

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 78 OF 2017**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY GREENFIELDS GARDENS PROPRIETARY LIMITED REGISTRATION NUMBER 2007/006985/07 (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF SECTION 96 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 170 OF THE FARM RIETFONTEIN 153 REGISTRATION DIVISION I.R. PROVINCE OF GAUTENG, HAS BEEN GRANTED.**

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP**

**1.1 GENERAL**

- (1) The applicant shall ensure that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (2) The applicant must comply with the requirements of Sections 72, 75 and 101 of Ordinance 15 of 1986.
- (3) The applicant shall ensure that the following conditions are cancelled, suspended or removed:

SUBJECT to the following conditions imposed in terms of Act 21 of 1940:

Except with the written approval of the Controlling Authority:

- (i) The land shall be used solely for residential and agricultural purposes. The number of buildings on the land, or on any duly approved subdivision thereof, shall not exceed one residence together with such outbuildings as are ordinarily required to be used in connection therewith and such further buildings and structures as may be required for purposes of agriculture.

- (ii) No store or place of business or industry whatsoever may be opened or conducted on the land.

## **2. CONDITIONS OF ESTABLISHMENT**

### **(1) NAME**

The name of the township shall be **“PALM RIDGE EXTENSION 10”**.

### **(2) DESIGN**

The township shall consist of erven and streets as indicated on General Plan No. S.G NO 4975/2016.

### **(3) EXISTING CONDITIONS OF TITLE**

#### **3.1 DISPOSAL OF EXISTING CONDITIONS**

##### **3.1.1 All erven shall be made subject to the existing conditions of title and servitudes if any, including the following condition which affects all erven:**

A. The Remaining Extent of Portion 1 “DE LEEUW” of the aforesaid farm measuring as such 353,1898 hectares, (of which the property held hereunder forms a portion) is subject to the following:

- a) Die regte van die Staatspresident soos in Artikel vier-en-dertig van die “Kroongrond Nederzettings Wet 1921 bepaal.

##### **3.1.2 Excluding the following conditions which only affect certain erven:**

3.1.2.1 The former Portion 89 (a Portion of Portion 1) of the farm Rietfontein 153, Registration Division I.R. Gauteng, indicated by the figure A,x,y,D,A on Diagram S.G. No 4974/2016 annexed hereto is subject to: Notarial Deed of Servitude No K35/1979S dated the 5<sup>th</sup> day of January 1979 in favour of the ELECTRICITY SUPPLY COMMISSION to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed. The servitude is indicated by the figure c,x,a,b,c on Diagram S.G. No 4974/2016 annexed hereto.

Which condition only affects Erf 21927 (PARK), Erf 21928 (PARK) and LEMPHODI STREET in the Township

3.1.2.2 The former Portion 90 (a Portion of Portion 1) of the farm Rietfontein 153, Registration Division I.R., Gauteng, indicated by the figure x,B,C,y,x on Diagram S.G. No 4974/2016 annexed hereto is subject to:

“n Serwituut ten gunste van die Elektrisiteitsvoorsieningskommissie, ten opsigte van elektrisiteit tesame met bykomende regte en onderworpe aan voorwaardes soos meer volledig sal blyk uit Notariële Akte van Serwituut K1649/1977S geregistreer op 25 Mei 1977, ‘n afskrif waarvan aangeheg is by Akte van Transport Nr 31195/1966 gedateer 13 Oktober 1966. Die serwituut se middellyn word aangedui deur die lyn u,v, en die serwituut loop 23,61 meter aan beide kante van die lyn u,v, aangedui op Kaart S.G 4974/2016, welke roete bepaal is kragtens Notariële Akte van Roetebepaling K1158/1978 S.

Which condition only affects Erf 21928 (PARK) in the Township

**3.1.3 Excluding the following conditions which will not be passed onto erven in the Township**

A. The Remaining Extent of Portion 1 “DE LEEUW” of the aforesaid farm measuring as such 353,1898 hectares, (of which the property held hereunder forms a portion) is subject to the following:

- b) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder gehou geregtig is tot die water uit die watervoor lopende uit die spruit op gedeelte B van gedeelte genoem “DE LEEUW” van die gesegde plaas Rietfontein oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943, na die hiermee getransporteerde grond.
- c) Die voorwaarde dat die huurders, eienaars of regsverkrygendes van die grond hieronder gehou verantwoordelik is vir die onderhoud van die watervoor genoem in voorwaarde (b) hiervan en geregtig is tot toegang tot enige deel van die genoemde watervoor op gedeelte B van gedeelte genoem “DE LEEUW” van die gesegde plaas Rietfontein oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943.

- d) Die voorwaarde dat die regte verleen in voorwaarde (b) en (c) hiervan geen regte tot water of tot enige serwituut of regte hoegenaamd sal wees waartoe die grond nie volgens Wet geregtig is nie, of wat met die bepalinge van die Besproeiings-en Waterbewaringswet van 1912 of 'n wysiging daarvan in stryd is, en verder dat aan die voorwaardes geen uitleg gegee word dat die boedel om enige oewerregte te gee waartoe die grond volgens Wet geregtig is nie.

### **3.2 STORMWATER DRAINAGE AND STREET CONSTRUCTION**

- (a) The township owner shall, carry out the approved scheme at his/her own expense under the supervision of the appointed Professional Engineer.
- (b) The township owner shall be responsible for the maintenance of the streets and stormwater drainage system as set out in sub-clause (b) above.
- (c) The Traffic impact study must be approved before any development can take place.

### **3.3 WATER AND SANITATION**

Written Consent shall be obtained from ERWAT to the effect that the sewage treatment plant has spare capacity available to accommodate the development.

### **3.4 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**

The township owner shall fulfil obligations in respect of the provision of water, electricity and sanitary services and the installation of systems.

### **3.5 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the costs thereof shall be borne by the township owners.

### **3.6 ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township owner shall arrange for the drainage of the township to fit in with those adjacent public roads, for all stormwater run-off or being diverted from the roads to be received and disposed of.

### **3.7 SOIL CONDITIONS**

Proposals to overcome detrimental soil conditions to the satisfaction of the Municipality shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

### **3.8 DEMOLITION OF BUILDINGS AND STRUCTURES**

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished when required to do so.

### **3.9 PRECAUTIONARY MEASURES**

The township owner shall at his own expense, ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

### **3.10 REMOVAL OF LITTER**

The township owner shall at his own expense cause all litter within the township area to be removed when required to do so.

### **3.11 LAND FOR PUBLIC / MUNICIPAL PURPOSES**

Erven 21927 to 21929

**4. CONDITIONS OF TITLE****A. CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986.**

4.1 All erven shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986:

4.1.1 The property is subject to a servitude, 2 metres wide, in favour of the Local Authority, for sewerage and other municipal purposes, along one boundary other than a street boundary, and in the case of a corner stand the servitude will only be applicable along one boundary other than a street boundary, and in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres 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 on submission of a site plan or a building plan which is to be approved by the local authority.

4.1.2 No building or other structures shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2 metres thereof.

4.1.3 The Local Authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Local Authority.



4.2 Erven 21187, 21876 and 21883 are subject to a 2 metre wide stormwater servitude in favour of the Ekurhuleni Metropolitan Municipality as indicated on General Plan SG No 4975/2016.

**5. CONDITIONS TO BE INCORPORATED IN THE EKURHULENI TOWN PLANNING SCHEME 2014 IN ADDITION TO THE PROVISION OF THE TOWN PLANNING SCHEME IN OPERATION.**

**5.1 Conditions to be contained in Annexure:**

**USE ZONE 2 – “RESIDENTIAL 2”**

Erven 21155 to 21480 and 21482 to 21926

- (i) Density 1(one dwelling house per erf)
- (ii) Coverage 60%
- (iii) Height 2 storeys
- (iv) Building Lines As per the Ekurhuleni TPS 2014
- (v) Parking As per the Ekurhuleni TPS 2014

**USE ZONE 17 – “SOCIAL SERVICES”**

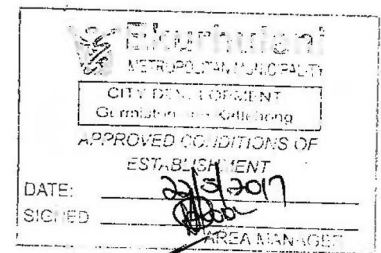
Erf 21481

- (i) Coverage 50%
- (ii) FAR 0,5
- (iii) Primary Rights As per the Ekurhuleni TPS 2014
- (iv) Height 2 storeys
- (v) Building lines As per the Ekurhuleni TPS 2014
- (vi) Parking As per the Ekurhuleni TPS 2014

**USE ZONE 15 – “PUBLIC OPEN SPACE”**

Erven 21927 to 21929

Subject to the standard conditions of the Ekurhuleni Town Planning Scheme 2014







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