

***THE PROVINCE OF  
GAUTENG***

***DIE PROVINSIE VAN  
GAUTENG***

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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 49 OF 2019****EKURHULENI TOWN PLANNING SCHEME 2014  
EKURHULENI AMENDMENT SCHEME A0272****EKURHULENI METROPOLITAN MUNICIPALITY**

It is hereby notified in terms of the provision of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read with the Spatial Planning and Land Use Management Act, 16 of 2013, that the Ekurhuleni Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Watervalsspruit Extension 21, 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 A0272

Imogen Mashazi, City Manager  
2<sup>nd</sup> Floor, Head Office Building,  
Cnr Cross & Rose Street  
Germiston

Notice No. A015/2019

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**EKURHULENI METROPOLITAN MUNICIPALITY  
ALBERTON CUSTOMER CARE AREA****DECLARATION OF WATERVALSPRUIT EXTENSION 21 AS AN APPROVED TOWNSHIP**

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read with the Spatial Planning and Land Use Management Act, 16 of 2013, the Ekurhuleni Metropolitan Municipality hereby declares the township of Watervalsspruit Extension 21 to be an approved township, subject to the conditions as set out in the Schedule hereto.

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), ON PORTION 91 (A PORTION OF PORTION 2) OF THE FARM RIETSPRUIT 152 I.R, GAUTENG PROVINCE BY COSMOPOLITAN PROJECTS JOHANNESBURG PROPRIETARY LIMITED (Registration No: 2005/013577/07) (HEREAFTER REFERRED TO AS THE APPLICANT/ TOWNSHIP OWNER) AND BEING THE REGISTERED OWNER OF THE LAND HAS BEEN APPROVED.

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

The name of the township shall be **Watervalsspruit Extension 21**.

## **1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No. 598/2018.

## **1.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION**

1.3.1 The township owner shall on request by the Council submit to such Council for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channeling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.

1.3.2 The scheme shall provide for the catchments of storm water in catch pits whence it shall be drained off in watertight pipes of durable material, approved by the Council, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground.

Furthermore, the scheme shall, indicate the route and gradient by which each erf gains access to the street on which it abuts. The township owner shall, when required by the Council to do so, carry out the approved scheme at its own expense on behalf of and to the satisfaction of the Council under supervision of a civil engineer approved by the Council.

## **1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to the existing conditions and servitudes, if any, including the reservation of the rights to minerals, but excluding the following conditions and servitudes in Deed of Transfer T106002/2014 which do not affect the township area and will not be carried forward.

### **Condition (b)**

Subject to Deed of Cession K. 1697/1976 whereby a pipeline servitude with restrictions of 3 meters was ceded to the Republic of South Africa (in it Railway and Harbours administration).

## **1.5 SERVITUDES AND CONDITIONS AFFECTING THE TOWNSHIP**

### **Condition (a)**

With the rights and subject to the condition and servitudes regarding the rights of and to dams, water and water-furrows on the RIETSPRUIT aforesaid, as fully set out in Deeds of Servitude No 22/1914 S.

## **1.6 CONDITIONS RELATING TO THE TRANSFER OF ERVEN AND STREETS TO COUNCIL.**

No erf in this township will be transferred or developed without the public streets, public open space erven having been transferred to the Municipality.

## **1.7 ACCESS**

- 1.7.1 The relevant accesses must be constructed before any part of the township that is reliant on such accesses takes place.
- 1.7.2 For the construction of the access whether temporary or permanent, the applicant shall submit to Ekurhuleni Department of Roads and Stormwater, for approval, plan(s) prepared and signed by a Professional Civil Engineer, in accordance with that departments requirements.

## **1.8 ENGINEERING SERVICES**

- 1.8.1 The provision of engineering services shall be dealt with in detail in the services agreement between the local authority and the applicant/ township owner where the responsibility of the installation and provision of internal engineering services will be agreed upon, as well as the responsibility for maintenance of water, sewer and electrical networks and the maintenance of internal roads.
- 1.8.2 Once water, sewer and electrical networks have been installed, same will be transferred to the Local Authority, who shall maintain these networks.

## **1.9 OTHERS.**

- 1.9.1 The applicant shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development to the satisfaction of GDARD.
- 1.9.2 The applicant shall comply with all conditions as laid down by ESKOM.  
Ref: P213-2312-L39\_EC
- 1.9.3 The applicant shall comply with all conditions as laid down by TRANSNET.  
Ref: PYP/W1/07/02/13/10065
- 1.9.4 The applicant shall comply with all conditions as laid down by TELKOM.  
Ref: P213-2312-L41-EC
- 1.9.5 The applicant shall comply with all conditions as laid down by RAND WATER.  
Ref: 10/03/1/2/V2-2091/09

## **2. ENDOWMENT**

- 2.1 There are no endowments payable towards the provision of parks or open spaces to the local authority prior to proclamation of the township.

## **3. CONDITIONS OF TITLE**

**The erven mentioned hereunder shall be made subject to the conditions as indicated, imposed by the Council in terms of the provisions of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)**

All Erven:

- a. The erf is subject to a servitude, 1m 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 1m 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 course 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.

**GENERAL CONDITIONS:**

- a) The erven lie in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the Municipality must show measures to be taken, in accordance with 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 Municipality that such measures are unnecessary or that the same purpose can be achieved by other more effective means.