vanaf Maandagoggend om sesuur voormiddag in elke week die eienaar van die dienende eiendom geregtig sal wees om die water in die hiernavermelde watvoor te neem en sal die eienaar van die heersende eiendom geregtig wees om vanaf sesuur voormiddag Donderdagoggend tot sesuur voormiddag Sondagoggend in elke week die water in die gemelde voor te neem. Vir die oorblywende dag van elke week vanaf sesuur voormiddag Sondagoggend tot sesuur voormiddag Maandagoggend, sal die partye die water ongehinderd in die spruit laat vloei met die reg aan die eienaar van die dienende eiendom om na gelang van die toestand van die vlei, die water so af te keer dat dit of in die vlei of laer af in die spruit ingekeer word.
  - (ii) Ten einde die eienaar van die heersende eiendom in staat te stel om water vanaf die stuwal na haar eiendom te neem, verleen die eienaar van die dienende eiendom aan die eienaar van die heersende eiendom 'n servituut van waterleiding langs die bestaande watvoor aangedui deur die lyn A\_B op Kaart Nr. A.2905/53 geheg aan Notariële Akte Nr. 193/65-S en op Kaart Nr. 2453/83 deur die figuur S<sup>1</sup> geheg aan Grondbrief gedateer 11 Julie 1859. Die gemelde watvoor sal nie wyer as sy huidige wydte gemaak word tensy die partye skriftelik andersins ooreenkoms. Die bestaande afmetings van die gesementeerde gedeelte van die voor is 38,75 cm wyd op die bodem, 48,75 cm wyd bo en 35cm diep.
  - (iii) Elk van die partye sal verantwoordelik wees vir die instandhouding van een helfte van die gemelde watvoor, te wete, die eienaar van die heersende eiendom vir helfte naaste aan haar eiendom geleë en die eienaar van die dienende eiendom die ander helfte wat strek tot by die stuwal. Die eienaar van die heersende eiendom en/of haar werknemers sal te alle tye toegang tot die betrokke voor hê om haar regte en verpligting uit te oefen. Die partye sal gesamentlik verantwoordelik wees vir die herstel en instandhouding van die bogenoemde stuwal wanneer nodig.
  - (iv) Die partye wie se beurt aanbreek sal die sluise verander sodat die water vir haar eiendom aangewend word en die plig om die verandering aan te bring wanneer die beurt omruil, sal nie op die persoon rus wie se beurt dan verstreke is nie".
- (e) By virtue of Notarial Deed of Right-of-Way Servitude K5309/2012S. the remaining extent of Portion 32 of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng in extent 109,8662 (ONE ZERO NINE comma EIGHT SIX SIX TWO) Hectares, is subject to a right-of-way servitude for access and services of the Ekurhuleni Metropolitan Municipality indicated by the figure ABCDEFG on servitude diagram S.G. No. 4860/2011 annexed to said notarial deed, and as will more fully appear from said Notarial Deed, which servitude has ancillary rights.
- (f) By virtue of Notarial Deed of Right-of-way servitude K2428/2013 the remaining extent of Portion 32 of the farm Witfontein 15 IR, Province of Gauteng, in extent 101,1335(one zero one comma one three three five) hectares, is subject to a right-of-way servitude for access and services in favour of the Ekurhuleni Metropolitan Municipality, 1,6500(one comma six five zero zero)hectare in extent, which servitude is indicated by the figure ABCDEFGHJKLMNPQR on servitude diagram S.G. No. 2653/2012, attached to said notarial deed, and as will more fully appear from said Notarial Deed, which servitude has ancillary rights.
2. PORTION 97 (A PORTION OF PORTION 32) OF THE FARM WITFONTEIN 15 IR
- (a) Die voormalige resterende gedeelte van die gemelde plaas, groot as sodaning 1723,5741 hektaar (waarvan die eiendom hiermee getranspoteer, deel uitmaak) is onderworpe aan 'n reg ten gunste van die VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED om elektrisiteit te vervoer oor hierdie eiendom soos meer ten volle sal blyk uit Notariële Akte Nr. 646/1928-S.

- (b) ONDERWORPE aan die reg aan die Elektrisiteitsvoorsieningskommissie om elektrisiteit oor die gemelde eiendom te vervoer langs sodanige lyn as wat op die Kaart Nr. A2944/69 aangedui word deur die figuur X'A" tesame met bykomende regte en soos meer ten volle sal blyk uit Notariële Akte Nr. 789/1959-S gedateer 29 Julie 1959.
- (c) Die voormalige resterende gedeelte van die gemelde plaas groot as sodanig 1700,5786 hektaar, waarvan die eiendom hiermee getranspoteer, deel uitmaak, is onderhewig aan 'n ondergrondse elektriese kabelroete 3,5 meter wyd ten gunste van die Regering van die Republiek van Suid-Afrika (in sy Spoorweë en Hawens Administrasie), tesame met sodanige bykomstige regte soos meer ten volle sal blyk uit Notariële Akte van Serwituut Nr. 1071/1953-S gedateer 14 November 1953.
- (d) Kragtens Notariële Akte nr 193/1965-S gedateer 22 Januarie 1965 is die voormalige resterende gedeelte van die gemelde plaas, groot as sodanig 1691,2170 hektaar (hierna genoem die dienende eiendom) waarvan die gedeelte hiermee getranspoteer, deel uitmaak:
- (i) Onderhewig aan en geregtig tot 'n ooreenkoms betreffende watervdeling met sekere Gedeelte D van die plaas Witfontein voormeld (hiernagenoem die heersende eiendom) gehou kragtens Transportakte Nr. 907/1934, gedateer 1 Februarie 1934 in terme waarvan vanaf Maandagoggend om sesuur voormiddag in elke week die eienaar van die dienende eiendom geregtig sal wees om die water in die hiernavermelde watervoor te neem en sal die eienaar van die heersende eiendom geregtig wees om vanaf sesuur voormiddag Donderdagoggend tot sesuur voormiddag Sondagoggend in elke week die water in die gemelde voor te neem. Vir die oorblywende dag van elke week vanaf sesuur voormiddag Sondagoggend tot sesuur voormiddag Maandagoggend, sal die partye die water ongehinderd in die spruit laat vloei met die reg aan die eienaar van die dienende eiendom om na gelang van die toestand van die vlei die water so af te keer dat dit of in die vlei of laer af in die spruit ingkeer word.
- (ii) Ten einde die eienaar van die heersende eiendom in staat te stel om water vanaf die stuwal na haar eiendom te neem, verleen die eienaar van die dienende eiendom aan die eienaar van die heersende eiendom 'n serwituut van waterleiding langs die bestaande watervoor aangedui deur die lyn A\_B op Kaart Nr. A 2905/53 geheg aan Notariële Akte nr. 193/65-S en op Kaart Nr. 2453/83 deur die figuur S<sup>1</sup> geheg aan Grondbrief gedateer 11 Julie 1859. Die gemelde watervoor sal die wyer as sy huidige wydte gemaak word tensy die partye skriftelik andersins ooreenkom. Die bestaande afmetings van die gesementeerde gedeelte van die voor is 38,75cm wyd op die bodem, 48,75cm wyd bo en 35cm diep.
- (iii) Elk van die partye sal verantwoordelik wees vir die instandhouding van eenhelfte van die gemelde watervoor, te wete, die eienaar van die heersende eiendom vir helfte naaste aan haar eiendom geleë en die eienaar van die dienende eiendom die ander helfte wat strek tot by die stuwal. Die eienaar van die heersende eiendom en/of haar werknemers sal te alle tye toegang tot die betrokke voor hê om haar regte en verpligting uit te oefen. Die partye sal gesamentlik verantwoordelik wees vir die herstel en instandhouding van die bogenoemde stuwal, wanneer nodig.
- (iv) Die partye wie se beurt aanbreek sal die sluise verander sodat die water vir haar eiendom aangewend word en die plig om die verandering aan te bring wanneer die beurt omruil, sal nie op die persoon rus wie se beurt dan verstreke is nie".

**B. EXCLUDING THE FOLLOWING CONDITIONS WHICH ONLY AFFECT ERF 2241**

"E Subject to the following special condition imposed and enforceable by Trans-Acht (Proprietary) Limited:

- (a) The owner or its successors-in-title shall not be entitled to transfer the property to any person/entity other than a church organisation, without the written consent from Trans-Acht (Proprietary) Limited.

- (b) This property will not be used, without the consent of the Transferor, for any purposes other than church assemblies for members of the congregation of a local Christian Church and other Christian activities which constitute unambiguous activities forming part of the extension of the Gospel and Kingdom of Jesus Christ.
- (c) The Purchaser acknowledges that the Purchaser and its successors in title are required upon registration of the property into the Purchaser's name, be a member of the Property Owners Association formed by the Seller for and on behalf of all owners and occupiers of property currently belonging to the Seller and agrees to conduct himself in accordance with and shall be bound by the Memorandum and Articles of Association of such Association and any rules and regulations issued by the Property Owners' Association from time to time.
- (d) AND FURTHER subject to the following conditions, which are imposed by Trans-Acht (Proprietary) Limited and enforceable by the Glen Erasmia Extension 22 Property Owners Association (An Association incorporated in terms of Section 21 of Act 61 of 1973) or any other name that may be approved by the Registrar of Companies:
- (i) Every owner of the erf or any interest therein shall become and shall remain a Member of the Property Owners Association and be subject to its constitution until he ceases to be an owner as aforesaid.
- (ii) Neither the erf nor any subdivision thereof or any interest therein, shall be transferred to any person who had not bound himself to the satisfaction of such association to become a member of the Property Owners Association.
- (iii) The owner of the erf or any person who has an interest therein shall not be entitled to transfer the erf or any subdivision thereof or any interest therein without a clearance certificate from the Property Owners Association that the provisions of the Articles of Association of the Property Owners Association have been complied.
- (iv) The term "Property Owners Association" in the aforesaid conditions of title shall mean the Glen Erasmia Extension 22 Home Owners Association (An Association incorporated in terms of Section 21 of Act 61 of 1973) or any other name that may be approved by the Registrar of Companies".
- (e) By virtue of Notarial Deed K /2013S, the with mentioned property is subject to a right-of-way servitude indicated by the figure ABCDEFGHJKLM on servitude diagram S.G. No. 2763/2012, attached to said Notarial Deed, in favour of the Local Authority as will more fully appear from said Notarial Deed, which servitude has ancillary rights.
- (5) ACCESS
- Access to the township shall be obtained from Koorsboom Avenue.
- (6) ENGINEERING SERVICES
- (i) The applicant shall be responsible for the installation and provision of internal engineering services.
- (ii) Once water, sewer and electrical networks have been installed, same will be transferred to the Local Council, free of cost, who shall maintain these networks (except internal street lights).
- (7) DEMOLITION OF BUILDINGS AND STRUCTURES
- The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

(8) PRECAUTIONARY MEASURES

The township owner shall at his own expense, make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report of the township must be complied with and, when required, engineer certificates for the foundations of the structures must be submitted.

(9) REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

(10) ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the existing road and stormwater infrastructure in the vicinity and for all stormwater running off or diverted from the roads to be received and disposed of.

(11) TRANSFER OF ERVEN

Erf 2242 shall, at the cost of the township owner, be transferred to Gleneagles Estate Home Owners Association (RF) NPC Registration Number 2006/008247/08.

2. CONDITIONS OF TITLE

All erven shall be subject to the following conditions, imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986

(1) ALL ERVEN

- (i) The erf is subject to a servitude, 2m 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 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- (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 2m 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.

(2) ERF 2231

The erf is subject to a right-of-way servitude, 8 (EIGHT) metres wide as indicated on the General Plan in favour of all occupiers and owners in the township.

(3) ERF 2232

The erf is subject to a right-of-way servitude, 6 (SIX) metres wide as indicated on the General Plan in favour of all occupiers and owners in the township.

(4) ERVEN 2233 AND 2236

The erf is subject to a stormwater servitude 2 (TWO) metres wide as indicated on General Plan in favour of the Local Authority.

(5) ERF 2242

- (i) Subject to a servitude for municipal purposes in favour of the local authority, as indicated on the general plan to guarantee access to the local authority's personnel and vehicles in order to carry out repair and maintenance work to the water, sewer and electrical networks (excluding street lights) after they have been taken over by the local authority.
- (ii) Subject to a servitude of right-of-way in favour of all owners and occupiers in the township, as indicated on the general plan, to guarantee access to public road to all the residents.

Khaya Ngema: City Manager,  
Ekurhuleni Metropolitan Municipality: Private Bag X1069 Germiston 1400  
Notice DP.26.2013

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EKURHULENI METROPOLITAN MUNICIPALITY  
(KEMPTON PARK CUSTOMER CARE CENTRE)  
KEMPTON PARK TOWN PLANNING SCHEME 1987: AMENDMENT SCHEME 2140

The Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of the Kempton Park Town Planning Scheme 1987, comprising the same land as included in the township of GLEN ERASMIA EXTENSION 22 Township

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the offices of the Head of Department, Department of Economic Development, Gauteng Provincial Government, Johannesburg, as well as the Area Manager, Development Planning, Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre), 5<sup>th</sup> Floor, Civic Centre, c/o CR Swart Drive and Pretoria Road, Kempton Park.

This amendment is known as Kempton Park Amendment Scheme 2140.

Khaya Ngema: City Manager,  
Ekurhuleni Metropolitan Municipality: Private Bag X1069 Germiston 1400  
Notice DP.26.2013

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