

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 865 OF 2017****UMTHOMBO EXTENSION/UITBREIDING 32**

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 **Umthombo Extension 32** to be an approved township subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY REPUBLICA STUDENT LIVING PROPRIETARY LIMITED (REGISTRATION NUMBER 2014/260294/07)(HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 111 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 222 (A PORTION OF PORTION 4) OF THE FARM ALLANDALE NO. 10 – I.R., GAUTENG PROVINCE HAS BEEN GRANTED.**

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

The name of the township is Umthombo Extension 32.

**(2) DESIGN**

The township consists of erven and a road as indicated on General Plan S.G. No. 1384/2016.

**(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) ELECTRICITY**

The local authority is not the bulk supplier of electricity in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make the necessary arrangements with ESKOM, the licensed supplier of electricity in the township for the provision of electricity to the township.

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

(a) Should the development of the township not been completed before 14 February 2021 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 the 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).

**(6) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)**

Should the development of the township not been completed before 13 February 2016 the application to establish the township shall be resubmitted to the Department of Roads and Transport for reconsideration.

(7) ACCESS

Access to or egress from the township shall be to the satisfaction of the local authority and/or Johannesburg Road Agency (Pty) Ltd.

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent road/roads and all storm water running off or being diverted from the road/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 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, ESKOM and/or TELKOM 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) 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 to the local authority for consent to consolidate Erven 243 and 244 Umthombo Extension 32. 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.

(b) The township owner shall submit to the local authority, a certificate issued by ESKOM that acceptable financial arrangements with regard to the supply of electricity, have been made by the township owner to the local authority. 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 such certificate had been issued by ESKOM;

(c) The township owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct all services including the internal roads and the storm water 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

(d) The township owner shall, within such period as the local authority may determine, fulfil his obligations in respect of the provision of water and sanitary services as well as the construction of roads and storm water drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority. 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

(e) Notwithstanding the provisions of clause 4. 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 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 applicable.

## 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) 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.

(b) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.

(c) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the process of 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.

(d) The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority must show measures to be taken, in accordance with the recommendations contained in the Engineering-Geological report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions unless it is proven to the local authority that such measures are unnecessary or that the same purpose can be achieved by more effective means.

#### (2) ERF 243

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

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 **Umthombo Extension 32**. Map 3 and the scheme clauses of the amendment scheme 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 07-11357.

**PLAASLIKE OWERHEID KENNISGEWING 865 VAN 2017**

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 Umthombo Uitbreiding 32 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

**VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR REPUBLICA STUDENT LIVING EIENDOMS BEPERK (REGISTRASIE NOMMER 2014/260294/07) (HIERNA DIE DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 222 (GEDEELTE VAN GEDEELTE 4) VAN DIE PLAAS ALLANDALE REGISTRASIE AFDELING J.R., GAUTENG PROVINSIE GOEDGEKEUR IS**

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

Die naam van die dorp is Umthombo Uitbreiding 32.

**(2) ONTWERP**

Die dorp bestaan uit erwe en 'n straat soos aangedui op Algemene Plan LG Nr. 1384/2016.

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

Die dorpseienaar moet die nodige reelings met die plaaslike bestuur tref vir die voorsiening en installering van water en sanitere dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot bevrediging van die plaaslike bestuur.

**(4) ELEKTRISITEIT**

Die plaaslike bestuur is nie die grootmaat verskaffer van elektrisiteit aan die dorp nie. Die dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, in hierdie opsig die nodige reelings tref met ESKOM, die gelisensieerde verskaffer van elektrisiteit in die dorp.

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

(a) Indien die ontwikkeling van die dorp nie in aanvang neem op of voor 14 Februarie 2021 moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering) vir heroorweging.

(b) Indien die omstandighede egter, voor die verstryking van die tydperk 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 applicant 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).

**(6) NASIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)**

Indien die ontwikkeling van die dorp nie voor 13 Februarie 2016 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir heroorweging.

**(7) TOEGANG**

Toegang tot of uitgang vanuit die dorp sal tot die bevrediging van die plaaslike bestuur en/of Johannesburg Roads Agency (Pty) Ltd wees.

**(8) ONTVANGS EN VERSORGING VAN STORMWATER**

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

**(9) VULLISVERWYDERING.**

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

**(10) VERWYDERING EN VERVANGING VAN BESTAANDE DIENSTE**

Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, ESKOM en/of TELKOM dienste te verwyder of te vervang, moet sodanige verwydering of vervanging op koste van die dorpseienaar gedoen word.

**(11) SLOPING VAN GEBOUE EN STRUKTURE**

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense gelee is, laat sloop tot tevredeheid van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

**(12) VERPLIGTINGE TEN OPSIGTE VAN DIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING VAN ERWE.**

(a) Die dorpseienaar moet op sy eie koste, na proklamasie van die dorp 'n aansoek indien by die plaaslike bestuur vir die toestemming vir die konsolidasie van Erwe 243 en 244 Umthombo Uitbreiding 32. Die konsolidasie mag nie geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat die voldoende waarborge / kontantbydraes ten opsigte van die voorsiening van ingenieursdienste aan die dorp en die Erwe wat gekonsolideer gaan word aan die plaaslike bestuur gelewer of betaal is.

(b) Die dorpseienaar sal 'n sertifikaat soos uitgereik deur ESKOM wat bevestig dat aanvaarbare finansiële reëlings met betrekking tot die voorsiening van elektrisiteit aan die plaaslike bestuur verskaf. Erwe in die dorp mag nie vervreem en of oorgedra word nie in die naam van 'n nuwe koper nie ewemin sal 'n Sertifikaat van Geregistreerde Aktes nie in die naam van die dorpseienaar geregistreer word nie alvorens die Registrateur van Aktes deur die plaaslike bestuur verwittig is dat sodanige sertifikaat deur ESKOM uitgereik is, en

(c) Die dorpseienaar moet op sy eie koste en tot die bevrediging van die plaaslike bestuur, alle dienste binne die grense van die dorp, ontwerp, voorsien en konstrueer insluitend interne paaie en stormwater dreinerings. Erwe en of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper nie ewemin mag 'n Sertifikaat van Geregistreerde Titel in die naam van die dorpseienaar nie geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste voorsien en geïnstalleer is, en

(d) Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike bestuur mag bepaal sy verpligtinge met betrekking tot die voorsiening van water en sanitêre dienste 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. Erwe en of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper nie ewemin mag 'n Sertifikaat van Geregistreerde Titel in die naam van die dorpseienaar nie geregistreer word nie, alvorens die plaaslike bestuur bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die plaaslike bestuur gelewer of betaal is nie.



(e) Nieteenstaande die bepalings van klousules 4 hieronder, sal die dorpseinaar op eie koste en tot die goedkeuring van die plaaslike bestuur alle servitude opmeet en registreer wat verlang word vir die beskerming van dienste wat verskaf is, gebou en of geïnstalleer is soos uiteengesit hierbo. Erwe en of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper nie, ewemin mag 'n Sertifikaat van Geregistreeerde Titel in die naam van die dorpseinaar nie geregistreeer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes bevestig het dat hierdie dienste reeds of sal tot die bevrediging van die plaaslike bestuur beskerm word.

## 2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

## 3. TITELVOORWAARDES

### A. Titelvoorwaardes ten gunste van die plaaslike bestuur ingevolge die bepalings van die Ordonansie op Dorpsbeplanning en Dorpe, 1986.(Ordinance 15 of 1986)

#### (1) ALLE ERWE

(a) Elke erf is onderworpe aan 'n serwituut 2 m 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 2 m 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.

(b) 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 2 m daarvan, geplant word nie.

(c) 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 goeëdunke 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.

(d) Die erwe is gelee in 'n gebied waar grondtoestande, geboue en strukture kan affekteer en skade kan aanrig. Bouplanne wat by die plaaslike bestuur ingedien word vir oorweging, moet maatreels aandui wat geneem sal word om moontlike skade aan geboue en strukture as gevolg van die nadelige fundamente toestande, te beperk. Hierdie maatreels moet in ooreenstemming wees met die aanbeveling vervat in die Geotegniese verslag van die dorp, tensy bewys kan word dat sodanige maatreels onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

#### (2) Erf 243

Die erf is onderworpe aan 'n 3m wye stormwater serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

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 **Umthombo Uitbreiding 32** 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 07-11357.

**Hector Bheki Makhubo**

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

**City of Johannesburg Metropolitan Municipality /**

**Stad van Johannesburg Metropolitaanse Munisipaliteit**

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