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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 672 OF 2018**EKURHULENI TOWN PLANNING SCHEME 2014****EKURHULENI AMENDMENT SCHEME NO 38****EKURHULENI METROPOLITAN MUNICIPALITY**

It is hereby notified in terms of the provision of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved an amendment with regard to the land in the township of Roodekop Extension 37, being an amendment of the Ekurhuleni Town Planning Scheme, 2014.

The annexure of this amendment scheme is filed with the Municipal Manager and is open to inspection during normal office hours.

The amendment is known as Ekurhuleni Amendment Scheme 38

Imogen Mashazi, City Manager

2nd Floor, Head Office Building

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Germiston

EKURHULENI METROPOLITAN MUNICIPALITY**GERMISTON CUSTOMER CARE AREA****ROODEKOP EXTENSION 37****DECLARATION OF ROODEKOP EXTENSION 37 AS AN APPROVED TOWNSHIP**

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality hereby declares the township of Roodekop Extension 37 to be an approved township, subject to the conditions as set out in the Schedule hereto.

CONDITIONS UNDER WHICH THE APPLICATION MADE BY NAMPAK PRODUCTS LIMITED, REGISTRATION NUMBER 63/04547/06, (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNERS) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON REMAINING EXTENT OF PORTION 1 OF THE FARM RONDEBULT 136-IR AND REMAINING EXTENT OF PORTION OF THE FARM ROOIKOP 140-IR

1. CONDITIONS OF ESTABLISHMENT**1.1. NAME**

The name of the township shall be "**Roodekop Extension 37**".

1.2. DESIGN

The township shall consist of erven (or erven and a road/street/thoroughfare or roads/streets/thoroughfares) as indicated on General Plan S.G. No. **735/2015 of The Farm Nampak No. 718-IR**

1.3. PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall, at its costs, design, provide and construct all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township, to the satisfaction of the local authority.

1.4. ACCESS

Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Ekurhuleni Roads, Transport and Civil Works.

1.5. 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 and all stormwater running off or being diverted from the road shall be received and disposed of.

1.6. SAFEGUARDING OF UNDERGROUND WORKINGS

The township owner shall at his own costs, make adequate provision to the satisfaction of the Inspector of Mines (Gauteng Region), to prevent any water from entering underground workings through outcrop workings or shaft openings and if applicable, the existing stormwater drains shall be properly maintained and protected.

1.7. 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.

1.8. 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.

1.9. DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his 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.

1.10. OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OF ERVEN

The Township Owner shall within such period as the Municipality may determine fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the Municipality. Erven may not be alienated or transferred into the name of a purchaser prior to the Municipality certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Municipality.

1.10.1. **CONDITIONS** favour of the RAND WATER BOARD as will more fully appear on reference to Notarial Deed No. 220/1940S, registered on 21st day of February 1940.

1.10.2. The property held hereunder is subject to a servitude of use in perpetuity of and over the servitude area 2 (two) metres wide for municipal purposes and overlaps in part a private railway siding as indicated by lines ABCDEFG, HJKLMNQP, CQ, KR, LS, Nu on Diagram S.G. No. A.1106/86 in favour of the City Council of Germiston by virtue of Notarial Deed No. K3215/88S.

1.10.3. The property held hereunder is subject to a servitude of use in perpetuity of and over an area of ground for purposes of an access road and municipal services as indicated by figure ABCDEFGA on Diagram S.G. No. A1108/86 in favour of the City Council of Germiston by virtue of Notarial Deed No. K3216/88S.

1.10.4. The property held hereunder is subject to a servitude of use in perpetuity of and over the servitude area for municipal purposes indicated by line ABC and DE on Diagram S.G. No. A1107/86 in favour of the City Council of Germiston by virtue of Notarial Deed No. K3217/88S.

2. TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE

A certificate in terms of Section 82 of Ordinance No. 15 of 1986 must be lodged with the first transfer of the erven within the township.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

3.1. All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following servitude conditions which are situated outside the township area:

A The former Portion 101 (a portion of Portion 1) of the Farm RONDEBULT No. 136; Registration Division I.R.; Province of GAUTENG is subject to the following conditions:-

3.1.1. The former Remaining Extent of Portion 1 of the said farm Rondebult 136, measuring 16,0048 hectares, of which the property held hereunder forms a portion, is subject to a perpetual Servitude of pipe line and ancillary rights in

3.1.2. The property held hereunder is subject to a servitude of use in perpetuity of and over the servitude area 2 (two) metres wide for purposes of underground electric cables as indicated by the figure ABCDA on Diagram S.G. A1109/86 in favour of the City Council of Germiston by virtue of Notarial Deed No. K3218/88S.

B The former PORTION 130 (a portion of Portion 50) of the Farm ROOIKOP No. 140 Registration Division I.R.; Province of GAUTENG is subject to the following conditions:-

3.1.3. The Remaining Extent of Portion of Portion of the Farm Rooikop No. 140 I.R., measuring as such 669,6468 Hectares, situate in the District of Germiston (of which the property held hereunder forms a portion) is subject to the conditions:-

1. Subject to a Servitude of right of way in favour of the owners of Lots Nos. 19, 20, 21 and 22 Union Settlements, as will more fully appear from diagram No. A1484/29 and Notarial Deed of Servitude No. 513/1929S.

And further subject, by virtue of Notarial Deed of Servitude No. 160/1952S dated the 14th December 1951, and registered in the Office of the Registrar of Deeds, at Pretoria, on the 28th February 1952, with Diagram S.G. No. A6528/50 thereto annexed, to a perpetual servitude of pipeline along two strips of ground each 15,24 metres wide in favour of the Rand Water Board for the purpose of conveying water as will more fully appear from the said Notarial Deed.

- 3.1.4. The property held hereunder is subject to a servitude of use in perpetuity of and over the area 2 (two) metres wide for underground electric cables as indicated by the line ABCD on Diagram S.G. No. A526/87 in favour of the City Council of Germiston by virtue of Notarial Deed No. K3214/88S
- 3.1.5. The property held hereunder is subject to a servitude of use in perpetuity of and over the servitude area 6 (six) metres wide for municipal purposes as indicated by line ABC and DE on Diagram S.G. No. A1104/86 in favour of the City Council of Germiston by virtue of Notarial Deed No. K3217/88S.
- 3.1.6. The property held hereunder is subject to a servitude of use in perpetuity of and over the servitude area 2 (two) metres wide for purposes of underground electric cables as indicated by figure ABCDA on diagram S.G. No. A1101/86 in favour of the City Council of Germiston by virtue of Notarial Deed No. K3218/88S.
- 3.1.7. The property held hereunder is subject to a servitude of use in perpetuity of and over a servitude area 2 (two) metres wide for underground pipe lines together with electrical / monitoring as indicated by line ABC on Diagram S.G. No. A7080/85 and line ABCDEF on Diagram S.G. No. A1102/86 for a further 2 (two) metre wide servitude area in favour of the City Council of Germiston by virtue of Notarial Deed No. K3219/88S

4. CONDITIONS OF TITLE

- 4.1.1. Conditions 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) 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 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.

EKURHULENI METROPOLITAN MUNICIPALITY**GERMISTON CUSTOMER CARE AREA****EKURHULENI AMENDMENT SCHEME 38**

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 Ekurhuleni Metropolitan Municipality has approved an amendment scheme with regards to the land in the township **Roodekop Extension 37** being as amendment of the Ekurhuleni Town Planning Scheme, 2014.

The Map3 documents and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Ekurhuleni Metropolitan Municipality and the Director General: Gauteng Provincial Government, Department of Development Planning and Local Government, Corner House, Marshalltown, and are open for inspection for inspection during normal office hours.

This amendment scheme is known as Ekurhuleni **Amendment Scheme 38**.

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