

**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 516 OF 2018****CITY OF JOHANNESBURG  
AMENDMENT SCHEME 02-15106**

The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Sandton Town Planning Scheme, 1980, comprising the same land as included in the township of Hyde Park Extension 135.

Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning and Urban Management: City of Johannesburg and are open for inspection at all reasonable times.

This amendment is known as **Amendment Scheme 02-15106**

**H. Makhubo Deputy Director : Development Planning  
Notice No. T034/2018**

**PLAASLIKE OWERHEID KENNISGEWING 516 VAN 2018****STAD VAN JOHANNESBURG  
WYSIGINGSKEMA 02-15106**

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Sandton Dorpsbeplanning Skema, 1980, wat uit dieselfde grond as die dorp Hyde Park uitbreiding 135 bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning en Stedelike Bestuur: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as **Wysigingskema 02-15106**

**H. Makhubo Uitvoerende Direkteur : Ontwikkelingsbeplanning  
Kennisingewing Nr.T034/2018**

**CITY OF JOHANNESBURG  
DECLARATION AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares Hyde Park Extension 135 to be an approved township subject to the conditions set out in the Schedule hereto.

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY FRIEDSHELF 1446 PROPRIETARY LIMITED (HEREINAFTER REFERRED TO AS THE 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 144 (A PORTION OF PORTION 36) OF THE FARM ZANDFONTEIN 42 GAUTENG PROVINCE HAS BEEN APPROVED.**

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

The name of the township is **Hyde Park Extension 135**.

**(2) DESIGN**

The township consists of erven as indicated on **General Plan No. 563/2017**.

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

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

Should the development of the township not been commenced with before 19 May 2020, 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.

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

(a) Should the development of the township not been completed before 06 March 2027 from the approval, the application to establish the township, it 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. HPx135/P1/2017 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 6 March 2017.

(6) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 21 May 2020 the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(7) 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.

(b) No access shall be permitted along First Road.

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent road/roads and all stormwater 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 all 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, TELKOM and/or ESKOM 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) ERF 688 FOR MUNICIPAL PURPOSES

Erf 688 shall, prior to or simultaneously with registration of transfer of the first erf in the township and at the cost of the township owner, be transferred to the City of Johannesburg Metropolitan Municipality for municipal purposes (public open space).

(13) ENDOWMENT

The township owner shall, in terms of the provisions of Section 98(2) read with Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), pay a lump sum as endowment to the local authority for the shortfall in the provision of land for a park (public open space).

(14) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, after compliance with clause 2.(3), at his 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 electricity, 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, prior to the local authority certifying to the Registrar of Deed that sufficient guarantees/cash contributions in respect of the engineering services have been submitted or paid to the local authority.

(c) The township owner shall at its own costs and to the satisfaction of the local authority, remove all refuse, building rubble and/or other materials from Erven 687 AND 688, prior to the transfer of the erven.

(d) the township owner shall, within such period as the local authority may determine, fulfil its obligations in respect of the provision of electricity, water and sanitary services as well as the construction of roads and stormwater 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, 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;

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

The township owner shall, at its own cost and to the satisfaction of the local authority, survey and register all services 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.

**3. CONDITIONS OF TITLE.****A. Conditions of Title 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) The erven in the township lie 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 indicate 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 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 C1.

(b)(i) 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.

(ii) 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.

(iii) 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.

**(2) ERF 687**

The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferees accept the following condition: The local authority had limited the electricity supply to the erf to 200kVA and should the registered owners of any of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable to the local authority by such owner/s.

**B. Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.**

No erf in the township shall be transferred nor shall a Certificate of Registered Title be registered, unless the following conditions and/or servitudes have been registered:

**(1) ERF 687**

(a) The erf is subject to a 8.3m Gautrain servitude in favour of Gautrans, as indicated on the General Plan.

**H. Makhubo: Deputy Direkteur : Development Planning  
Notice Nr.T034/2018**

STAD VAN JOHANNESBURG  
**VERKLARING TOT 'N GOEDGEKEURDE DORP**

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 Hyde Park uitbreiding 135 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

**VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR FRIEDSHELF 1446 PROPRIETARY LIMITED (HIERNA DIE DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 144 ( 'N GEDEELTE VAN GEDEELTE 36) VAN DIE PLAAS ZEVENFONTEIN 42 GAUTENG PROVINSIE TOEGESTAAN IS**

**1. STIGTINGSVOORWAARDES**

(1) NAAM

Die naam van die dorp is **Hyde Park Uitbreiding 135**.

(2) ONTWERP

Die dorp bestaan uit erwe soos aangedui op **Algemene Plan LG Nr 563/2017**.

(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE

(a) Die dorpseienaar moet tot bevrediging van die plaaslike bestuur, die nodige reëlings met die plaaslike bestuur tref vir die ontwerp en voorsiening van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is.

(4) GAUTENG PROVINSIALE REGERING (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)

Indien die ontwikkeling van die dorp nie 'n aanvang neem voor of binne 'n periode van 5 jaar vanaf die datum wat toestemming of vrystelling gegee is, moet die aansoek om die dorp te stig, heringedien word by Gauteng Departement van Landbou, Bewaring en Omgewing (Gauteng Provinsiale Regering) vir goedkeuring ingevolge Artikel 28A van die Omgewingsbewaringwet, 1989 (Wet 107 van 1998), soos gewysig

(5) GAUTENG PROVINSIALE REGERING (DEPARTMENT OF ROADS AND TRANSPORT)

(a) Indien die ontwikkeling van die dorp nie voltooi is **6 March 2027**, moet die aansoek heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorweging.

(b) Indien omstandighede egter, voor die verstryking van die tydperk vermeld in (i) 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 dorpseienaar die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beheerende liggaam ingevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

(c) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp Nr. WHx60/P1/2015 oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(d) Die dorpseienaar sal voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se brief gedateer **6 March 2017**.

(6) NATIONALE REGERING (DEPARTMENT : MINERALE HULPBRONNE)

Indien die ontwikkeling van die dorp nie voor **21 May 2020** voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement : Minerale Hulpbronne vir heroorweging.

(7) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp sal voorsien word, tot die tevredenheid van die plaaslike bestuur en Johannesburg Roads Agency (Edms) Bpk. .

(b) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word deur First Road nie.

(8) ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpseienaar moet die dreinerings van die dorp so reël dat dit inpas by dië 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 toesien dat daar genoegsame vullisverwyderingspunte in die dorp voorsien word en moet ook reëlings tref vir die verwydering van alle vullis tot die tevredenheid van die plaaslike bestuur.

(10) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE

Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, TELKOM en/of ESKOM 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 sy/haar eie koste, alle bestaande geboue en structure wat binne boulynreserves, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(12) ERF 688 VIR MUNISIPALE DOELEINDES

Erf 688 moet, voor of gelyktydig met registrasie van oordrag van die eerste erf in die dorp en op koste van die dorpseienaar, aan die Stand van Johannesburg Metropolitaanse Munisipaliteit oorgedra word vir munisipale doeleindes. (openbare oop ruimte)

(13) BEGIFTIGING

Die dorpseienaar moet ingevolge die bepalings van Artikel 98(2) saamgelees met Regulasie 44 van die Dorpbepanning en Dorpe Ordonnansie, 1986 (Ordonnansie 15 van 1986) 'n globale bedrag as begiftiging aand die plaaslike bestuur betaal vir die tekort aand die voorsiening van grons vir 'n park (openbare oop ruimte).

(14) VERPLIGTINGE TEN OPSIGTE VAN DIE KONSTRUKSIE EN INSTALLERING VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING OF OORDRAG VAN ERWE

(a) Die dorpseienaar moet nadat hy voldoen het aan die vereistes van klousule 2(3) hierbo, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, insluitend die interne paaie en die stormwaterretikulاسie. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste voorsien en geïnstalleer is.



(b) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water en sanitêre ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings en die installing van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom in terme van klousule 2(3) hierbo. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is nie.

(c) Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle vullis, bourommel en/of ander materiale vanaf Erf /Erwe 687 en 688 verwyder, voor die oordrag daarvan.

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

#### (15) VERPLIGTINGE MET BETREKKING TOT DIE BESKERMING VAN INGENIEURSDIENSTE

Die dorpseienaar sal op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

### (2) BESKIKKING OOR BESTAANDE TITELVOORWAARDES

*"All erven shall be made subject to existing conditions and servitudes, if any,*

#### 3. TITELVOORWAARDES

##### A. Titellovoorwaardes opgelê ten gunste van die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

#### (1) ALLE ERWE

(a) The erven in the township lie 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 indicate 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 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 C1.

(b)(i) Elke erf is onderworpe aan 'n serwituut 2 m breed, ten gunste van die plaaslike bestuur, vir rioolerings- 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.

(ii) 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.

(iii) 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 goeie noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voorgenoemde 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.

(2) ERF 687

*The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferees accept the following condition: The local authority had limited the electricity supply to the erf to 200kVA and should the registered owners of any of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable to the local authority by such owner/s.*

**B. Titelloosheid opgelê ten gunste van derde partye wat geregistreer/geskep moet word op die eerste registrasie van die betrokke erwe.**

*Geen erf in die dorp mag oorgedra word, ook man 'n Sertifikaat van Gerigistreetde Titel nie gerigistreeer word nie, tensy die volgende voorwaardes en/of serwitute geregistreeer is:*

(1) ERF 687

(a) Die erf is onderworpe aan 'n 8.3m Gautrain serwituut ten gunste van Gautrans, soos aangeduin op die Algemene Plan.

**H. Makhubo: Uitvoerende Direkteur : Ontwikkelingsbeplanning  
Kennigewing Nr.T034/2018**



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