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CONTENTS

		<i>Gazette</i>	<i>Page</i>
		<i>No.</i>	<i>No.</i>
LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS			
709	Town-planning and Townships Ordinance (15/1986): Chief Mogale Extension 2.....	121	3
710	Town-planning and Townships Ordinance (15/1986): Chief Mogale Extension 2.....	121	8

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 709 OF 2017**MOGALE CITY LOCAL MUNICIPALITY****DECLARATION OF CHIEF MOGALE EXTENSION 2 TOWNSHIP AS AN APPROVED TOWNSHIP**

In terms of section 111 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Mogale City Local Municipality hereby declares the township Chief Mogale Extension 2 to be an approved Township, subject to the conditions set out in the Schedule hereto:

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION DONE BY MOGALE CITY LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) IN TERMS OF THE PROVISIONS OF CHAPTER IV OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 9 OF THE FARM KAGISO 402 IQ HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be **Chief Mogale Extension 2**

1.2 DESIGN

The township shall consist of erven and streets as indicated on **General Plan SG No: 414/2010**.

1.3 STORMWATER DRAINAGE AND STREET DESIGN

- (a) The Municipality shall ensure that all detailed scheme including plans, cross sections and specifications as compiled by a civil engineer approved by the respective department for the provision of an underground water drainage system are available. Such system must be designed in order to dispose off the runoff of a 1:10 year rainstorm and must ensure that the runoff of a 1:50 year be guided to the nearest defined watercourse without flooding any adjacent properties. The design of the drainage system must contain and describe aspects like tar macadamization, kerbing and canalization of roads as well as the provision of retaining walls if required by the Local Authority.

The drainage system must, where necessary, make provision for the catchment of stormwater in catchment pits from where it must be disposed of in water tight pipes in such a way that no water collections or seepage shall occur on or near the ground surface. The mentioned water pipes must be manufactured from durable material and must be approved by the Local Authority. The scheme must also indicate the route and gradient of access to each individual erf from the adjoining street.

- (b) The Township Owner shall construct roads according to the approved scheme at own costs under the supervision of a professional civil engineer.
- (c) The Township Owner shall be responsible for the maintenance of streets until the streets are completed according to sub clause (b) above.
- (d) The Township Owner shall make a proportional contribution, as determined by the Executive Manager: Infrastructure Management, for the upgrading of the access road to the township.

1.4 SEWERAGE

The Township Owner shall supply the following details regarding the sewerage system of the proposed township:

- (i) Comprehensive lay-out plans;
(ii) Cross sections; and

- (iii) Specifications of materials and equipment to be used during the construction of such sewerage system.

The sewerage system must be designed by an approved professional engineer according to the specifications and standards laid down by the local authority, to the satisfaction of the Executive Manager: Infrastructural Services (Water and Sanitation Section);

All materials to be used with the construction of the sewerage system is subject to the approval and/or amendment of the Executive Manager: Infrastructural Services, Water and Sanitation Section.

1.5 WATER

The Municipality shall provide detailed scheme with plans, cross sections and specifications for the provision of an underground water reticulation system, for approval by the respective directorate.

The proposed network must make provision for a pressurised water connection for each individual erf and must be designed by a professional engineer approved by the local authority. All materials to be used in the proposed water network must be approved by the local authority.

1.6 ACCESS

1.6.1 Access to the Township is to be gained by means of the Kagiso Drive and R41 (Randfontein Road).

1.6.2 Erven 1145, 1146, 1147, 1148, 1152, 1085, 1086, 1104, 1105, 1108, 1109, 1112, 1113, 1116, 1117, 1120, 1121, 1124, 1125, 1128, 1129, 1132, 1133, 1144, 750, 751, 763, 764, 767, 768, 771, 772, 775, 776, 779, 780, 783, 784, 787, 788, 791, 792, 795, 796, 798, 800, 801, 804, 805, 808, 809, 811, 812 and 1149 are directly affected by a line of no access as indicated on Layout Plan.

1.7 DISPOSAL OF EXISTING TITLE CONDITIONS

1.7.1 ALL ERVEN MUST BE MADE SUBJECT TO EXISTING CONDITIONS AND SERVITUDES, IN CERTIFICATE OF CONSOLIDATED TITLE T36237/1998 , BUT EXCLUDING THE FOLLOWING SERVITUDES WHICH DO NOT AFFECT THE PROPOSED TOWNSHIP AREA THROUGH THE SITUATION THEREOF:

- (a) Condition I (a) in Certificate of Consolidated Title T36237/1998:

“GEDEELTE gemerk “H” genoem PESSENS FARM van die gemelde plaas RIETVALEI (waarvan daardie gedeelte van die eiendom hieronder gehou, aangetoon deur die figuur A B C G H op die aangehegte kaart L.G. Nr A8514/1993 ‘n gedeelte uitmaak) is onderhewig aan die volgende terme en kondisies:

Said Portion “H” together with Portions “F”, “G” and “K” of the aforesaid farm, held under Certificates of Partition Title 6751/1927, 6759/1927, 6760/1927, 6761/1927, 6762/1927, 6763/1927, 6764/1927, 6765/1927, 6766/1927, 6767/1927 and 6768/1927 dated 14th June, 1927, Portion “J” of the aforesaid farm held under Certificates of Partition Title 6769/1927 and 6770/1927 dated 14th June, 1927 and the remaining extent of the aforesaid farm, measuring 1078,8435 hectares held under Certificates of Partition Title 6758/1927, 6759/1927, 6760/1927, 6761/1927, 6762/1927, 6763/1927, 6764/1927, 6765/1927, 6766/1927, 6767/1927, 6768/1927, 6769/1927 and 6770/1927 dated 14th June, 1927, is subject to the servitudes with reference to waterfurrows and water-courses granted on favour of three portions of RIETVALEI being (1) Portion “B” measuring 44,8823 hectares, transferred to IGNATIUS MICHAEL PRINSLOO and SALOMON THEODORUS PRINSLOO by Deed of Transfer 2203/1890, (2) Portion “D” measuring 18,4240 hectares, transferred to HENDRIK ABRAHAM JOHANNES PRINSLOO by Deed of Transfer 2276/1890 and (3) Portion “C” measuring 18,2256 hectares, transferred to MORRES LASSER PESSSEN by Deed of Transfer 1466/1909, as amended by Notarial Deed of Servitude registered in the Deeds Office, Pretoria, on the 11th July, 1911, under 167/1911S. The respective owners of the said Portions “B” and “D” shall, however, have the right to utilise the water to which they are so

entitled on aforesaid Portions “F”, “G”, “K” and the Remaining Extent, measuring 1078,8435 hectares, and the owner of Portion “C” aforesaid shall have the right to utilise the water to which he is so entitled on aforesaid Portion “H” and the Remaining Extent, measuring 1078,8435 hectares.”

- (b) Condition I (b) in Certificate of Consolidated Title T36237/1998:

“The owners of the said Portion “F” shall not fence across the road leading from the said Portion “C” across Portion “H” and “F” in a westerly direction to the farm UITVALFONTEIN 2. Should the said owners of Portion “F” however, desire to fence both sides of the said road, the owner of Portion “H” shall be liable to contribute one-half of such fencing.”

- (c) Condition I (e) in Certificate of Consolidated Title T36237/1998:

“All existing public roads shall remain undisturbed.”

- (d) Condition III on page 5 of Certificate of Consolidated Title T36237/1998:

“Onderhewig aan ‘n onteining deur PROVINSIALE ADMINISTRASIE PWV (DEPARTEMENT OPENBARE VERVOER EN PAAIE) van gedeeltes groot ongeveer 21,1173 hektaar en 17,6661 hektaar in terme van Artikel 12(3) (a) (viii) van Wet 63 van 1975 en as openbare en provinsiale pad K198 verklaar, soos vollediger sal blyk uit EX 116/1995.”

- (e) Conditions V. A, and V.B on page 6 of Certificate of Consolidated Title T36237/1998:

I. “Die voormalige Gedeelte 206 (‘n gedeelte van Gedeelte 2) van die plaas WITPOORTJE 245, Registrasie Afdeling IQ Provinsie Gauteng, aangetoon deur die figuur C D E F G op die gemelde aangehegde kaart L.G. Nr. A8514/1993, is onderhewig aan die volgende voorwaardes:

- A. The property is subject to Notarial Deed 252/1931 S registered on 28th May, 1931 relating to the following:

ONDERWORPEN aan het gevolg altyd en ewigdurend servituut dat het water loopende op hetzelfde naar de plaats VLAKFONTEIN 135, district HEIDELBERG, niet moge belemmerd worden door den eigenaar van hetzelfde zooals omschreven in transport van gedeelte VLAKFONTEIN 135.

- B. By Notarial Deed K2219/1955 S the right has been granted to ESKOM to convey electricity over the Remaining Extent of Portion 2 of the farm WITPOORTJE 245, I.Q. Transvaal, measuring 639,0106 hectares (a portion whereof is hereby transferred) together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed and the route of which Powerline Servitude has been determined in accordance with servitude diagram S.G. No. A 4862/1975 as will more fully appear from Notarial Deed of Amendment of Servitude K3657/1976 S dated 2nd December, 1976.”

1.7.2 THE FOLLOWING ENTITLEMENTS / RIGHTS WILL NOT BE PASSED ON TO THE ERVEN IN THE TOWNSHIP:

Condition I (c) in Certificate of Consolidated Title T36237/1998:

“The owner of Portion “H” aforesaid is entitled to a servitude of water-leading over the said Remaining Extent measuring 1078,8435 hectares, along the existing furrow as shown on

diagram S.G. No. B55/1925 (R M T 85) and of access to the said Remaining Extent measuring 1078,8435 hectares for the purpose of inspecting, cleaning and repairing the said furrow.”

1.7.3 ALL ERVEN SHALL BE MADE SUBJECT TO EXISTING CONDITIONS AND SERVITUDES IN CERTIFICATE OF CONSOLIDATED TITLE T36237/1998, IF ANY BUT EXCLUDING THE FOLLOWING WHICH ARE REFLECTED IN THE TOWNSHIP TITLE BECAUSE OF ANCILLARY RIGHTS AND SHALL NOT BE PASSED ON TO THE TITLE DEEDS OF THE ERVEN IN THE TOWNSHIP BECAUSE OF LOCATION:

- (a) Condition II on page 4 of Certificate of Consolidated Title T36237/1998:

“Onderhewig aan ‘n onteiening deur Transnet Beperk van ‘n pyplynserwituut gebied 6 meter wyd in terms van Artikel 4 Wet 63 van 1975 oor die Resterende Gedeelte van Gedeelte 26 (‘n gedeelte van Gedeelte 9) van die plaas RIETVALEI 241 IQ Transvaal groot 440,9827 hektaar en oor die Resterende Gedeelte van Gedeelte 2 van die plaas WITPOORTJE 245 IQ Transvaal, groot 382,9573 hektaar soos vollediger sal blyk uit EX 69/1993, welke onteiening aan gevolg gegee is met die registrasie van Notariele Akte van Sessie van Serwituut K1705/1998 S soos sal blyk uit die endossemente op bladsy 9 van Sertifikaat van Verenigde Titel T36237/1998.”

- (b) Condition IV.2 on page 5 of Certificate of Consolidated Title T36237/1998:

“Die voormalige Resterende Gedeelte van Gedeelte 26 (‘n gedeelte van Gedeelte 9) van die voormelde plaas RIETVALEI 241, Registrasie Afdeling IQ Provinsie Gauteng, groot 440,9827 hektaar (waarvan daardie gedeelte van die eiendom hieronder gehou, aangetoon deur die figuur A B C G H op die gemelde aangehegte kaart L.G. Nr. A8514/1993, ‘n gedeelte vorm)

Kragtens Notariële Akte K1984/1989 S is die reg aan ESKOM verleen om elektrisiteit oor die Resterende Gedeelte van Gedeelte 26 (‘n gedeelte van Gedeelte 9) van die gemelde plaas RIETVALLEI 241, groot 688,8513 hektaar, te vervoer tesame met bykomende regte en onderhewig aan voorwaardes soos meer volledig sal blyk uit gesegde Akte, die roete van welke serwituut nou bepaal is en waarvan die middellyn aangedui word deur die lyne a B en b D op serwituutkaart SG No A 8250/1988 met ‘n wydte van 15,5 meter aan beide kante van hierdie lyne en soos meer volledig sal blyk uit verwysing na Notariele Akte van Roetebepaling K6473/2011 S”

- (c) Notarial Deed of Servitude K1706/1998 S in favor of Rand Water Board endorsed on page 8 of Certificate of Consolidated Title T36237/1998:

“Kragtens Notariële Akte Nommer K1706/1998S is die hierinvermelde eiendom onderhewig aan ‘n pyplynserwituut 8m wyd aangedui deur die figuur J C K M G L op diagram L.G. No. A8514/1993 soos meer volledig sal blyk uit gemelde Notariële Akte.”

- (e) Notarial Deed of Servitude K1559/2000 S in favor of Eskom Holdings Limited endorsed on page 9 of Certificate of Consolidated Title T36237/1998:

“Kragtens Notariële Akte Nommer K1559/2000 S is die reg aan Eskom verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer soos aangedui deur figuur ABCDA en EFBGE op diagram L.G. No. A6393/1996, tesame met bykomende regte en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Notariële Akte.”

- (f) Notarial Deed of Servitude K1298/2009 S in favor of Rand Water Board endorsed on page 12 of Certificate of Consolidated Title T36237/1998:

“By virtue of Notarial Deed of Servitude K1298/2009 S the within mentioned property is subject to a servitude in favour of Rand Water Board to convey and transmit water

by means of pipelines already laid and which may hereafter be laid along a strip of ground 1 984 square metres in extent, as depicted by the figure A B C D E on servitude diagram SG No 192/2007 and as will more fully appear from reference the said notarial deed”

- (g) Notarial Deed of Servitude K2096/2009 S in favour of Rand Water Board endorsed on page 13 of Certificate of Consolidated Title T36237/1998:

“By Notarial Deed of Servitude K2096/2009 S the within mentioned property is subject to a servitude in favour of Rand Water Board convey and transmit water over the property by means of pipelines along a strip of ground 1, 2755 hectares in extent as depicted by the figure A B C D E F G H J K L M N on diagram SG No 8123/2002, as will more fully appear from reference to the said notarial deed.”

1.8 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If the establishment of the township results in any municipal services to be removed or replaced the costs of such removal/replacement must be borne by the township owner.

1.9 RELOCATION OF POWERLINES

If the establishment of the township results in any ESKOM equipment or services to be relocated the costs of such relocation must be borne by the township owner.

1.10 RELOCATION OF TELKOM EQUIPMENT

If the establishment of the township results in any TELKOM equipment or services to be relocated the costs of such relocation must be borne by the township owner.

1.11 RELOCATION OF INFORMAL SETTLEMENTS

The Municipality shall, at its own expence relocate all informal settlements on the property concerned, if applicable.

1.12 LANDSCAPE PLAN

The municipality shall submit a Site Development Plan indicating landscape proposals to ensure that the township conforms to acceptable aestetel standards to the satisfaction of the Executive Manager Integrated Environmental Management.

2. CONDITIONS OF TITLE

CONDITIONS IMPOSED BY THE LOCAL MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

2.1 ALL ERVEN

- (a) The erven are subject to a servitude 2 metres wide for sewerage and other purposes in favour of the Municipality along any one of the two boundaries other than a street boundary and in the instance of a panhandle erf an additional 2 metres wide servitude for municipal purposes over the access portion of the stand if and when required by the Municipality; provided that the Municipality may dispose of the right to any such servitude.
- (b) No buildings or any structures may be erected within the servitude area and no large rooted trees may be planted within the area of such servitude or within a distance of 2 metres thereof.
- (c) The Municipality is entitled to temporarily place any material excavated during the installation, maintenance or removal of a sewerage pipeline or any other works that is deemed necessary on the land adjacent to the servitude and furthermore the Municipality is entitled to reasonable entry to the property on which the servitude is situated for the stated purpose, on the condition that the Municipality will be liable for any damage caused during the installation, maintenance or removal of sewerage pipelines and other works.

- (d) No building or other structures shall be erected within the 1:100 year floodlines as indicated on the layout plan and certified by a competent engineer as prescribed in Section 169A of the Water Act, 1956 (Act. No 54 of 1956).
- (e) The erven are situated on land with soil characteristics that may cause damage to buildings and structures to be erected thereon. Building plans submitted to the Municipality must indicate preventative measures in accordance with the recommendations contained in the engineering geology report which was done for the township, in order to limit damage to buildings or structures due to the unfavourable foundation conditions. Preventative measures need not be contained in the building plans if proof can be given by the developer that such measures are not required. In order to limit such damage the foundations and other structure elements of buildings and structures must be designed by a competent professional engineer. It is recommended that a specific foundation investigation be done for each individual erf prior to any construction taking place thereon.

M P Raedani
MUNICIPAL MANAGER

May 2017

LOCAL AUTHORITY NOTICE 710 OF 2017
LOCAL MUNICIPALITY NOTICE 18 OF 2017
MOGALE CITY LOCAL MUNICIPALITY
KRUGERSDORP AMENDMENT SCHEME 1528

It is hereby notified in terms of the provisions of section 125(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Mogale City Local Municipality has approved an amendment scheme with regards to the land in the township Chief Mogale Extension 2 being an amendment of the Krugersdorp Town Planning Scheme, 1980.

The amendment scheme further entails that the boundaries of the Krugersdorp Town Planning Scheme, 1980, be extended to incorporate the land.

The Map 3 documents and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Mogale City Local Municipality and the Director General: Gauteng Provincial Government, Department of Development Planning and Local Government, Corner House, Marshalltown, and are open for inspection during normal office hours.

This amendment scheme is known as Krugersdorp Amendment Scheme 1528.

M P Raedani
MUNICIPAL MANAGER

May 2017

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