

**THE PROVINCE OF
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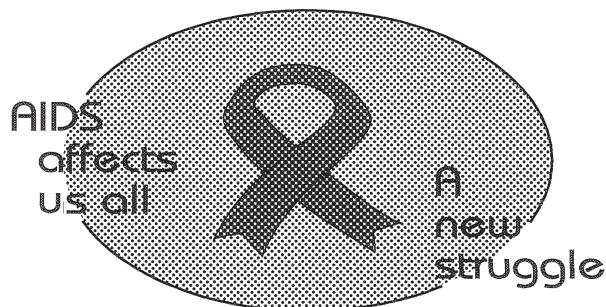
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PRETORIA
29 OCTOBER 2018
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No. 311

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DEPARTMENT OF HEALTH

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 1624 OF 2018

LOCAL AUTHORITY NOTICE T117/2018 RIVERSIDE VIEW EXTENSION 37

A. In terms of section 28(15) of the By-laws of the City of Johannesburg Metropolitan Municipality declares **Riverside View Extension 37** to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH AN APPLICATION MADE BY RIVERSANDS RESIDENTIAL APARTMENTS (PROPRIETARY) LIMITED (REGISTRATION NUMBER 2018/381198/07) (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF PART 3 OF CHAPTER 5 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016 (HEREIN REFERRED TO AS THE BY-LAW), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 566 (A PORTION OF THE REMAINING EXTENT OF PORTION 7) OF THE FARM DIEPSLOOT No. 388-J.R. HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT.

(1) NAME

The name of the township is **RIVERSIDE VIEW EXTENSION 37**.

(2) DESIGN

The township consists of erven and streets as indicated on the General Plan S.G. No. 3946/2017.

(3) DESIGN AND PROVISION OF ENGINEERING SERVICES IN AND FOR THE TOWNSHIP

The township owner shall, to the satisfaction of the local authority, make the necessary arrangements for the design and provision of all engineering services of which the local authority is the supplier.

(4) ELECTRICITY

The local authority is not the bulk supplier of electricity to or in the township. The township owner shall in terms of Chapter 6 Part 1 of the By-law make the necessary arrangements with ESKOM, the licensed supplier of electricity for the provision of electricity.

(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)

Should the development of the township not been commenced with before 18th February 2018 the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for exemption/authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

(6) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)

(a) Should the development of the township not been completed before 25th November 2024 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 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 fulfillment 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).

(c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township, No. 03-14964/P1/X37. The erection of such physical barrier and the maintenance thereof shall be done to the satisfaction of the said Department.

(d) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 25th November 2014.

(7) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 5 years the application to

establish the township, shall be resubmitted to the Department: Mineral Resources for reconsideration.

(8) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and Johannesburg Roads Agency (Pty) Ltd and the Department of Roads and Transport.

(b) No access to or egress from the township shall be permitted via the line of no access as indicated on the approved layout plan of the township No. 03-14964/P1/X37.

(c) No access to or egress from the township shall be permitted via the Future Road PWV5.

(9) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the storm water 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.

(10) 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.

(11) 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.

(12) 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.

(13) OPEN SPACE CONTRIBUTION

The township owner shall, if applicable, in terms of section 48. of the By-law pay an open space contribution to the local authority *in lieu* of providing the necessary open space in the township or for the shortfall in the provision of land for open space.

(14) OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND INSTALLATION OF ENGINEERING SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OR TRANSFER OF ERVEN

(a) The township owner shall, after compliance with clause 2.(3) above, at its own costs and to the satisfaction of the local authority, construct and install all engineering services including the internal roads and the stormwater 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, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been constructed and installed.

(b) The township owner shall fulfil its obligations in respect of the installation of water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as agreed between the township owner and the local authority in terms of clause 2.(3) above. 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, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the engineering services have been submitted or paid to the said local authority.

(c) 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.

(15) OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES

The township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the constructed/installed services. 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, 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 any.

A. Excluding the following which do not affect the township due to its locality:

- (a) By Notarial Deed No 195/1953 dated 5 February 1953 the within mentioned property is subject to a perpetual right of way in favour of the City of Johannesburg, as will more fully appear from the reference to the said Notarial Deed.
- (b) By Notarial Deed No 1002/1955S the right has been granted to Escom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to said Notarial Deed and diagram.
- (c) By Notarial Deed No. K690/1962 the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear from reference to the said Notarial Deed.
- (d) By virtue of Notarial Deed No K1278/1963S dated 19 June 1963 the within mentioned property is subject to a servitude of right of way to convey and transmit electrical impulses changes or currents through signal cables in favour of the City Council of Johannesburg, as will more fully appear from the said Notarial Deed.
- (e) By Notarial Deed No 134/1965 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with in ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram.
- (f) By Notarial Deed No. K2951/2013S dated 21 September 2012 the within mentioned property is subject to a personal servitude in favour of the Inanda Club for use in perpetuity for access purposes (including ancillary rights) over portions of the property with the other servitude areas and to the Century Property Facilities, the routes of which is/are to be determined at a later date in terms hereof ("the Access Servitude Area"), as will more fully reflect from the said notarial deed of servitude.

B. Including the following which does affect the township and shall be made applicable to the individual erven in the township:

- (a) By Notarial Deed No K1476/2013S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to the conditions, as will more fully appear on reference to the said Notarial Deed and diagram.

3. CONDITIONS OF TITLE.

A. Conditions of Title imposed in favour of the local authority in terms of the provisions of Chapter 5 Part 3 of the By-law.

(1) ALL ERVEN

The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of the buildings and structures must be designed by a competent professional engineer unless it can be proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means. The NHBRC classification for foundations is considered as C2/S2H3/P (flooding).

(2) 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.

(3) ERVEN 4877 AND 4879

The erf is subject to a 3 meter wide servitude for sewer purposes in favour of the local authority as indicated on the General Plan.

B. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.

(1) ERF 4877

(a) The registered owner of the erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erf boundary abutting Road PWV5.

(b) Except for the physical barrier referred to in clause (a) above, a swimming bath or any essential storm water drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erf within a distance than 20m for single storey and 30m for double storey buildings from the boundary of the erf abutting Road PWV 5, neither shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).

B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 54 of the By-Law of the City of Johannesburg, 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 **Riverside View Extension 37. 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 03-14964.

Hector Bheki Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No. T117/2018

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