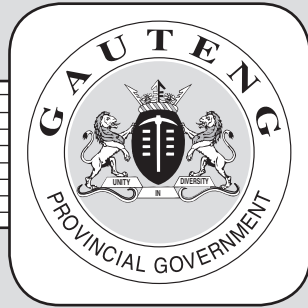


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5 SEPTEMBER 2017
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No. 224

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 1285 OF 2017**NOTICE OF APPROVAL****EKURHULENI AMENDMENT SCHEME F0200**

The City of Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, read with Section 35 of the Spatial Planning and Land Use Management Act, 2013, declares that it has approved an amendment of the Ekurhuleni Town Planning Scheme 2014, comprising the same land as included in the township of PARKRAND EXTENSION 16 Township

All relevant information is filed with the Area Manager: Boksburg Customer Care Area, 3rd floor, Boksburg Civic Centre, c/o Trichardts and Commissioner Streets, Boksburg, and are open for inspection at all reasonable times.

This amendment is known as Ekurhuleni Amendment Scheme F0200 and shall come into operation on date of publication of this notice.

Dr. Imogen Mashazi
City Manager
Civic Centre, Cross Street, Germiston

LOCAL AUTHORITY NOTICE _____ OF 2017**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
BOKSBURG CUSTOMER CARE AREA****DECLARATION AS APPROVED TOWNSHIP**

In terms of the provisions of Section 103(1) of the Town-planning and Townships Ordinance, 15 of 1986, read with Section 35 of the Spatial Planning and Land Use Management Act, 2013, the City of Ekurhuleni Metropolitan Municipality hereby declares Parkrand Extension 16 Township situated on Portion 163 of the farm Leeuwoort Number 113 I.R. 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 SVA DEVELOPMENTS (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT/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 163 OF THE FARM LEEUWPOORT 113 I.R. HAS BEEN GRANTED BY THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY.

1 CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Parkrand Extension 16.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No. 2654/2016.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding –

1.3.1 The following servitudes which do not affect the township area due to its locality:

- 1.3.1.1 The former remaining extent of the Farm Leeuwoort 113, measuring 2133,4632 hectares (of which the property hereby held forms a portion), is by virtue of Notarial Deed K2077/1980S subject to a servitude in perpetuity to convey electricity across the said property by means of one transmission line consisting of wires or cables and/or other appliances underground or overhead in favour of ESKOM together with ancillary rights.

- 1.3.1.2 The former remaining extent of the Farm Leeuwpoot 113, in extent 1942,7660 hectares (of which the property hereby held forms a part) is by virtue of Notarial Deed K1665/1985S subject to a servitude in favour of ESKOM, its successors in title or assigns of licensees the right in perpetuity to convey electricity across the said property by means of underground cables or other appliances laid under the surface of the ground, together with ancillary rights, as defined by the line AB on the diagram S.G. No. A7493/1982, attached to said Notarial Deed, as will more fully appear from reference to the said Notarial Deed.
- 1.3.1.3 The former remaining extent of the said Farm Leeuwpoot 113, measuring 1931,2940 hectares, (of which the property hereby held forms a portion), is by virtue of Notarial Deed K4455/1987S subject to a servitude to convey electricity in favour of ESKOM, together with ancillary rights and subject to conditions as will more fully appear with reference to the said Notarial Deed.
- 1.3.1.4 The former Remaining Extent of the Farm Leeuwpoot 113, I.R., province of Gauteng in extent 131,9806 (one three one comma nine eight zero six) Hectares (whereof a portion is hereby registered) is subject to:
- (a) By virtue of Notarial Deed of Servitude No. K1752/2000S, the within mentioned property is subject to a servitude for sewerage purposes, 3 (three) metres wide indicated by the line lettered ABC on Servitude Diagram S.G. No. 1131/1991, attached to said Notarial Deed, being the centre line of the servitude in favour of the Local Authority together with ancillary rights as will more fully appear from said Notarial Deed.
- (b) By virtue of Notarial Deed of Servitude K8534/2003S dated 25/6/2003 the within mentioned property is subject to a perpetual Electrical Powerline Servitude in favour of ESKOM together with ancillary rights. The said servitude is depicted by figure ABCDEFGA on Diagram S. G. No. 3280/2003 thereto annexed. As will more fully appear from the said Notarial Deed.
- 1.3.1.5 The former remaining extent of the farm Leeuwpoot 113, measuring 77.9646 hectares (of which the property held forms a portion), is by virtue of Notarial Deed of Servitude No. K4106/2006S subject to a pipeline servitude in perpetuity in favour of Sasol Gas Limited (1964/006005/06) together with ancillary rights as indicated by the figure abcNPQRSTUdelAa on diagram S.G. No. 8104/2005, attached to said Notarial Deed, as will more fully appear from the said Notarial Deed of Servitude.
- 1.3.1.6 The former remaining extent of the farm Leeuwpoot 113, measuring 38,7853 hectares (of which the property held forms a portion) is:
- (a) By virtue of Notarial Deed of Servitude No. K7107/2007S subject to a perpetual Electrical Powerline Servitude in favour of ESKOM, together with ancillary rights. The said servitude is depicted by figure jkFGj on Diagram S.G. No. 2149/2007, attached to said Notarial Deed, as will more fully appear from the said Notarial Deed.
- 1.3.2 The following servitude which affects Erven 1677 & 1678 in the township only:
- 1.3.2.1 By virtue of Notarial Deed Servitude K5270/2008S subject to a servitude for sewerage purposes in favour of the Ekurhuleni Metropolitan Municipality together with ancillary rights. The said servitude is depicted by the line s1 s2 s3 s4 on attached diagram S.G. No. 2653/2016, as will more fully appear from the said Notarial Deed.

1.4 ACCESS

No ingress from or egress to Road PWV15 shall be allowed.

1.5 CONSOLIDATION OF ERVEN

The township owner shall at his own expense cause Erven 1677 and 1678 in the township to be consolidated within 6 (six) months from declaration of the township as an approved township.

1.6 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Road PWV 15 and for all stormwater running off or being diverted from the said road to be received and disposed of.

1.7 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER NEXT TO PROVINCIAL ROAD

The township owner shall at its own expense, erect a fence or other physical barrier to the satisfaction of the Director: Department of Public Transport, Roads and Works, as and when required by him to do so and the township owner shall maintain such fence or physical barrier in good order and repair until such time as this responsibility is taken over by the local authority.

The township owner shall bear the cost of any acoustic barriers.

1.8 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 cost thereof shall be borne by the township owner.

1.9 OBLIGATIONS IN REGARD TO ENGINEERING SERVICES

1.9.1 The township owner shall within such period as the local authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as well as the construction of the roads and stormwater drainage system as previously agreed upon between the township owner and the local authority.

1.9.2 Once water, sewer and electrical networks have been installed, the same will be transferred to the local authority, free of cost, which shall maintain these networks (except internal streetlights) subject to 1.9.1 above.

1.9.3 The Section 21 Company will be responsible for the maintenance of the internal roads (including stormwater) and the internal street lights (including electrical power usage).

2. CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS OF TITLE IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986.

2.1.1 ERF 1677 SHALL BE SUBJECT TO THE FOLLOWING CONDITION

The erf adjoins Erf 1656, in Parkrand Extension 19 Township, on which an unconsolidated mine shaft is situated and the owner thereof accepts all liability for any damage or loss of any nature whatsoever which may result from such proximity to the shaft.

2.2 THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS IMPOSED BY THE DEPARTMENT OF MINERAL RESOURCES IN TERMS OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002)

2.2.1 ALL ERVEN SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS:

2.2.1.1 As this erf forms part of land which is or may be undermined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.

2.2.1.2 This erf forms part of land which is, or may be, undermined by, or on behalf of, the holder of the mining rights to a depth which will not be less than 90(ninety) meters below surface and which will, furthermore, be carried on in accordance with such directives and/or conditions which may be laid down in terms of any law regulating mining from time to time.

2.3 CONDITIONS OF TITLE IN FAVOUR OF A THIRD PARTY TO BE REGISTERED ON FIRST REGISTRATION OF ERVEN 1677 AND 1678

2.3.1 Every owner of the erf, or of any subdivided portion thereof, or any person who has an interest therein shall become and shall remain a member of the Home Owner's Association and be subject to its constitution until he/she ceases to be an owner of the aforesaid.

2.3.2 The erf may not be transferred without the prior written consent of the Section 21 Company, or the universitas personarum (Home Owner's Association).

2.3.3 The term "Home Owner's Association" in the aforesaid conditions of title shall mean an association incorporated in terms of Section 21 of the Companies Act, 1973 (Act 61 of 1973) as amended, or a universitas personarum.

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