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PROCLAMATION • PROKLAMASIE

PROCLAMATION 149 OF 2016**EKURHULENI TOWN PLANNING SCHEME, 2014
EKURHULENI AMENDMENT SCHEME A0111****EKURHULENI METROPOLITAN MUNICIPALITY**

It is hereby notified in terms of the provision of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Watervalsspruit Extension 9, being an amendment of the Ekurhuleni Town Planning Scheme, 2014.

The Annexure of this amendment scheme is filed with the Municipal Manager and is open to inspection during normal office hours.

The amendment is known as Ekurhuleni Amendment Scheme A0111

Imogen Mashazi, Acting City Manager
2nd Floor, Head Office Building,
Cnr Cross & Rose Street
Germiston

Notice No. A056/2016

**EKURHULENI METROPOLITAN MUNICIPALITY
ALBERTON CUSTOMER CARE AREA****DECLARATION OF WATERVALSPRUIT EXTENSION 9 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 hereby declares the township of Watervalsspruit Extension 9 to be an approved township, subject to the conditions as set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), ON PORTION 112 OF THE FARM WATERVAL 150 I.R, GAUTENG PROVINCE BY COSMOPOLITAN PROJECTS JOHANNESBURG (PTY) LTD (Registration N0: 2005/013577/07) (HEREAFTER REFERRED TO AS THE APPLICANT/ TOWNSHIP OWNER) AND BEING THE REGISTERED OWNER OF THE LAND HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Watervalsspruit Extension 9.

1.2 DESIGN

The township shall consist of erven and streets as indicated on SG plan no 5280/2015.

1.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION

- 1.3.1 The township owner shall on request by the Council submit to such Council for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channeling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.
- 1.3.2 The scheme shall provide for the catchments of storm water in catch pits whence it shall be drained off in watertight pipes of durable material, approved by the Council, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground.

Furthermore, the scheme shall, indicate the route and gradient by which each erf gains access to the street on which it abuts. The township owner shall, when required by the Council to do so, carry out the approved scheme at its own expense on behalf of and to the satisfaction of the Council under supervision of a civil engineer approved by the Council.

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

Condition 1A

The former Remainder of Portion A of the Farm Waterval 150 – IR in extent 394,2393 Morgen (337,6786 [Three Seven Comma Six Seven Eight Six] Hectares) of which that portion of the property hereby transferred depicted by the figure A L M N O P middle of Klip River e F G H J K on diagram SG A3297/1958 forms a portion is subject to the following condition:

SUBJECT to a servitude in favour of the VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED, to convey electricity over the property held hereunder along a Power Line represented by the centre line c d on the diagram annexed thereto, together with certain ancillary rights and subject to certain conditions as will more fully appear from Notarial Deed No 703/1945S registered on the 2nd November 1945.

Condition 4

By Notarial Deed No K.487/1980-S dated the 16th October 1979 the within-mentioned property is subject to two perpetual servitudes of right of way, each three metres in extent as indicated by the letters A B C D E F G on diagram S.G. No. A4373/1977 and the letters A B C D E on diagram S.G. No. 825/1979 in favour of the Town Council of Alberton, together with ancillary rights, as will more fully appear from reference to said Notarial Deed.

Condition 6

By Notarial Deed No. 503/71-S, the right has been granted to ESCOM to convey electricity over the property held hereunder, together with certain ancillary rights, as will more fully appear from reference to the said Notarial Deed.

Condition 8

The erf shall be subject to a servitude for sewerage and other municipal purposes in favour of the Ekurhuleni Metropolitan Municipality, Germiston, 6 meters wide, as will more fully appear from Deed of Cession No. K 943/1989 dated 16th March, 1989.

1.5 SERVITUDES AND CONDITIONS AFFECTING THE TOWNSHIP

The following conditions and servitudes in Deed of Transfer T106002-2014 are only applicable to specific erven and streets in the township.

Condition 2

The former Portion B of the Farm Waterval 150 – IR of which that portion of the within property depicted by the figure L B C d middle of Klip River p O N M on diagram SG A3297/1958 forms a portion is subject to the following condition:

SUBJECT to a servitude in favour of the VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED to convey electricity over the property held hereunder along a Power Line represented by the line d b a on the diagram annexed hereto together with certain conditions as will more fully appear from Notarial Deed No. 704/1945S registered on the 2nd of November 1945

Conditions affect only erven 1703 and 1704, and streets in the township.

Condition 5

By Notarial Deed No. 276/73-S dated the 12th February 1973 the within-mentioned property is subject to a Right of aqueduct in favour of the RAND WATER BOARD, with additional rights as will more fully appear from reference to the said Notarial Deed.

Condition affects only erf 1707 in the township and the streets.

Condition 7

A pipeline servitude with restrictions of 3,15 metres on either side, as it appears on diagram L.G. No. A. 805/78 has been ceded to the REPUBLIC OF SOUTH AFRICA by Deed of Cession No. K 1693/1978-S, registered on the 19th July 1978.

Condition affects only erf 1707 and streets in the township.

The following rights and entitlements condition does affect the township area but will not be carried forward to the erven in the township

Condition 3

By virtue of Notarial Deed K867/1966S, the former Remainder of Portion 44 of Farm Waterval 1 50 – IR in extent 496,7208 (Four Nine Six Comma Seven Two Zero Eight) Hectares of which the within property forms a portion is entitled to the following rights over Portion 43 (a portion of portion 44) of the within Farm Held under Deed of Transfer T14958/1967:

- (a) Trading rights (except vegetable and food grown on property);
- (b) Right of access to the power lines and transformer;
- (c) Installation of metres; and
- (d) Maintenance of fencing with ancillary rights

As will more fully appear from the said Notarial Deed with diagram A2132/1962

1.6 CONDITIONS RELATING TO THE TRANSFER OF ERVEN AND STREETS.

No erf in this township will be transferred or developed without the public streets, public open space erven having been transferred to the Municipality.

1.7 ACCESS

1.7.1 The relevant accesses must be constructed before any part of the township that is reliant on such accesses takes place.

1.7.2 For the construction of the access whether temporary or permanent, the applicant shall submit to Ekurhuleni Department of Roads and Stormwater, for approval, plan(s) prepared and signed by a Professional Civil Engineer, in accordance with that departments requirements.

1.8 ENGINEERING SERVICES

1.8.1 The provision of engineering services shall be dealt with in detail in the services agreement between the local authority and the applicant/ township owner where the responsibility of the installation and provision of internal engineering services will be agreed upon, as well as the responsibility for maintenance of water, sewer and electrical networks and the maintenance of internal roads.

1.8.2 Once water, sewer and electrical networks have been installed, same will be transferred to the Local Authority, who shall maintain these networks.

1.8.3 A service report containing the storm water design of the land development area shall be submitted to Gauteng Department of Roads and Transport and Ekurhuleni Infrastructure Services (RTCW) for approval.

1.8.4 The township owner shall arrange for the drainage of the township to fit in with that of Provincial Road K154 (Heidelberg Road) and for all storm water running off or being diverted from Provincial Road K154 (Heidelberg Road) to be received and disposed of to the satisfaction of the Municipality and the Gauteng Department of Roads and Transport.

1.9 OTHERS.

1.9.1 The applicant shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development to the satisfaction of GDARD.

1.9.2 The applicant shall comply with all conditions as laid down by ESKOM.
Ref: P213-2312-L39_EC

1.9.3 The applicant shall comply with all conditions as laid down by TRANSNET.
Ref: PYP/W1/07/02/13/10065

1.9.4 The applicant shall comply with all conditions as laid down by TELKOM.
Ref: P213-2312-L41-EC

1.9.5 The applicant shall comply with all conditions as laid down by RAND WATER.
Ref: 10/3/1/2/V2-2091/09

2. Endowment

2.1. There are no endowments payable towards the provision of parks or open spaces to the local authority prior to proclamation of the township.

3. CONDITIONS OF TITLE

The erven mentioned hereunder shall be made subject to the conditions as indicated, imposed by the Council in terms of the provisions of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

3.1 All Erven:

- a. The erf is subject to a servitude, 1m 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 1m 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 1m 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 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.
4. General conditions:
- a) There shall be lines of no access along Heidelberg Road K154 and along the 20m wide road as indicated on the layout plan No WVS EXT9/3.
 - b) No ingress or egress from Heidelberg Road (K154) to the township will be allowed from the line of no access as shown on the layout plan WVS EXT9/3.
 - c) No ingress or egress from the 20m wide road and from the 32m road to the proposed school will be allowed from the line of no access as shown on the layout plan WVS EXT9/3.
 - d) A physical barrier which is in compliance with the requirements of the Executive Committee Resolution 1112 of 26 June 1978 shall be erected on the lines of no access as shown on the layout plan WVS EXT9/3.
 - e) A 16m building line from Road K154 affecting erven 1413 to 1423, shall be applicable.
 - f) No advertisements that may be visible from Provincial Road K154 (Heidelberg Road) shall be displayed without the written approval of the Gauteng Department of Roads and Transport and the Municipality
 - g) The erven lie in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the Municipality must show measures to be taken, in accordance with recommendations contained in the Engineering-Geological Report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions unless it is proved to the Municipality that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

Imogen Mashazi, Acting City Manager
2nd Floor, Head Office Building,
Cnr Cross & Rose Street
Germiston

Notice No. A056/2016

PROCLAMATION 148 OF 2016**EKURHULENI METROPOLITAN MUNICIPALITY
EKURHULENI TOWN PLANNING SCHEME, 2014
EKURHULENI AMENDMENT SCHEME A0141**

It is hereby notified in terms of the provision of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Watervalsspruit, being an amendment of the Ekurhuleni Town Planning Scheme 2014.

The Annexure of this amendment scheme are filed with the Municipal Manager and is open to inspection during normal office hours.

The amendment is known as Ekurhuleni Amendment Scheme A0141

Imogen Mashazi, Acting City Manager
2nd Floor, Head Office Building,
Cnr Cross & Rose Street
Germiston

Notice No. A055/2016

LOCAL AUTHORITY NOTICE.....**EKURHULENI METROPOLITAN MUNICIPALITY
ALBERTON CUSTOMER CARE AREA****DECLARATION OF WATERVALSPRUIT 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 hereby declares the township of Watervalsspruit to be an approved township, subject to the conditions as set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), ON PORTION 111 OF THE FARM WATERVAL 150 I.R, GAUTENG PROVINCE BY COSMOPOLITAN PROJECTS JOHANNESBURG (PTY) LTD (Registration N0: 2005/013577/07) (HEREAFTER REFERRED TO AS THE APPLICANT/ TOWNSHIP OWNER) AND BEING THE REGISTERED OWNER OF THE LAND HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Watervalsspruit

1.2 DESIGN

The township shall consist of erven and streets as indicated on the General Plan SG No. 3897/2015.

1.3.1 STORMWATER DRAINAGE AND STREET CONSTRUCTION

1.3.1 The township owner shall on request by the Council submit to such Council for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channeling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.

1.3.2 The scheme shall provide for the catchments of storm water in catch pits whence it shall be drained off in watertight pipes of durable material, approved by the Council, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground.

Furthermore, the scheme shall, indicate the route and gradient by which each erf gains access to the street on which it abuts. The township owner shall, when required by the Council to do so, carry out the approved scheme at its own expense on behalf of and to the satisfaction of the Council under supervision of a civil engineer approved by the Council.

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to the existing conditions and servitudes, if any, including the reservation of the rights to minerals, but excluding the following conditions and servitudes in Deed of Transfer T106002-2014 which do not affect the township area and will not be carried forward.

Condition 1A

The former Remainder of Portion A of the Farm Waterval 150 – IR in extent 394,2393 Morgen (337,6786 [Three Three Seven Comma Six Seven Eight Six] Hectares) of which that portion of the property hereby transferred depicted by the figure A L M N O P middle of Klip River e F G H J K on diagram SG A3297/1958 forms a portion is subject to the following condition:

SUBJECT to a servitude in favour of the VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED, to convey electricity over the property held hereunder along a Power Line represented by the centre line c d on the diagram annexed thereto, together with certain ancillary rights and subject to certain conditions as will more fully appear from Notarial Deed No 703/1945S registered on the 2nd November 1945.

Condition 2A

The former Portion B of the Farm Waterval 150 – IR of which that portion of the within property depicted by the figure L B C d middle of Klip River p O N M on diagram SG A3297/1958 forms a portion is subject to the following condition:

SUBJECT to a servitude in favour of the VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED to convey electricity over the property held hereunder along a Power Line represented by the centre line d b a on the diagram annexed thereto, together with certain conditions as will more fully appear from Notarial Deed No 704/1945S registered on the 2nd November 1945

Condition 4

By Notarial Deed No K.487/1980-S dated the 16th October 1979 the within-mentioned property is subject to two perpetual servitudes of right of way, each three metres in extent as indicated by the letters A B C D E F G on diagram S.G. No. A4373/1977 and the letters A B C D E on diagram S.G. No. 825/1979 in favour of the Town Council of Alberton, together with ancillary rights, as will more fully appear from reference to said Notarial Deed.

Condition 6

By Notarial Deed No. 503/71-S, the right has been granted to ESCOM to convey electricity over the property held hereunder, together with certain ancillary rights, as will more fully appear from reference to the said Notarial Deed.

Condition 8

The erf shall be subject to a servitude for sewerage and other municipal purposes in favour of the Ekurhuleni Metropolitan Municipality, Germiston, 6 meters wide, as will more fully appear from Deed of Cession No. K 943/1989 dated 16th March, 1989.

1.5 SERVITUDES AND CONDITIONS AFFECTING THE TOWNSHIP

The following conditions and servitudes in Deed of Transfer T106002-2014 are only applicable to specific erven and streets in the township.

Condition 5

Only affects Erf 192 and a street in the township

By Notarial Deed No. 276/73-S dated the 12th February 1973 the within-mentioned property is subject to a Right of aquaduct in favour of the RAND WATER BOARD, with additional rights as will more fully appear from reference to the said Notarial Deed.

Condition 7

A pipeline servitude with restrictions of 3,15 metres on either side, as it appears on diagram L.G. No. A. 805/78 has been ceded to the REPUBLIC OF SOUTH AFRICA by Deed of Cession No. K 1693/1978-S, registered on the 19th July 1978.

Condition affects only erf 79, 192 and streets in the township.

The following rights and entitlements condition does affect the township area but will not be carried forward to the erven in the township

Condition 3

By virtue of Notarial Deed K867/1966S, the former Remainder of Portion 44 of Farm Waterval 150 – IR in extent 496,7208 (Four Nine Six Comma Seven Two Zero Eight) Hectares of which the within property forms a portion is entitled to the following rights over Portion 43 (a portion of portion 44) of the within Farm Held under Deed of Transfer T14958/1967:

- (a) Trading rights (except vegetable and food grown on property);
- (b) Right of access to the power lines and transformer;
- (c) Installation of metres; and
- (d) Maintenance of fencing with ancillary rights

As will more fully appear from the said Notarial Deed with diagram A2132/1962

1.6 CONDITIONS RELATING TO THE TRANSFER OF ERVEN AND STREETS.

No erf in this township will be transferred or developed without the public streets, public open space erven having been transferred to the Municipality.

1.7 ACCESS

1.7.1 The relevant accesses must be constructed before any part of the township that is reliant on such accesses takes place.

1.7.2 For the construction of the access whether temporary or permanent, the applicant shall submit to Ekurhuleni Department of Roads and Stormwater, for approval, plan(s) prepared and signed by a Professional Civil Engineer, in accordance with that departments requirements.

1.8 ENGINEERING SERVICES

1.8.1 The provision of engineering services shall be dealt with in detail in the services agreement between the local authority and the applicant/ township owner where the responsibility of the installation and provision of internal engineering services will be agreed upon, as well as the responsibility for maintenance of water, sewer and electrical networks and the maintenance of internal roads.

1.8.2 Once water, sewer and electrical networks have been installed, same will be transferred to the Local Authority, who shall maintain these networks.

1.9 OTHERS.

1.9.1 The applicant shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development to the satisfaction of GDARD.

1.9.2 The applicant shall comply with all conditions as laid down by ESKOM.
Ref: P213-2312-L39_EC

1.9.3 The applicant shall comply with all conditions as laid down by TRANSNET.
Ref: PYP/W1/07/02/13/10065

1.9.4 The applicant shall comply with all conditions as laid down by TELKOM.
Ref: P213-2312-L41-EC

1.9.5 The applicant shall comply with all conditions as laid down by RAND WATER.
Ref: 10/3/1/2/V2-2091/09

2. Endowment

2.1. There are no endowments payable towards the provision of parks or open spaces to the local authority prior to proclamation of the township.

3. CONDITIONS OF TITLE

The erven mentioned hereunder shall be made subject to the conditions as indicated, imposed by the Council in terms of the provisions of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

3.1 All Erven:

- a. The erf is subject to a servitude, 1m 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 1m 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 1m 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 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.

4 REGISTRATION OF NEW SERVITUDES

Erf 193 is subject to a 2m wide servitude for municipal purposes in favour of the Municipality as indicated on the General Plan.

5. General conditions:

- a) There shall be lines of no access, along Heidelberg Road K154 and along the 20m wide road as indicated on the General Plan.
- b) No ingress or egress from Heidelberg Road (K154) to the township will be allowed from the line of no access as shown on the General Plan.
- c) No ingress or egress from the 20m wide road to the proposed school will be allowed from the line of no access as shown on the General Plan.
- d) A physical barrier which is in compliance with the requirements of the Executive Committee Resolution 1112 of 26 June 1978 shall be erected on the lines of no access as shown on the General Plan.
- e) A service report containing the stormwater design of the land development area shall be submitted to Gauteng Department of Roads and Transport and Ekurhuleni Infrastructure Services (RTCW) for approval.
- f) A 16m building line from Road K154 affecting erven 23 to 70 and 192, .
- g) The township owner shall arrange for the drainage of the township to fit in with that of Provincial Road K154 (Heidelberg Road) and for all storm water running off or being diverted from Provincial Road K154 (Heidelberg Road) to be received and disposed of to the satisfaction of the Municipality and the Gauteng Department of Roads and Transport

- h) No advertisements that may be visible from Provincial Road K154 (Heidelberg Road) shall be displayed without the written approval of the Gauteng Department of Roads and Transport and the Municipality
- i) The erven lie in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the Municipality must show measures to be taken, in accordance with recommendations contained in the Engineering-Geological Report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions unless it is proved to the Municipality that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

Imogen Mashazi, Acting City Manager
2nd Floor, Head Office Building,
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Notice No. A055/2016

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