

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE VAN
GAUTENG**

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take note!

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REMINDER OF THE GPW BUSINESS RULES

- Single notice, single email – with proof of payment or purchase order.
- All documents must be attached separately in your email to GPW.
- 1 notice = 1 form, i.e. each notice must be on a separate form
- Please submit your notice **ONLY ONCE**.
- Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

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CONTENTS

		<i>Gazette</i>	<i>Page</i>
		<i>No.</i>	<i>No.</i>
PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS			
544	Town Planning and Townships Ordinance (15/1986): Jukskei View Extension 44	240	4
544	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Jukskei View Uitbreiding 44.....	240	10

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 544 OF 2016**CITY OF JOHANNESBURG
AMENDMENT SCHEME 07-5833/13**

The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Halfway House and Clayville Town Planning Scheme, 1976, comprising the same land as included in the township of **Jukskei View Extension 44**.

Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning and Urban Management : City of Johannesburg and are open for inspection at all reasonable times.

This amendment is known as Amendment Scheme 07-5833/13

Hector Mbeki Makhubo
Deputy Director : Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No. T10/2016

**CITY OF JOHANNESBURG
DECLARATION AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Jukskei View Extension 44** 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 WATERFALL COUNTRY ESTATE WUQF (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 807 OF THE FARM WATERVAL NO. 5 I.R. HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

- (1) **NAME**
The name of the township shall be Jukskei View Extension 44.
- (2) **DESIGN**
The township shall consist of erven as indicated on General Plan S.G. No.4745/2014.
- (3) **PROVISION AND INSTALLATION OF ENGINEERING SERVICES**
 - (a) The township owner shall make the necessary arrangements with the local authority for the provision and installation of all engineering services of which the local authority is the supplier, as well as the construction of roads and stormwater drainage in the township, to the satisfaction of the local authority.
- (4) **ELECTRICITY**
 - (a) The local authority is not the bulk supplier of electricity in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make the necessary arrangements with ESKOM, the licensed supplier in the township for the provisions of electricity to the township.
- (5) **GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)**
 - (a) Should the development of the township not been commenced with, within a period of 5 years from 29th April 2010 of authorization or exemption, the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for exemption/ authorization in terms of the National Environment Management Act, 1998 (Act 107 of 1998), as amended.
- (6) **GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)**
 - (a) Should the development of the township not been completed within a period of **ten years** from **18 October 2010** of their letter, the application to establish the township shall be resubmitted to the Department of Public Transport, Roads and Works for re-consideration.
 - (b) If however, before the expiry date mentioned in (a) above, circumstances change in such a way that roads and/or PWV routes under the control of the said Department are affected by the proposed layout of the township, the township owner shall resubmit the application for the purpose of fulfilment of the requirements of the controlling authority in terms of the provisions of Section 48 of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).

- (c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township, No. JVX44/P1/2014. The erection of such physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.
- (d) The township owner shall comply with the conditions of the Department as set out in the Departments' letter dated 07/05/2010.
- (e) The township owner shall comply with the conditions of the Gauteng Provincial Government (Gautrain).
- (7) ACCESS
- (a) Access to and egress from the township shall be provided to the satisfaction of Johannesburg Roads Agency (Pty) Ltd and the Department of Public Transport, Roads and Works.
- (8) ACCEPTANCE AND DISPOSAL OF STORMWATER
- The township owner shall arrange for the drainage of the township to fit in with that of the adjacent roads and all stormwater running off or being diverted from the road shall be received and disposed of.
- (9) REFUSE REMOVAL
- The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the local authority for the removal of all refuse.
- (10) REMOVAL OR REPLACEMENT OF EXISTING SERVICES
- If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal, ESKOM and/or TELKOM services, the cost thereof shall be borne by the township owner.
- (11) DEMOLITION OF BUILDINGS AND STRUCTURES
- The township owner shall at its own cost cause all existing buildings and structures, if any, situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when requested thereto by the local authority.
- (12) ENDOWMENT
- The township owner shall, in terms of the provisions of Section 98(2) and Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) pay a lump sum as endowment to the local authority for the provision of land for a park (public open space).
- (13) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN
- (a) The township owner shall submit to the local authority, a certificate issued by ESKOM that acceptable financial arrangements with regard to the supply of electricity, have been made by the township owner to the local authority. Erven in the township may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar or Deeds that such certificate had been issued by ESKOM; and
- (b) The township owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been provided and installed; and

- (c) The township owner shall, within such period as the local authority may determine, fulfil its obligations in respect of the provision of water and sanitary services, as well as the construction of roads and stormwater drainage and the installation of systems therefore, as previously agreed upon between the township owner and the local authority. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services by the township owner have been submitted or paid to the said local authority; and
- (d) Notwithstanding the provisions of clause 4.A.(1).(a), (b) and (c) hereunder, the township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the engineering services provided, constructed and/or installed as contemplated in (a), (b) and (c) above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been or will be protected to the satisfaction of the local authority.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

(A) Including the following which does affect all erven in the township:

- (a) By virtue of Notarial Deed in Restraint of Free Alienation of Property No K536/2010S the residential properties laid out in township on the within mentioned Property may not be sold and only leased which leases are subject to the Standard Terms and Conditions set out in Annexure 1 to the said Notarial deed and as will more fully appear from the said deed.
- (b) By virtue of Notarial Deed K464/2014S, the within-mentioned property is subject to a servitude to lay fibre optic cable and to erect billboards in favour of Waterval Investment Company (Proprietary) Limited, Registration Number 2006/001921/07, and as will appear more fully from the said notarial deed.
- (c) By virtue of Notarial Deed of Lease K3093/2015L the within-mentioned property is subject to a lease for a period of 99 years in favour of Waterfall Golf Estate (Proprietary) Limited, Registration Number 2004/034615/07, as will more fully appear from the said deed.

(B) Excluding the following conditions which do not affect the Township by virtue of the location of the proposed township

- (a) By Notarial Deed No. K1293/1963S, the rights has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed. The route of this servitude is indicated on Diagram SG No. A576/1963.
- (b) By Notarial Deed No. K55/1973S, the right has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed and diagram annexed hereto. The route of this servitude is indicated on Diagram SG No. A5191/1971.
- (c) By Notarial Deed No. K2514/1976S, the rights has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed. The route of this servitude has been determined by Notarial Deed of Amendment of Servitude K3475/1981S with Diagram A1392/1980 attached hereto.
- (d) By Notarial Deed No. K5028/1992, the right has been granted to ESKOM to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed, as amended by Notarial Deed of Route Description K3213/1994S with Diagram S.G. No. 5427/1991 attached hereto.
- (e) By virtue of Notarial Deed of Servitude K3366/1997S dated 19 November 1996 with Diagram SG No. A7672/1989 relating thereto, the within mentioned property is subject to a servitude for municipal purposes 3m wide, in favour of the Town Council of Midrand as will more fully appear from the said Notarial Deed of Amendment of Servitude K3271/2013S and further amended by Notarial Deed of Amendment of Servitude K470/2014S.

- (f) By Notarial Deed No. K4398/1999S dated 27th August 1999, the within mentioned property is subject to a servitude in favour of Eskom depicted on Diagram S.G. No. 6150/1997 with ancillary rights as will more fully appear from reference to the said Notarial Deed.
- (g) By Notarial Deed No K3161/2000S dated 4th May 2000, the within mentioned property is subject to a perpetual servitude of electric power transmission to convey electricity in favour of Eskom indicated by the line ABCD and HJK on S.G. No. 8801/1998, as will more fully appear from reference to the said Notarial Deed.
- (h) The within mentioned property is subject to a servitude in favour of Eskom Holdings Limited with ancillary rights as will more fully appear from the said Notarial Deed of Servitude K3487/2009S the route of which servitude has been determined by Notarial Deed of Route Description K2826/2011S with diagram SG 4110/2010 annexed thereto.
- (i) The within mentioned property is subject to a sewer servitude in favour of the City of Johannesburg as will more fully appear from Notarial Deed of Servitude K3772/2010S with Diagram S.G. No. 8021/1998 and S.G. No 5362/2009 attached thereto.
- (j) By Virtue of Notarial Deed of Servitude K537/2010S the within mentioned property is subject to a servitude in favour of the City of Johannesburg as depicted on Diagram S.G. A6302/1993.
- (k) The within mentioned property is subject to a Servitude in favour of Eskom Holdings Limited as will more fully appear from Notarial Deed of Servitude K300/2009S with diagram SG No 5392/2007, 5388/2007, 5389/2007, 5390/2007 and amended by Notarial Deed of Servitude of Amendment K3589/2011S with diagram SG 1435/2011 annexed thereto and amended by Notarial Deed No. K4187/2012S with diagrams SG No 5388/2007 and 5067/2011 relating thereto.
- (l) The within mentioned property is subject to a servitude in favour of the City of Johannesburg Metropolitan Municipality by virtue of Notarial Deed of Servitude No K1848/2010S with diagram SG No. 4143/2009 relating thereto.
- (m) The within mentioned property is subject to a servitude by virtue of Notarial Deed of Servitude No K1849/2010S in favour of the City of Johannesburg Metropolitan Municipality with diagram SG No.1451/2009 and 2933/2009 relating thereto.
- (n) The within mentioned property is subject to a Servitude in favour of the Eskom Holdings Limited as will more fully appear from Notarial Deed of Servitude K2800/2007S the route of which servitude has been determined by K786/2009S with diagram SG No 628/2008 relating thereto.
- (o) By Virtue of Notarial Deed No. K4795/2010S the within mentioned property is subject to a sewer servitude in favour of the City of Johannesburg the northern boundary of which is indicated by the line LK on Diagram SG No.A4717/1985.
- (p) By virtue of Notarial Deed No. K4218/2010S the within mentioned property is subject to a sewer servitude in favour of the City of Johannesburg as will more fully appear from the said deed and Diagrams SG. No. 3199/2010 and SG No. 3200/2010 annexed thereto.
- (q) By Virtue of Notarial Deed No. K747/2010S the within mentioned property is subject to a sewer servitude 2.00 metres with in favour of the City of Johannesburg as will more fully appear from the said deed and Diagrams SG No. 2212/2008 annexed thereto.
- (r) The within mentioned property is subject to a sewer servitude in favour of the City of Johannesburg Metropolitan Municipality as will more fully appear from Notarial Deed of Servitude K222/2011S with diagram SG No 12350/2004 attached thereto.
- (s) By Virtue of Notarial Deed No. K2206/2012S the within mentioned property is subject to a right of way servitude in favour of Portion 2 of the farm Bothasfontein 408 JR as will more fully appear from the said deed and Diagram SG No 4560/2007 annexed thereto.
- (t) By Virtue of Notarial Deed No. K3982/2012S the within mentioned property is subject to a right of way and parking servitude in favour of Waterfall Hospital WUQF Proprietary Limited as will more fully appear from the said deed and Diagram SG No 14/2011 annexed thereto.
- (u) By virtue of Notarial Deed No. K1107/2013S the within mentioned property is subject to a substation servitude in favour of Eskom Holdings SOC Limited, as will more fully appear from the said deed and diagrams SG. No. 5861/2009, annexed thereto.
- (v) By virtue of Notarial Deed K465/2014S with diagrams S.G. No. 2411/2013 and 2412/2013 annexed thereto, the within mentioned property is subject to a right of way servitude in favour of Eskom, as will more fully appear from the said notarial deed.
- (w) By virtue of Notarial Deed K466/2014S with diagrams S.G. No. 2409/2013 and 2410/2013 annexed thereto, the within mentioned property is subject to a substation servitude in favour of Eskom and will appear more fully from the said notarial deed.

- (x) By virtue of Notarial Deed K467/2014S with diagrams S.G. No. 3658/2013 and 3659/2013 annexed thereto, the within mentioned property is subject to a storm water and pipeline servitude in favour of the City of Johannesburg and will appear more fully from the said notarial deed.
- (y) By virtue of Notarial Deed K468/2014S with diagram S.G. No. 4098/2013 annexed thereto, the within mentioned property is subject to a servitude in favour of the City of Johannesburg to use the servitude area in perpetuity as a roadway for use by the general public and convey water and sewerage over the servitude area, as will appear more fully from the said notarial deed.

4. CONDITIONS OF TITLE

A. Conditions of Title imposed in favour of the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

(1) ALL ERVEN

- (a) Each 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.
- (b) 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.
- (c) 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 process of 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) ALL ERVEN

- (a) "The erf lie in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority must show measures to be taken, **in accordance with recommendations contained in the (Comprehensive) Engineering Geo-technical Report for the township**, to limit possible damage to building and structures as a result of detrimental foundation conditions unless it is proved to the local authority that such measures are unnecessary or the same purpose can be achieved by other more effective means".
- (b) The NHBRC classification for foundations to be C-C1-C2/H2/P(fill).

Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No.T10/2016

PROVINSIALE KENNISGEWING 544 VAN 2016**STAD VAN JOHANNESBURG
WYSIGINGSKEMA 07-5833/13**

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Halfway House en Clayville Dorpsbeplanning Skema, 1976, wat uit dieselfde grond as die dorp **Jukskei View Uitbreiding 44** bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning en Stedelike Bestuur: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 07-5833/13

Hector Mbeki Makhubo
Adjunk Direkteur: Regsadministrasie
Stad van Johannesburg Metropolitaanse Munisipaliteit
Kennisgewing Nr T10/2016

**STAD VAN JOHANNESBURG
VERKLARING TOT 'N GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad van Johannesburg Metropolitaanse Munisipaliteit hiermee die dorp **Jukskei View Uitbreiding 44** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR WATERFALL COUNTRY ESTATE WUQF (EIENDOMS) BEPERK (HIERNA DIE AANSOEKDOENER/ DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 807 VAN DIE PLAAS WATERVAL NR 5- I.R. TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

- (1) **NAAM**
Die naam van die dorp is Jukskei View Uitbreiding 44.
- (2) **ONTWERP**
Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 4745/2014.
- (3) **VOORSIENING EN INSTALLERING VAN DIENSTE**
Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van water, elektrisiteit en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerings in die dorp, tot tevredeheid van die plaaslike bestuur.
- (4) **ELEKTRISITEIT**
 - (a) Die plaaslike bestuur is nie die grootmaatverskaffer van elektrisiteit aan die dorp nie. Die dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie 15 van 1986) die nodige reëlings tref met ESKOM, die gelisensieëerde verskaffer van elektrisiteit in die dorp.
- (5) **GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN LANDBOU EN LANDELIKE ONTWIKKELING)**
 - (a) Indien die ontwikkeling van die dorp nie 'n aanvang neem, voor of binne 'n periode van 5 (vyf) jaar vanaf 29 April 2010 wat toestemming of vrystelling gegee is, moet die aansoek om die dorp te stig, heringedien word by Gauteng Departement van Landbou, Bewaring en Omgewing (Gauteng Provinsiale Regering) vir goedkeuring ingevolge Artikel 28A van die Omgewingsbewaringwet, 1989 (Wet 107 van 1998), soos gewysig.
- (6) **GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)**
 - (a) Indien die ontwikkeling van die dorp nie voltooi is binne 'n periode van 10 (tien) jaar vanaf 18 Oktober 2010, die datum van hul skrywe nie, moet die aansoek heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorweging.
 - (b) Indien omstandighede egter, voor die verstryking van die tydperk vermeld in (a) hierbo, tot so 'n mate verander dat paaie en/of PWV roetes onder die beheer van die betrokke Departement deur die beoogde uitleg van die dorp geraak word, moet die dorpseienaar die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beheerende liggaam ingevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).
 - (c) Die dorpseienaar sal, voor of gedurende die ontwikkeling van die dorp, 'n fisiese muur oprig volgens die voorwaardes en vereistes van die betrokke departement, langs die lyn van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, JVX41/P1/2014. Die oprigting van genoemde fisiese muur en die onderhoud daarvan, sal gedoen moet word tot die goedkeuring van die betrokke departement.

- (d) Die dorpseienaar sal moet voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se skrywe gedateer 7 Mei 2010.
- (e) Die dorpseienaar sal voldoen aan die voorwaardes van die Gauteng Provinsiale Regering (Gautrain).
- (7) TOEGANG
- (a) Toegang tot of uitgang vanuit die dorp sal voorsien word, tot die tevredenheid van Johannesburg Roads Agency (Eiendoms) Beperk en die Departement Publieke Vervoer, Paaie en Werke.
- (8) ONTVANGS EN VERSORGING VAN STORMWATER
Die dorpseienaar moet die dreinerings van die dorp so reël dat dit inpas by dié van die aangrensende paaie en alle stormwater wat van die paaie afloop of afgelei word, moet ontvang en versorg word.
- (9) VULLISVERWYDERING
Die dorpseienaar moet toesien dat daar genoegsame vullisverwyderingspunte in die dorp voorsien word en moet ook reëlings tref vir die verwydering van alle vullis tot die tevredenheid van die plaaslike bestuur.
- (10) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE
Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, TELKOM en/of ESKOM dienste te verwyder of te vervang, moet sodanige verwydering of vervanging op koste van die dorpseienaar gedoen word.
- (11) SLOPING VAN GEBOUE EN STRUKTURE
Die dorpseienaar moet op sy eie koste, alle bestaande geboue en structure, indien enige, wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.
- (12) BEGIFTIGING
Die dorpseienaar moet ingevolge die bepalings van Artikel 98(2) van die Dorpsbeplanning en Dorpe Ordonnansie, 1986 (Ordonnansie 15 van 1986) 'n globale bedrag as begiftiging aan die plaaslike bestuur betaal vir die voorsiening van grond vir 'n park (publieke oop ruimte).
- (13) VERPLIGTINGE TEN OPSIGTE VAN DIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING VAN ERWE
- (a) Die dorpseienaar moet 'n sertifikaat van ESKOM indien by die plaaslike bestuur wat bevestig dat aanvaarbare finansiële reëlings ten opsigte van die voorsiening van elektrisiteit aan die dorp getref is met die plaaslike bestuur. Erwe in die dorp mag nie vervreem of oorgedra word in die naam van die koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie sertifikaat deur ESKOM uitgereik is; en
- (b) Die dorpseienaar moet, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle dienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, asook alle interne paaie en die stormwaterretikulasie binne die grense van die dorp. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste voorsien en geïnstalleer is; en
- (c) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van elektrisiteit, water en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge, kontantbydraes ten opsigte van die voorsiening van die dienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is nie; en

- (d) Desnieteenstaande die bepalings van klousule 2.(1) hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die dienste wat voorsien, gekonstrueer en/of geïnstalleer is beoog in (a) to (b) hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

(3) BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien van toepassing.

(A) Ingesluit die volgende wat al die erwe in die dorp affekteer:

- (a) Kragtens Notariële Akte van Beperking van Vrye Vervreemding van Eiendom Nr K536/2010S mag die residensiële eiendomme soos uiteengesit in dorpe in die hierin-gemelde eiendom, nie verkoop word nie en slegs verhuur word, welke huurooreenkomste onderhewig is aan die Standaard Terme en Voorwaardes soos uiteengesit in Aanhangel 1 tot die genoemde Notariële Akte en wat meer volledig verskyn in die genoemde akte.
- (b) Kragtens Notariële Akte K464/2014S, die hierin-gemelde eiendom is onderworpe aan 'n serwituut om optiese vesel kables te installeer en advertensieborde op te rig ten gunste van die Waterval Investment Company (Proprietary) Limited Registrasie Nommer 2006/001921/07, soos meer volledig sal blyk uit die genoemde akte.
- (c) Kragtens Akte van Verhuring Nr K3093/2015L is die hierin-gemelde eiendom onderworpe aan 'n huurooreenkoms ten gunste van Waterfall Golf Estate (Eiendoms) Beperk, Registrasie Nr 2004/034615/07 vir 'n periode van 99 (nege en negentig) jaar vanaf die registrasie daarvan soos meer volledig sal blyk uit die genoemde akte.

(B) Uitgesluit die volgende wat nie deur die dorp geraak word nie weens hulle lokaliteit

- (a) Kragtens Notariële Akte Nr K1293/1963S, is die reg toegestaan deur die Elektriese Voorsieningskommissie om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderhewig aan voorwaardes wat meer volledig sal blyk uit genoemde Notariële Akte. Die roete van hierdie serwituut is aangedui op Diagram LG Nr A576/1963.
- (b) Kragtens Notariële Akte Nr. K55/1973S, is die reg toegestaan aan EVKOM om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderhewig aan voorwaardes wat meer volledig sal blyk uit genoemde Notariële Akte en aangehegte diagram. Die roete van hierdie serwituut is aangedui op Diagram LG Nr A5191/1971.
- (c) Kragtens Notariële Akte Nr K2514/1976S, is die reg toegestaan aan ESKOM om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderhewig aan voorwaardes wat meer volledig sal blyk uit genoemde Notariële Akte en aangehegte diagram, en gewysig deur Notariële Akte van Wysiging van Serwituut K3475/1981S met diagram Nr A1392/1980 hierby aangeheg.
- (d) Kragtens Notariële Akte Nr K5028/1992, die reg is toegestaan aan ESKOM om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderhewig aan voorwaardes wat meer volledig verskyn in verwysing tot genoemde Notariële Akte, soos gewysig deur Notariële Akte van Roetebeskrywing K3213/1994 met diagram L.G. Nr 5427/1991 hierby aangeheg.
- (e) Kragtens Notariële Akte van Serwituut Nr K3366/1997S gedateer 19 November 1996 met Diagram L.G. Nr A7672/1989 met betrekking daartoe, die hierin-gemelde eiendom is onderhewig aan 'n 3m wye serwituut vir munisipale doeleindes, ten gunste van die Stadsraad van Midrand, soos meer volledig sal blyk uit die genoemde Notariële Akte, tesame met aanverwante regte, soos gewysig met Notariële Akte van Wysiging van Serwituut K470/2014S.
- (f) Kragtens Notariële Akte Nr K4398/1999S gedateer 27 Augustus 1999, is die hierin-gemelde eiendom onderhewig aan 'n serwituut ten gunste van ESKOM aangedui deur diagram L.G. Nr 6150/1997 met aanverwante regte, wat meer volledig sal blyk uit die genoemde Notariële Akte.
- (g) Kragtens Notariële Akte Nr K3161/2000S gedateer 4 Mei 2000, is die hierin-gemelde eiendom onderhewig aan 'n ewigdurende serwituut om elektriese kragtoevoer te transporter ten gunste van ESKOM soos aangedui deur die lyn ABCD en HJK op diagram L.G. Nr 8801/1998, wat meer volledig sal blyk uit die genoemde Notariële Akte.
- (h) Die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van Eskom Holdings Limited, tesame met aanverwante regte wat meer volledig sal blyk uit die genoemde Notariële Akte van Serwituut K3487/2009S die roete van hierdie serwituut is bepaal deur Notariële Akte van Roetebeskrywing K2826/2011S met Diagram LG Nr 4110/2010 hierby aangeheg.

- (i) Die hierin-gemelde eiendom is onderhewig aan 'n rioolserwituut ten gunste van die Stad van Johannesburg, wat meer volledig sal blyk uit Notariële Akte van Serwituut K3772/2010S met Diagram LG Nr 8021/1998 en LG Nr 5362/2009 hierby aangeheg.
- (j) Kragtens Notariële Akte van Serwituut K537/2010S, die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van die Stad van Johannesburg soos aangedui op Diagram LG A6302/1993.
- (k) Die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van ESKOM Holdings Limited, wat meer volledig sal blyk uit Notariële Akte van Serwituut K300/2009S met Diagram LG Nrs 5392/2007, 5388/2007, 5389/2007, 5390/2007 en gewysig deur Notariële Akte van Serwituut van Wysiging K3589/2011S met Diagram LG 1435/2011 hierby aangeheg en gewysig deur Notariële Akte Nr K4187/2012S met Diagram LG Nr 5388/2007 en 5067/2011 met betrekking daartoe.
- (l) Die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van die Stad van Johannesburg Metropolitaanse Munisipaliteit kragtens Notariële Akte van Serwituut Nr K1848/2010S met Diagram LG. Nr. 4143/2009 met betrekking daartoe.
- (m) Die hierin-gemelde eiendom is onderhewig aan 'n serwituut kragtens Notariële Akte van Serwituut Nr K1849/2010S ten gunste van die Stad van Johannesburg Metropolitaanse Munisipaliteit met Diagram LG Nr 1451/2009 en 2933/2009 met betrekking daartoe.
- (n) Die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van ESKOM Holdings Limited soos meer volledig sal blyk uit Notariële Akte van Serwituut K2800/2007S, die roete van hierdie serwituut is bepaal deur K786/2009S met Diagram LG Nr 628/2008 met betrekking daartoe.
- (o) Kragtens Notariële Akte Nr K4795/2010S die hierin-gemelde eiendom is onderhewig aan 'n rioolserwituut ten gunste van die Stad van Johannesburg, die noordelike grens is aangedui met die lyn LK op Diagram LG Nr A4717/1985.
- (p) Kragtens Notariële Akte Nr K4218/2010S die hierin-gemelde eiendom is onderhewig aan 'n rioolserwituut ten gunste van die Stad van Johannesburg soos meer volledig sal blyk van die genoemde akte en Diagram LG Nr. 3199/2010 en LG Nr. 3200/2010 hierby aangeheg.
- (q) Kragtens Notariële Akte Nr K747/2010S die hierin-gemelde eiendom is onderhewig aan 'n 2m rioolserwituut ten gunste van die Stad van Johannesburg soos meer volledig sal blyk van die genoemde akte en Diagram LG Nr 2212/2008 hierby aangeheg.
- (r) Die hierin-gemelde eiendom is onderhewig aan 'n rioolserwituut ten gunste van die Stad van Johannesburg Metropolitaanse Munisipaliteit soos meer volledig sal blyk uit Notariële Akte van Serwituut K222/2011S met Diagram LG Nr 12350/2004 hierby aangeheg.
- (s) Kragtens Notariële Akte Nr K2206/2012S die hierin-gemelde eiendom is onderhewig aan 'n reg van weg serwituut ten gunste van Gedeelte 2 van die plaas Bothasfontein Nr 408-J.R. soos meer volledig blyk uit genoemde akte en Diagram LG Nr 4560/2007 hierby aangeheg.
- (t) Kragtens Notariële Akte Nr K3982/2012S die hierin-gemelde eiendom is onderhewig aan 'n reg van weg en parkering serwituut ten gunste van die Waterfall Hospitaal WUQF (Eiendoms) Beperk soos meer volledig sal blyk uit Diagram LG Nr 14/2011 hierby aangeheg.
- (u) Kragtens Notariële Akte Nr. K1107/2013S die hierin-gemelde eiendom is onderhewig aan 'n substasie serwituut ten gunste van Eskom Holdings SOC Limited soos meer volledig sal blyk uit genoemde Akte en Diagram LG Nr. 5861/2009 hierby aangeheg.
- (v) Kragtens Notariële Akte Nr. K465/2014S met Diagramme LG Nr 2411/2013 en 2412/2013 hierby aangeheg, die hierin-gemelde eiendom is onderhewig aan 'n reg van weg serwituut ten gunste van Eskom soos meer volledig sal blyk uit genoemde Akte.
- (w) Kragtens Notariële Akte Nr. K466/2014S met Diagramme LG Nr 2409/2013 en 2410/2013 hierby aangeheg, die hierin-gemelde eiendom is onderhewig aan 'n substasie serwituut ten gunste van Eskom soos meer volledig sal blyk uit genoemde Akte.
- (x) Kragtens Notariële Akte K467/2014S met Diagramme LG Nr. 3658/2013 en 3659/2013 hierby aangeheg, die hierin-gemelde eiendom is onderhewig aan 'n stormwater en pyplynserwituut ten gunste van die Stad van Johannesburg soos meer volledig sal blyk uit genoemde Akte.
- (y) Kragtens Notariële Akte Nr. K468/2014S met Diagramme LG Nr 4098/2013 hierby aangeheg, die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van die Stad van Johannesburg om die serwituutarea ewigdurend te gebruik vir 'n pad deur die algemene publiek en water en riool te vervoer oor die serwituutarea, soos meer volledig sal blyk uit genoemde Akte.

4. TITELVOORWAARDES**A. Titelvoorwaardes opgelê ten gunste van die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).****(1) ALLE ERWE**

- (a) Elke erf is onderhewig aan 'n serwituut 2 m breed, ten gunste van die plaaslike bestuur, vir riolerings- en ander munisipale doeleindes, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- (b) Geen gebou of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 2 m daarvan, geplant word nie.
- (c) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings, en ander werke wat hy volgens goeie dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voorgenoemde doel, onderhewig daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleiding en ander werke veroorsaak word.

(2) ALLE ERWE

- (a) Die erf is geleë binne 'n area waar grondtoestande die geboue en strukture kan beïnvloed en tot skade daaraan tot gevolg hê. Bouplanne ingedien by die plaaslike bestuur moet maatreëls aandui wat geneem moet word, in ooreenstemming met aanbevelings vervat in die (Omvattende) Ingenieurs Geotegniese Verslag vir die dorp, om moontlike skade aan geboue en strukture te beperk, as gevolg van nadelige fondasietoestande, tensy dit bewys kan word aan die plaaslike bestuur dat sulke maatreëls onnodig is of dieselfde doel bereik kan word deur ander meer effektiewe metodes.
- (b) Die NHBRC klassifikasie vir fondasies sal C-C1-C2/H2/P(fill) wees.

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