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GAUTENG**



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GAUTENG**

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 1614 OF 2016****EKURHULENI METROPOLITAN MUNICIPALITY  
SPRINGS CUSTOMER CARE AREA****DECLARATION AS AN APPROVED TOWNSHIP**

In terms of the provisions of Section 103(1) of the Town-planning and Townships Ordinance, 1986 read together with Section 35 of the Spatial Planning and Land Use Management Act, 2013 the Ekurhuleni Metropolitan Municipality hereby declares Selcourt Extension 13 Township situated on Portion 87 of the Farm Vlakfontein Number 130 IR 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 FIRST TRADE AND INVEST 4 RF PROPRIETARY LIMITED, REG. NO. 2008/005270/07 [HEREAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER] UNDER THE PROVISIONS OF CHAPTER III, PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 87 (A PORTION OF PORTION 3) OF THE FARM VLAKFONTEIN No. 130 I.R. HAS BEEN GRANTED BY THE EKURHULENI METROPOLITAN MUNICIPALITY (HEREAFTER REFERRED TO AS THE MUNICIPALITY).

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Selcourt Extension 13.

**1.2 DESIGN**

The township shall consist of streets and erven as indicated on General Plan S.G. No 183/2012.

**1.3 ENDOWMENT ERF**

Erf 3834 shall be transferred free of charge to the Municipality by the township owner as public open space and the cost incurred with such transfer shall be for the account of the township owner.

**1.4 PARK ENDOWMENT**

No endowment is payable to the Municipality for parks and public open spaces.

**1.5 REMOVAL AND / OR REPLACEMENT OF MUNICIPAL OR ANY OTHER ENGINEERING OR COMMUNICATION SERVICES INFRASTRUCTURE**

Should it become necessary to move and / or replace any existing municipal or other engineering or communication services infrastructure as a result of the establishment of the township, it shall be done in liaison with the owner of such infrastructure and the cost thereof shall be borne by the Applicant.

**1.6 DEMOLITION OF BUILDINGS AND STRUCTURES**

When required by the Municipality to do so, the Applicant shall at his own expense cause to be demolished (to the satisfaction of the Municipality) all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or in a street reserve or servitude area, or dilapidated structures and structures for which building plans have not been approved.

#### 1.7 REMOVAL OF LITTER / RUBBLE

The Applicant shall at his own expense have all litter / rubble within the township area removed to the satisfaction of the Municipality, when required to do so by the Municipality.

#### 1.8 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDAARD)

The Applicant shall at his own expense comply with, or make satisfactory arrangements to ensure compliance with all the conditions imposed by GDAARD, which has given conditional approval for the development of the township, as per their letter of authorization dated 16 September 2009 (ref. no. 006/09-10/N0031).

#### 1.9 COMPLIANCE WITH CONDITIONS IMPOSED BY ESKOM

The Applicant shall at his own expense comply with, or make satisfactory arrangements to ensure compliance with all the conditions imposed by ESKOM, as per their letter dated 31 January 2006 (ref. no. 30128) in regard to their servitudes.

#### 1.10 SOIL CONDITIONS / GEOLOGICAL CONDITIONS

(a) Proposals for precautionary measures to overcome detrimental soil / geological conditions to the satisfaction of the Municipality and the National Home Builders Registration Council (NHBRC) shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with such precautionary measures to the satisfaction of the Municipality and the NHBRC.

(b) The Applicant shall at his own expense, make arrangements with the Municipality in order to ensure that the recommendations as laid down in the geological report, as well as the provisions of the Dolomite Risk Management Plan (if and where applicable) are complied with and, when required, engineering certificates for the foundations of the structures and engineering services are submitted.

#### 1.11 PROVISION FOR REFUSE REMOVAL WITHIN THE TOWNSHIP

(a) Provision must be made for either kerb-side refuse removal, or proper refuse holding areas with access from the street must be provided, in a manner that does not detrimentally affect the movement of traffic along the street.

(b) All streets / roadways along which refuse removal by the Municipality is required, must be designed in a manner that will allow easy maneuvering of refuse removal vehicles, to the satisfaction of the Council and any overhanging cables or structures over such streets / roadways must be at least 4,5 (four comma five) metres high above the road surface level, to allow for refuse removal vehicles to pass underneath.

#### 1.12 ACCEPTANCE AND DISPOSAL OF STORMWATER

The Applicant shall ensure that the stormwater drainage of the township fits in with that of the existing and planned roads and stormwater drainage infrastructure in the vicinity of the township and that all storm-water running off or diverted from the township is received and disposed of in such infrastructure.

#### 1.13 OBLIGATIONS OF APPLICANT WITH REGARD TO ENGINEERING SERVICES INFRASTRUCTURE

The Applicant shall within such period as the Municipality may determine (or such period as determined in the engineering services agreement), fulfill his obligations in respect of the installation / construction of engineering services infrastructure (i.e. water, sewerage, electricity, roads and stormwater drainage infrastructure) as per an engineering services agreement to be entered into between the Applicant and the Municipality. Such engineering services agreement may include payment of contributions, by the Applicant, towards bulk engineering services.

#### 1.14 PROVISION OF ENGINEERING DRAWINGS

The Applicant shall submit to the Municipality complete engineering drawings, for approval by the Municipality, prior to commencement with the installation / construction of engineering services infrastructure.

#### 1.15 PROVISION OF AS-BUILT DRAWINGS AND CERTIFICATES BY PROFESSIONAL ENGINEER

Upon completion of the installation / construction of engineering services infrastructure by the Applicant, the Applicant shall supply the Municipality with as-built drawings and certificates by a professional engineer, in which it is certified that such engineering services infrastructure has been completed and that the engineer accepts liability for such infrastructure.

#### 1.16 MAINTENANCE PERIOD AND GUARANTEE

Unless stated otherwise in the engineering services agreement between the Applicant and the Municipality, a maintenance period of 12 (twelve) months commences from the date when the last of the engineering services infrastructure (i.e. water, sewerage, electricity and roads and stormwater drainage infrastructure) installed / constructed by the Applicant has been completed and the as-built drawings and engineers' certificates have been submitted to the Council. The Applicant must furnish the Municipality with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and / or materials, which guarantee must be for an amount that is equal to at least 5% of the contract cost for the installation / construction of such infrastructure.

#### 1.17 RESTRICTION REGARDING REGISTRATION OF ERVEN AND APPROVAL OF BUILDING PLANS

No erf / unit in the township may be registered, nor will building plans be approved, before the Municipality has certified that the Applicant has complied with all his obligations and all conditions for establishment of the township, to the satisfaction of the Municipality.

#### 1.18 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

##### 2.18.1 EXCLUDING THE FOLLOWING SERVITUDES WHICH DO NOT AFFECT THE TOWNSHIP DUE TO ITS LOCATION:

- A. The former Remaining Extent of the farm Vlakfontein 130, Registration Division IR, District of Brakpan, measuring as such 3040,4833 hectares is subject to the following special conditions:
  - (a) A portion, measuring 10,2527 hectares on the property hereby transferred, lettered KPQR as shown on Diagram SG A3689/1948 annexed to Deed of Transfer 27037/1949 has been leased to The Victoria Falls and Transvaal Power Company Limited, in perpetuity as from the 15th March 1932 for the

purpose of distribution and Rotary condenser station under Deed of Servitude 204/1932S.

- B. The former Remaining Extent of Portion 3 of the farm Vlakfontein 130, Registration Division IR, Province of Gauteng, in extent 92,0738 (ninety two comma zero seven three eight) hectares, of which the property hereby registered forms a portion, is subject to the following conditions:
- (a) By Notarial Deed K3007/1988S, the right has been granted to ESKOM to convey electricity over the property hereby transferred together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed. The route of which servitude has been determined as will more fully appear from Notarial Deed of Route Description No. K602/1992S, the centre line of which servitude is represented by the line Aa on Diagram SG No. 10064/1990.
  - (b) By virtue of Notarial Deed of Servitude No. K2180/2011S dated 30 September 2010, the withinmentioned property is subject to the following:
    - (i) a perpetual servitude/s of electric power transmission over the property substantially as agreed, subject to any existing servitude or other real right, to convey electricity across the property by means of two (2) overhead power line/s consisting of conductors mounted on poles or structures with such structure supporting mechanisms as may be necessary or convenient; and
    - (ii) a perpetual servitude for telecommunication and other related purposes over the property substantially agreed, by means of conductors, cables and/or appliances mounted on the poles and/or structures with such structures supporting mechanisms as may be necessary or convenient,with ancillary rights, as will more fully appear from the said Notarial Deed.
  - (c) By virtue of Notarial Deed of Servitude No. K2182/2011S dated 25 February 2011, the withinmentioned property is subject to a pipeline servitude of 2639 square metres in extent as depicted by the figures ABCD on servitude diagram SG No. 4484/1998 with ancillary rights in favour of Ekurhuleni Metropolitan Municipality as will more fully appear from reference to the Notarial Deed.
  - (d) The former Remaining Extent of Portion 3 of the farm Vlakfontein 130, Registration Division IR, Province of Gauteng, in extent 77,8121 (seventy seven comma eight one two one) hectares, of which the property hereby registered forms a portion, is subject to the following conditions:
    - (a) By Notarial Deed of Servitude No. K5066/2012S dated 26 April 2011, the within-mentioned property is subject to a perpetual servitude over the property along the servitude area, for purpose of the construction, laying, use, repair and maintenance of an underground pipeline for the transporting of hydrogen and for purposes incidental thereto which servitude is represented,
      - (i) by the line ABCDEFGH representing the centre line of a servitude, 3 metres wide over the property as indicted on Diagram SG No. 735/2005;
      - (ii) by the line JKL representing the centre line of a servitude, 2 metres wide over the property as indicted on Diagram SG No. 735/2005;
      - (iii) by the figure MNPQ representing 3 square metres of land being a servitude area over the property as indicted on Diagram SG No. 735/2005,

as will more fully appear on reference to the said Notarial Deed.

1.18.2 EXCLUDING THE FOLLOWING SERVITUDES WHICH AFFECT ERF 3834 (PARK) IN THE TOWNSHIP ONLY:

- A. The former Remaining Extent of the farm Vlakfontein 130, Registration Division IR, District of Brakpan, measuring as such 3040,4833 hectares is subject to the following special conditions:
- (a) The property transferred hereunder is subject to a right in perpetuity in favour of the Victoria Falls and Transvaal Power company Limited, to convey electricity on and over the within property as will more fully appear from Notarial Deed 200/1932S.
- B. The former Remaining Extent of Portion 3 of the farm Vlakfontein 130, Registration Division IR, Province of Gauteng, in extent 92,0738 (ninety two comma zero seven three eight) hectares, of which the property hereby registered forms a portion, is subject to the following conditions:
- (a) By Notarial Deed K2595/1980S, the right has been granted to ELECTRICITY SUPPLY COMMISSION to convey electricity over the property hereby transferred together with ancillary rights, and subject to conditions as will more fully appear on reference to the said Notarial Deed. The route of which servitude has been determined as will more fully appear from Notarial Deed of Route Description No. K2660/1984S, the centre line of which servitude is represented by the lines hjkm and npr on Diagram S.G. No. 182/2012.
- (b) By Notarial Deed K3117/1983S, the right has been granted to ELECTRICITY SUPPLY COMMISSION to convey electricity over the property hereby transferred together with ancillary rights, and subject to conditions as will more fully appear on reference to the said Notarial Deed. The route of which servitude has been determined as will more fully appear from Notarial Deed of Route Description No. K4775/1989S, the centre line of which servitude is represented by the lines bd and fg on Diagram S.G. No. 182/2012.
- (c) By virtue of Notarial Deed of Servitude No. K2181/2011S dated 30 September 2010, the withinmentioned property is subject to the following:
- (i) a perpetual servitude/s of electric power transmission over the property substantially as agreed, subject to any existing servitude or other real right, to convey electricity across the property by means of two (2) overhead power line/s as indicated by the lines ab and ef on Diagram S.G. No. 182/2012 consisting of conductors mounted on poles or structures with such structure supporting mechanisms as may be necessary or convenient; and
- (ii) a perpetual servitude for telecommunication and other related purposes over the property substantially agreed, by means of conductors, cables and/or appliances mounted on the poles and/or structures with such structures supporting mechanisms as may be necessary or convenient,

with ancillary rights, as will more fully appear from the said Notarial Deed.

1.18.3 INCLUDING THE FOLLOWING WHICH DOES AFFECT THE TOWNSHIP AND SHALL BE MADE APPLICABLE TO INDIVIDUAL ERVEN IN THE TOWNSHIP:

And subject further to the following condition imposed and enforceable by RAND SELECTION CORPORATION LIMITED and its successors in title or assigns:



The Transferee for itself and its successors in title or assigns declares itself to be fully acquainted with the fact that the property has been undermined by mining operations conducted on or under the surface of the farm Vlakfontein 130 IR, District Brakpan, and hereby acknowledges that RAND SELECTION CORPORATION LIMITED and the holders of the mining title underlying, adjoining or adjacent to the property, and their respective successors in title and assigns shall not be liable nor held responsible for any damage sustained by the Transferee or any other person as a result of injury to persons or property or any erections or improvements upon the property caused by subsidence, settlement, shocks or cracking and whether arising directly or indirectly from mining operations in the past, present or future or as a result of any cause whatever.

## 2. CONDITIONS OF TITLE

### 2.1 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):

#### 2.1.1 ALL ERVEN

- (a) As this erf is situated in the vicinity of land which may be undermined and which may be liable to subsidence, settlement, shock and cracking due to past, present or future mining operations, the owner of this erf accepts all liability for any damages thereto or any structure thereon which may result from such subsidence, settlement, shock or cracking.
- (b) As this erf forms part of an area which may be subject to dust pollution and odours as a result of the presence of the Rietfontein Landfill Site in the vicinity of the township, the owner of this erf accepts that inconvenience with regard to dust pollution and odours as a result thereof, may be experienced.
- (c) Where, in the opinion of the Municipality, it is impracticable for stormwater to be drained from higher-lying erven direct to a public street, the owner of the lower-lying erf shall be obliged to accept and / or permit the passage over the erf of such stormwater; provided that the owners of any higher-lying erven, the stormwater from which is discharged over any lower-lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower-lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.

#### 2.1.2 ALL ERVEN EXCEPT ERF 3834 (PARK)

- (b) The erf is subject to a servitude, 2m wide, in favour of the Municipality, 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 when required by the Municipality: Provided that the Municipality may dispense with any such servitude.
- (c) 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.
- (d) The Municipality 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 Municipality.

## LOCAL AUTHORITY NOTICE

NOTICE OF APPROVAL  
EKURHULENI METROPOLITAN MUNICIPALITY  
EKURHULENI AMENDMENT SCHEME S0034

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read together with Section 35 of the Spatial Planning and Land Use Management Act, 2013 declares that it has approved an amendment of the Ekurhuleni Town Planning Scheme, 2014, comprising the same land as included in the township of SELCOURT **EXTENSION 13.**

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: Mr D van Rooyen, Springs Civic Centre; as well as at the Gauteng Provincial Government, Office of the Premier, Gauteng Planning Division.

This amendment scheme is known as Ekurhuleni Amendment Scheme S0034 and shall come into operation from date of publication of this notice.

Khaya Ngema, City Manager  
2nd Floor, Head Office Building,  
Cnr Cross & Roses Streets,  
Germiston

JHS/5319/bh



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