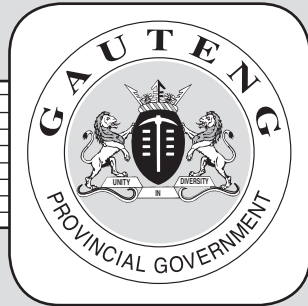


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GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

# Provincial Gazette Provinsiale Koerant

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**No. 54**

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 194 OF 2016****ERAND GARDENS EXTENSION/UITBREIDING 136**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Erand Gardens Extension 136** to be an approved township subject to the conditions set out in the Schedule hereunder.

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY REEFLOORDS PROPERTY DEVELOPMENT PROPRIETARY LIMITED (REGISTRATION NUMBER 2010/019803/07) (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 1740 (A PORTION OF PORTION 1739) OF THE FARM RANDJESFONTEIN 405 JR HAS BEEN APPROVED.**

**1. CONDITIONS OF ESTABLISHMENT.****(1) NAME**

The name of the township is **Erand Gardens Extension 136**.

**(2) DESIGN**

The township consists of erven and the thoroughfare as indicated on General Plan S.G. No. 4881/2014.

**(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES**

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 and for the township, to the satisfaction of the local authority.

**(4) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)**

Should the development of the township not be commenced with before 22 December 2019, the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

**(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)**

(a) Should the development of the township not be completed before 4 September 2022, the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

(b) If however, before the expiry date mentioned in (a) above, circumstances change in such a manner 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. 07-12850/1/AA. 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 Department's letter dated 4 September 2012.

(6) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 7 October 2018, the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(7) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Roads and Transport (Gauteng Provincial Government).

(b) No access to or egress from the township shall be permitted via the lines of no access as indicated on the approved layout plan of the township No. 07-12850/1/AA.

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent roads and all stormwater running off or being diverted from the roads 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 be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(11) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs 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 requested thereto by the local authority.

(12) RESTRICTION ON THE DEVELOPMENT OF ERVEN

Erven 829 and 830 Erand Gardens Extension 136 may only be developed jointly with Erven 831 and 832 Erand Gardens Extension 137, as one development scheme as provided for in terms of the Sectional Titles Act, Act 95 of 1986.

(13) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) (i) The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to consolidate Erven 829 and 830, to the local authority for approval. The consolidation may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be consolidated, have been submitted or paid to the said local authority.

- (ii) The township owner shall, at its own costs, after proclamation of Erand Gardens Extension 137, submit an application for consent to notarially tie the consolidated erf as contemplated in (i) above, with the erven in Erand Gardens Extension 137, to the local authority for approval. The notarial tie may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be notarially tied, have been submitted or paid to the said local authority.
- (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 nor 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 electricity, water and sanitary engineering services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority, including the construction of the roads over the servitudes of right of way registered in favour of the local authority over certain specified adjacent properties. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor 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 3.A.(1)(a) 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 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.

## **2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.**

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

## **3. CONDITIONS OF TITLE.**

### **A. Conditions of Title imposed by the local authority in terms of the provisions of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).**

- (1) ALL ERVEN
- (a) (i) 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.
- (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 process 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.
- (b) The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to Erven 829 and 830 to 1870kVA and should the registered owner of any erf exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner to the local authority.
- (c) The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of the buildings and structures must be designed by a competent professional engineer and erected under his supervision unless it can be proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.
- (2) ERF 830
  - (a) The erf is subject to a 3m X 6m servitude for electrical mini-substation purposes in favour of the local authority as indicated on the General Plan.

**B. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.**

- (1) ALL ERVEN
  - (a) The registered owner of each erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erven boundaries abutting Road K-56.
  - (b) Except for the physical barrier referred to in clause (a) above, or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erven within a distance less than 16m from the boundaries of the erven abutting Road K-56 neither shall any alteration or addition to any existing structure or building situated within such distance of the said boundaries be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).
- B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it 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 **Erand Gardens Extension 136**. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 07-12850/1.

**PLAASLIKE OWERHEID KENNISGEWING 194 VAN 2016**

- C. 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 **Erand Gardens Uitbreiding 136** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

**BYLAE**

**VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR REEFLOORDS PROPERTY DEVELOPMENT EIENDOMS BEPERK (REGISTRASIENOMMER 2010/019803/07) (HIERNA DIE 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 1740 ('N GEDEELTE VAN GEDEELTE 1793) VAN DIE PLAAS RANDJESFONTEIN 405 JR GOEDGEKEUR IS.**

**1. STIGTINGSVOORWAARDES****(1) NAAM**

Die naam van die dorp is **Erand Gardens Uitbreiding 136**.

**(2) ONTWERP**

Die dorp bestaan uit erwe en die deurpad soos aangedui op Algemene Plan LG Nr 4881/2014.

**(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE**

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinerings in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

**(4) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN LANDBOU EN LANDELIKE ONTWIKKELING)**

Indien die ontwikkeling van die dorp nie voor 22 Desember 2019 in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou en Landelike Ontwikkeling vir magtiging ingevolge die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), soos gewysig.

**(5) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)**

(a) Indien die ontwikkeling van die dorp nie voor 4 September 2022 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer vir heroorweging.

(b) Indien omstandighede egter, voor die vervaldatum 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 beherende liggaam in gevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).



(c) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 07-12850/1/AA, oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(d) Die dorpseienaar moet voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se skrywe gedateer 4 September 2012.

(6) NATIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)  
Indien die ontwikkeling van die dorp nie voor 7 Oktober 2018 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir heroorweging.

(7) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Padagentskap (Edms) Bpk en/of die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering).

(b) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word via die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 07-12850/1/AA.

(8) ONTVANGS EN VERSORGING VAN STORMWATERDREINERING

Die dorpseienaar moet reël dat die stormwaterdreinering van die dorp inpas by dië van die aangrensende paaie en dat alle stormwater wat van die paaie afloop of afgelei word, ontvang en versorg word.

(9) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(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 die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(11) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op sy eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot die tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(12) BEPERKING OP DIE ONTWIKKELING VAN ERWE

Erwe 829 en 830 Erand Gardens Uitbreiding 136 mag slegs gesamentlik ontwikkel word met Erwe 831 en 832 Erand Gardens Uitbreiding 137, as een ontwikkelingskema soos voorsien in terme van die Wet op Deeltitels, Wet 95 van 1986.

(13) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING, OORDRAG, KONSOLIDASIE EN/OF NOTARIËLE VERBINDING VAN ERWE

(a) (i) Die dorpseienaar moet op sy eie koste, na proklamasie van die dorp, 'n aansoek vir toestemming om Erwe 829 en 830 te konsolideer, by die plaaslike bestuur indien vir goedkeuring. Die konsolidasie mag nie geregistreer word, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste aan die dorp en/of die erwe wat gekonsolideer gaan word, aan die plaaslike bestuur gelewer of betaal is.

- (ii) Die dorpseienaar moet op sy eie koste, na proklamasie van Erand Gardens Uitbreiding 137, 'n aansoek vir toestemming om die gekonsolideerde erf soos beoog in (i) hierbo, notariëel te verbind met die erwe in Erand Gardens Uitbreiding 137 by die plaaslike bestuur indien vir goedkeuring. Die notariële verbinding mag nie geregistreer word, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste aan die dorp en/of die erwe wat notariëel verbind gaan word, aan die plaaslike bestuur gelewer of betaal is.
- (b) Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, insluitend die interne paaie en die stormwaterretikulasie. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste 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 ingenieursdienste 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, insluitend die konstruksie van die paaie oor die serwitute van reg-van-weg wat ten gunste van die plaaslike bestuur oor sekere gespesifiseerde aangrensende eiendomme geregistreer is. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in 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 ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is; en
- (d) Nieteenstaande die bepalings van klousule 3.A.(1)(a) hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

## 2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

### 3. TITELVOORWAARDES

#### A. Titelvoorwaardes opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

##### (1) ALLE ERWE

- (a) (i) Elke erf is onderworpe aan 'n serwituut 2m 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 2m 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.
- (ii) 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 2m daarvan, geplant word nie.

- (iii) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings, en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.
- (b) Die erwe mag nie oorgedra word sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike bestuur sal 'n absolute diskresie hê om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike bestuur het die elektrisiteitskapasiteit tot Erwe 829 en 830 tot 1870 kVA beperk en indien die geregistreerde eienaar van enige erf die kapasiteit oorskry of indien 'n aansoek om sodanige kapasiteit te oorskry, ingedien word by die plaaslike bestuur, sal addisionele elektrisiteitsbydraes soos bepaal deur die plaaslike bestuur, verskuldig en betaalbaar wees aan die plaaslike bestuur deur sodanige eienaar.
- (c) Die erwe is geleë in 'n area waar grondtoestande ernstige skade aan geboue en strukture kan aanrig. Ten einde sulke skade te beperk, moet fundamente en strukturele elemente van die geboue en strukture deur 'n bevoegde professionele ingenieur ontwerp en onder sy toesig opgerig word, tensy aan die plaaslike bestuur bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.
- (2) ERF 830
- (a) Die erf is onderworpe aan 'n 3m X 6m serwituut vir elektriese mini-substasiedoeleindes ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.
- B. Titelvoorwaardes opgelê deur die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering) ingevolge die bepalings van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001), soos gewysig.**
- (1) ALLE ERWE
- (a) Die geregistreerde eienaar van elke erf, moet die fisiese versperring wat langs die erfgronse aangrensend aan Pad K-56 opgerig is, tot tevredenheid van die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering) instandhou.
- (b) Behalwe vir die fisiese versperring waarna in klousule (a) hierbo verwys word of enige noodsaaklike stormwaterdreineringsstruktuur, mag geen gebou, struktuur of ander ding wat aan die grond geheg is, selfs al vorm dit nie deel van die grond nie, opgerig word nie of sal niks gebou word op of gelê word binne of onder die oppervlakte van die erwe binne 'n afstand van minder as 16m vanaf die erfgronse aangrensend aan Pad K-56. Geen verandering of aanbouing mag aan enige bestaande struktuur of gebou geleë binne die vermelde afstande gedoen word nie, behalwe met die skriftelike toestemming van die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering).
- D. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Halfway House en Clayville Dorpsbeplanningskema, 1976 wat uit dieselfde grond as die dorp **Erand Gardens Uitbreiding 136** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 07-12850/1.

**Hector Bheki Makhubo**  
**Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie**  
**City of Johannesburg Metropolitan Municipality /**  
**Stad van Johannesburg Metropolitaanse Munisipaliteit**  
**Notice No. / Kennisgewing Nr 2/2016**

**LOCAL AUTHORITY NOTICE 195 OF 2016**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Erand Gardens Extension 137** to be an approved township subject to the conditions set out in the Schedule hereunder.

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY REEFLOARDS PROPERTY DEVELOPMENT PROPRIETARY LIMITED (REGISTRATION NUMBER 2010/019803/07) (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 1741 (A PORTION OF PORTION 1739) OF THE FARM RANDJESFONTEIN 405 JR HAS BEEN APPROVED.**

**1. CONDITIONS OF ESTABLISHMENT.****(1) NAME**

The name of the township is **Erand Gardens Extension 137**.

**(2) DESIGN**

The township consists of erven and the thoroughfare as indicated on General Plan S.G. No. 4882/2014.

**(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES**

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 and for the township, to the satisfaction of the local authority.

**(4) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)**

Should the development of the township not been commenced with before 22 December 2019, the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

**(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)**

(a) Should the development of the township not been completed before 4 September 2022, the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

(b) If however, before the expiry date mentioned in (a) above, circumstances change in such a manner 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. 07-12850/2/AA. 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 Department's letter dated 4 September 2012.

(6) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 7 October 2018, the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(7) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Roads and Transport (Gauteng Provincial Government).

(b) No access to or egress from the township shall be permitted via the lines of no access as indicated on the approved layout plan of the township No. 07-12850/2/AA.

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent roads and all stormwater running off or being diverted from the roads 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 be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(11) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs 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 requested thereto by the local authority.

(12) RESTRICTION ON THE DEVELOPMENT OF ERVEN

Erven 831 and 832 Erand Gardens Extension 137 may only be developed jointly with Erven 829 and 830 Erand Gardens Extension 136, as one development scheme as provided for in terms of the Sectional Titles Act, Act 95 of 1986.

(13) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to notarially tie Erven 831 and 832 Erand Gardens Extension 137 with the consolidated erf in Erand Gardens Extension 136, to the local authority for approval. The notarial tie may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be notarially tied, have been submitted or paid to the said local authority.

(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 nor 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 electricity, water and sanitary engineering services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority, including the construction of the roads over the servitudes of right of way registered in favour of the local authority over certain specified adjacent properties. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor 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 3.A.(1)(a) 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 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.

## 2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

## 3. CONDITIONS OF TITLE.

### A. Conditions of Title imposed by the local authority in terms of the provisions of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

#### (1) ALL ERVEN

- (a) (i) 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.
- (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 process 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.

(b) The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of the buildings and structures must be designed by a competent professional engineer and erected under his

supervision unless it can be proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(2) ERF 831

(a) The erf is subject to a 6m X 6m servitude for electrical mini-substation purposes in favour of the local authority as indicated on the General Plan.

(b) The erf is subject to a 3m wide stormwater servitude in favour of the local authority as indicated on the General Plan.

(c) The erf shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erf to 1800kVA and should the registered owner of any erf exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner to the local authority.

(3) ERF 832

(a) No building of any nature shall be erected within the 30m wetland buffer zone applicable to the erf.

**B. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.**

(1) ALL ERVEN

(a) The registered owner of each erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erven boundaries abutting Road K-56.

(b) Except for the physical barrier referred to in clause (a) above, or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erven within a distance less than 16m from the boundaries of the erven abutting Road K-56 neither shall any alteration or addition to any existing structure or building situated within such distance of the said boundaries be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).

B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it 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 **Erand Gardens Extension 137**. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 07-12850/2.

**PLAASLIKE OWERHEID KENNISGEWING 195 VAN 2016**

- C. 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 **Erand Gardens Uitbreiding 137** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die onderstaande Bylae.

**BYLAE**

**VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR REEFLOORDS PROPERTY DEVELOPMENT EIENDOMS BEPERK (REGISTRASIENOMMER 2010/019803/07) (HIERNA DIE 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 1741 ('N GEDEELTE VAN GEDEELTE 1793) VAN DIE PLAAS RANDJESFONTEIN 405 JR GOEDGEKEUR IS.**

**1. STIGTINGSVOORWAARDES****(1) NAAM**

Die naam van die dorp is **Erand Gardens Uitbreiding 137**.

**(2) ONTWERP**

Die dorp bestaan uit erwe en die deurpad soos aangedui op Algemene Plan LG Nr 4882/2014.

**(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE**

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinerings in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

**(4) GAUTENG PROVINSIALE REGERING ( DEPARTEMENT VAN LANDBOU EN LANDELIKE ONTWIKKELING)**

Indien die ontwikkeling van die dorp nie voor 22 Desember 2019 in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou en Landelike Ontwikkeling vir magtiging ingevolge die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), soos gewysig.

**(5) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)**

(a) Indien die ontwikkeling van die dorp nie voor 4 September 2022 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer vir heroorweging.

(b) Indien omstandighede egter, voor die vervaldatum 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 beherende liggaam in gevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).



(c) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 07-12850/2/AA, oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(d) Die dorpseienaar moet voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se skrywe gedateer 4 September 2012.

(6) NATIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)  
Indien die ontwikkeling van die dorp nie voor 7 Oktober 2018 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir heroorweging.

(7) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Padagentskap (Edms) Bpk en/of die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering).

(b) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word via die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 07-12850/2/AA.

(8) ONTVANGS EN VERSORGING VAN STORMWATERDREINERING

Die dorpseienaar moet reël dat die stormwaterdreinering van die dorp inpas by dië van die aangrensende paaie en dat alle stormwater wat van die paaie afloop of afgelei word, ontvang en versorg word.

(9) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(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 die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(11) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op sy eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot die tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(12) BEPERKING OP DIE ONTWIKKELING VAN ERWE

Erwe 831 en 832 Erand Gardens Uitbreiding 137 mag slegs gesamentlik ontwikkel word met Erwe 829 en 830 Erand Gardens Uitbreiding 136, as een ontwikkelingskema soos voorsien in terme van die Wet op Deeltitels, Wet 95 van 1986.

(13) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING  
BETREFFENDE DIE VERVREEMDING, OORDRAG, KONSOLIDASIE EN/OF NOTARIËLE  
VERBINDING VAN ERWE

(a) Die dorpseienaar moet op sy eie koste, na proklamasie van die dorp, 'n aansoek vir toestemming om Erwe 831 en 832 Erand Gardens Uitbreiding 137 met die gekonsolideerde erf in Erand Gardens Uitbreiding 136, notarieël te verbind, by die plaaslike bestuur indien vir goedkeuring. Die notariële verbinding mag nie geregistreer word, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste aan die dorp en/of die erwe wat notarieël verbind gaan word, aan die plaaslike bestuur gelewer of betaal is.

(b) Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, insluitend die interne paaie en die stormwaterretikulasie. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste 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 ingenieursdienste 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, insluitend die konstruksie van die paaie oor die serwitute van reg-van-weg wat ten gunste van die plaaslike bestuur oor sekere gespesifiseerde aangrensende eiendomme geregistreer is. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in 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 ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is; en

(d) Nieteenstaande die bepalings van klousule 3.A.(1)(a) hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

## 2. BESIKKING OOR BESTAANDE TITELVOORWAARDES

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

## 3. TITELVOORWAARDES

### A. Titelvoorwaardes opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

#### (1) ALLE ERWE

- (a) (i) Elke erf is onderworpe aan 'n serwituut 2m 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 2m 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.
- (ii) 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 2m daarvan, geplant word nie.
- (iii) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings, en ander werke wat hy volgens goeie goeie noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(b) Die erwe is geleë in 'n area waar grondtoestande ernstige skade aan geboue en strukture kan aanrig. Ten einde sulke skade te beperk, moet fundamente en strukturele elemente van die geboue en strukture deur 'n bevoegde professionele ingenieur ontwerp en onder sy toesig opgerig word, tensy aan die plaaslike bestuur bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(2) ERF 831

(a) Die erf is onderworpe aan 'n 6m X 6m serwituuat vir elektriese mini-substasiedoeleindes ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

(b) Die erf is onderworpe aan 'n 3m stormwaterserwituuat ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(c) Die erf mag nie oorgedra word sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike bestuur sal 'n absolute diskresie hê om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike bestuur het die elektrisiteitskapasiteit tot die erf tot 1800 kVA beperk en indien die geregistreerde eienaar van enige erf die kapasiteit oorskry of indien 'n aansoek om sodanige kapasiteit te oorskry, ingedien word by die plaaslike bestuur, sal addisionele elektrisiteitsbydraes soos bepaal deur die plaaslike bestuur, verskuldig en betaalbaar wees aan die plaaslike bestuur deur sodanige eienaar.

(3) ERF 832

(a) Geen gebou van watter aard ookal mag binne die vleilandbuffersone van toepassing op die erf, gebou word nie.

**B. Titelvoorwaardes opgelê deur die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering) ingevolge die bepalings van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001), soos gewysig.**

(1) ALLE ERWE

(a) Die geregistreerde eienaar van elke erf, moet die fisiese versperring wat langs die erfgrense aangrensend aan Pad K-56 opgerig is, tot tevredenheid van die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering) instandhou.

(b) Behalwe vir die fisiese versperring waarna in klousule (a) hierbo verwys word of enige noodsaaklike stormwaterdreineringsstruktuur, mag geen gebou, struktuur of ander ding wat aan die grond geheg is, selfs al vorm dit nie deel van die grond nie, opgerig word nie of sal niks gebou word op of gelê word binne of onder die oppervlakte van die erwe binne 'n afstand van minder as 16m vanaf die erfgrense aangrensend aan Pad K-56. Geen verandering of aanbouing mag aan enige bestaande struktuur of gebou geleë binne die vermelde afstande gedoen word nie, behalwe met die skriftelike toestemming van die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering).

D. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Halfway House en Clayville Dorpsbeplanningskema, 1976 wat uit dieselfde grond as die dorp **Erand Gardens Uitbreiding 137** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur:  
Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 07-12850/2.

**Hector Bheki Makhubo**

**Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie**

**City of Johannesburg Metropolitan Municipality /**

**Stad van Johannesburg Metropolitaanse Munisipaliteit**

**Notice No. / Kennisgewing Nr 4/2016**

**LOCAL AUTHORITY NOTICE 196 OF 2016****ERAND GARDENS EXTENSION/UITBREIDING 138**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Erand Gardens Extension 138** to be an approved township subject to the conditions set out in the Schedule hereunder.

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY REEFLOARDS PROPERTY DEVELOPMENT PROPRIETARY LIMITED (REGISTRATION NUMBER 2010/019803/07) (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 1742 (A PORTION OF PORTION 1739) OF THE FARM RANDJESFONTEIN 405 JR HAS BEEN APPROVED.**

**1. CONDITIONS OF ESTABLISHMENT.****(1) NAME**

The name of the township is **Erand Gardens Extension 138**.

**(2) DESIGN**

The township consists of erven and the thoroughfare as indicated on General Plan S.G. No. 4883/2014.

**(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES**

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 and for the township, to the satisfaction of the local authority.

**(4) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)**

Should the development of the township not been commenced with before 22 December 2019, the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

**(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)**

(a) Should the development of the township not been completed before 4 September 2022, the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

(b) If however, before the expiry date mentioned in (a) above, circumstances change in such a manner 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 fulfillment 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. 07-12850/3/AA. 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 Department's letter dated 4 September 2012.

(6) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed within 5 years from date of their letter, the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(7) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Roads and Transport (Gauteng Provincial Government).

(b) No access to or egress from the township shall be permitted via the lines of no access as indicated on the approved layout plan of the township No. 07-12850/3/AA.

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent roads and all stormwater running off or being diverted from the roads 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 be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(11) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs 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 requested thereto by the local authority.

(12) RESTRICTION ON THE DEVELOPMENT OF ERVEN

Erf 833 and Erf 834 may only be developed jointly as a development scheme as provided for in terms of the Sectional Titles Act, Act 95 of 1986.

(13) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to notarially tie Erven 833 and 834, to the local authority for approval. The notarial tie may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be consolidated, have been submitted or paid to the said local authority.

(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 nor 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 electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority including the construction of the roads over the servitudes of right of way registered in favour of the local authority over certain specified adjacent properties. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor 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 3.A.(1)(a) 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 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.

## 2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

(a) **Including the following servitude which affects Erven 833 and 834:**

(i) *The sewer and municipal purposes servitude, represented by the figure xabyx on Sub-divisional diagram S.G. No. 4873/2014, 508m<sup>2</sup> in extent, registered in favour of the City of Johannesburg Metropolitan Municipality as will more fully appear from Notarial Deed of Servitude No. K 6108/2015S with servitude diagram S.G. No. 6003/2005 annexed thereto.*

## 3. 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)
- (i) 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.
  - (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 process 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.

(b) The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of the buildings and structures must be designed by a competent professional engineer and erected under his supervision unless it can be proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(2) ERF 833

(a) The erf is subject to a 3m X 6m servitude for electrical mini-substation purposes in favour of the local authority as indicated on the General Plan.

(b) The erf shall not be alienated or transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erf to 520kVA and should the registered owner of any erf exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner to the local authority.

(3) ERF 834

(a) No building of any nature shall be erected within the 30m wetland buffer zone applicable to the erf.

**B. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.**

(1) ERF 834

(a) The registered owner of the erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erf boundary abutting Road K-56.

(b) Except for the physical barrier referred to in clause (a) above, or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erf within a distance less than 16m from the boundary of the erf abutting Road K-56 neither shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).

B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it 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 **Erand Gardens Extension 138**. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 07-12850/3.

**PLAASLIKE OWERHEID KENNISGEWING 196 VAN 2016**

- C. 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 **Erand Gardens Uitbreiding 138** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

**BYLAE**

**VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR REEFLODS PROPERTY DEVELOPMENT EIENDOMS BEPERK (REGISTRASIENOMMER 2010/019803/07) (HIERNA DIE 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 1742 ('N GEDEELTE VAN GEDEELTE 1793) VAN DIE PLAAS RANDJESFONTEIN 405 JR GOEDGEKEUR IS.**

**1. STIGTINGSVOORWAARDES****(1) NAAM**

Die naam van die dorp is **Erand Gardens Uitbreiding 138**.

**(2) ONTWERP**

Die dorp bestaan uit erwe en die deurpad soos aangedui op Algemene Plan LG Nr 4883/2014.

**(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE**

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinerings in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

**(4) GAUTENG PROVINSIALE REGERING ( DEPARTEMENT VAN LANDBOU EN LANDELIKE ONTWIKKELING)**

Indien die ontwikkeling van die dorp nie voor 22 Desember 2019 in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou en Landelike Ontwikkeling vir magtiging ingevolge die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), soos gewysig.

**(5) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)**

(a) Indien die ontwikkeling van die dorp nie voor 4 September 2022 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer vir heroorweging.



(b) Indien omstandighede egter, voor die vervaldatum 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 dorpseenaar die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beheerende liggaam in gevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

(c) Die dorpseenaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 07-12850/3/AA, oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(d) Die dorpseenaar moet voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se skrywe gedateer 4 September 2012.

(6) NATIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)  
Indien die ontwikkeling van die dorp nie voor 7 Oktober 2018 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir herooweringing.

(7) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Padagentskap (Edms) Bpk en/of die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering).

(b) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word via die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 07-12850/3/AA.

(8) ONTVANGS EN VERSORGING VAN STORMWATERDREINERING

Die dorpseenaar moet reël dat die stormwaterdreinering van die dorp inpas by dië van die aangrensende paaie en dat alle stormwater wat van die paaie afloop of afgelei word, ontvang en versorg word.

(9) VULLISVERWYDERING

Die dorpseenaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(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 die koste van sodanige verwydering of vervanging deur die dorpseenaar gedra word.

(11) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseenaar moet op sy eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot die tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(12) BEPERKING OP DIE ONTWIKKELING VAN ERWE

Erwe 833 en 834 mag slegs gesamentlik ontwikkel word as een ontwikkelingskema soos voorsien in terme van die Wet op Deeltitels, Wet 95 van 1986.

(13) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING, OORDRAG, KONSOLIDASIE EN/OF NOTARIËLE VERBINDING VAN ERWE

(a) Die dorpseenaar moet op sy eie koste, na proklamasie vandie dorp, 'n aansoek vir toestemming om Erwe 833 en 834, notarieël te verbind, by die plaaslike bestuur indien vir goedkeuring. Die notariële verbinding mag nie geregistreer word, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste aan die dorp en/of die erwe wat notarieël verbind gaan word, aan die plaaslike bestuur gelewer of betaal is.

(b) Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, insluitend die interne paaie en die stormwaterretikulasie. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste 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 ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings en die installing van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom, insluitend die konstruksie van die paaie oor die serwitute van reg-van-weg wat ten gunste van die plaaslike bestuur oor sekere gespesifiseerde aangrensende eiendomme geregistreer is. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in 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 ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is; en

(d) Nieteenstaande die bepalings van klousule 3.A.(1)(a) hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

## 2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige:-

(a) **Insluitend die volgende serwituut wat Erwe 833 en 834 raak:**

(i) *Die riool en munisipaledoeleindes serwituut, aangedui deur die figuur xabyx op Onderverdelingsdiagram LG Nr 4873/2014, 508m<sup>2</sup>, geregistreer ten gunste van die Stad van Johannesburg Metropolitaanse Munisipaliteit soos meer volledig blyk uit Notariële Akte van Serwituut Nr K met serwituutdiagram LG Nr 6003/2005 aangeheg daarby.*

## 3. TITELVOORWAARDES

**A. Titelvoorwaardes opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).**

(1) ALLE ERWE

- (a) (i) Elke erf is onderworpe aan 'n serwituut 2m 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 2m 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.
- (ii) 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 2m daarvan, geplant word nie.

(iii) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings, en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(b) Die erwe is geleë in 'n area waar grondtoestande ernstige skade aan geboue en strukture kan aanrig. Ten einde sulke skade te beperk, moet fundamente en strukturele elemente van die geboue en strukture deur 'n bevoegde professionele ingenieur ontwerp en onder sy toesig opgerig word, tensy aan die plaaslike bestuur bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(2) ERF 833

(a) Die erf is onderworpe aan 'n 3m X 6m serwituut vir elektriese mini-substasiedoeleindes ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

(b) Die erf mag nie oorgedra word sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike bestuur sal 'n absolute diskresie hê om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike bestuur het die elektriesiteitskapasiteit tot die erf tot 520 kVA beperk en indien die geregistreerde eienaar van enige erf die kapasiteit oorskry of indien 'n aansoek om sodanige kapasiteit te oorskry, ingedien word by die plaaslike bestuur, sal addisionele elektriesiteitsbydraes soos bepaal deur die plaaslike bestuur, verskuldig en betaalbaar wees aan die plaaslike bestuur deur sodanige eienaar.

(3) ERF 832

(a) Geen gebou van watter aard ookal mag binne die 30m vleilandbuffersone van toepassing op die erf, gebou word nie.

**B. Titelvoorwaardes opgelê deur die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering) ingevolge die bepalings van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001), soos gewysig.**

(1) ERF 834

(a) Die geregistreerde eienaar van die erf, moet die fisiese versperring wat langs die erfgrense aangrensend aan Pad K-56 opgerig is, tot tevredenheid van die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering) instandhou.

(b) Behalwe vir die fisiese versperring waarna in klousule (a) hierbo verwys word of enige noodsaaklike stormwaterdreineringsstruktuur, mag geen gebou, struktuur of ander ding wat aan die grond geheg is, selfs al vorm dit nie deel van die grond nie, opgerig word nie of sal niks gebou word op of gelê word binne of onder die oppervlakte van die erwe binne 'n afstand van minder as 16m vanaf die erfgrense aangrensend aan Pad K-56. Geen verandering of aanbouing mag aan enige bestaande struktuur of gebou geleë binne die vermelde afstande gedoen word nie, behalwe met die skriftelike toestemming van die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering).

- D. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Halfway House en Clayville Dorpsbeplanningskema, 1976 wat uit dieselfde grond as die dorp **Erand Gardens Uitbreiding 138** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur:  
Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 07-12850/3.

**Hector Bheki Makhubo**

**Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie**

**City of Johannesburg Metropolitan Municipality /**

**Stad van Johannesburg Metropolitaanse Munisipaliteit**

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065