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CONTENTS

| | <i>Gazette No.</i> | <i>Page No.</i> |
|-----------------------------------|--|---------------------|
| PROCLAMATION • PROKLAMASIE | | |
| 56 | Town-planning and Townships Ordinance (15/1986): Alrode South Extension 30 | 179 3 |

PROCLAMATION • PROKLAMASIE

PROCLAMATION 56 OF 2019**EKURHULENI TOWN PLANNING SCHEME 2014
EKURHULENI AMENDMENT SCHEME A0305****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 Section 2(2) of the Spatial Planning and Land Use Management Act of 2013, that the Ekurhuleni Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Alrode South x 30, 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 A 0305

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

Notice No.

**EKURHULENI METROPOLITAN MUNICIPALITY
ALBERTON CUSTOMER CARE AREA****DECLARATION OF ALRODE SOUTH X 30 AS AN APPROVED TOWNSHIP**

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read with Section 2(2) of the Spatial Planning and Land Use Management Act of 2013, the Ekurhuleni Metropolitan Municipality hereby declares the township of Alrode South x 30 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), READ WITH SECTION 2(2) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT OF 2013, ON PORTION 194 (A PORTION OF PORTION 7) OF THE FARM PALMIETFONTEIN 141 IR, GAUTENG PROVINCE BY CENTRAL PROPERTY DEVELOPMENT JOHANNESBURG PROPRIETARY LIMITED (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 Alrode South Extension 30.

1.2 DESIGN

The township shall consist of erven and streets as indicated on the Genera Plan SG 2772/2018

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

1.4.1 All erven shall be made subject to the existing conditions and servitudes, if any

1.4.1.1 Excluding the following conditions and servitudes set out in Deed of Transfer T about to be registered (formerly T2932/2008) which do not affect the township area due to locality and/or situation and will not be carried forward to the township;

C. Subject to a pipeline servitude ceded to the Republic of South Africa for South African Transport Services by Deed of Cession No K 2724/1974S, registered on the 6th November 1974.

D. Subject to a pipeline servitude ceded to the Republic of South Africa for South African Transport Services by Deed of Cession No K 2408/1975S, registered on the 28th August 1975.

F. Subject to a pipeline servitude, 6 metres wide, ceded to the Republic of South Africa for South African Transport Services by Deed of Cession No K1267/1981S registered on the 29th April 1981.

1.4.1.2 Ancillary rights which will not be carried forward to the individual erven in the township;

A(b) That the Victoria Falls and Transvaal Power Company Limited, its successors in title or assigns, has been granted the right to convey electricity over the said property, as will more fully appear from Notarial Deed No 1231/1937S which is registered in the Deeds Registry, Pretoria on 29 November 1937, as amended by Notarial Deed No 376/1947S dated 27th July 1946.

A. (c) That the Victoria Falls and Transvaal Power Company Limited, its successors in title or assigns, has been granted the right to convey electricity over said property, together with ancillary rights, as will more fully appear from Notarial Deed No 376/1947S which is registered in the Deeds Registry, Pretoria on 11th June 1947.

B. By Notarial Deed No K140/1974S registered on the 25th of January 1974, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby transferred together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram annexed thereto.

1.4.1.3 Excluding the following condition and servitude in Deed of Transfer T about to be registered (formerly T2932/2008) which only affects Erf 985 in the Township

E. By Notarial Deed No K1833/1980S, dated the 17th April 1980, and registered on the 17th June 1980, the property hereby transferred is subject to a perpetual servitude for sewer gathering purposes two metres wide as indicated by the line A B C D on Diagram SG No A 1220/79 in favour of the City Council of Alberton together with ancillary rights, as will more fully appear on reference to the said Notarial Deed and diagram.

1.5 ACCESS

1.5.1 The relevant accesses must be constructed before the development of any part of the township that is reliant on such accesses takes place.

1.5.2 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.

1.6 ENGINEERING SERVICES

1.6.1 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.

1.7 OTHERS.

- 1.7.1 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.
- 1.7.2 The applicant shall at his own expense comply with all the conditions as laid down by the Gauteng Provincial Roads Department.

1.8 LAND TO BE TRANSFERRED TO THE NON-PROFIT COMPANY (HOME OWNERS ASSOCIATION).

- 1.8.1 A Home Owners Association shall be established for the development.
- 1.8.2 Erven 984 and 985 shall be transferred to the Non Profit Company (Homeowners Association) when the first erven or unit in the township becomes transferrable, by and at the expense of the township owner.
- 1.8.3 Each and every owner of an erf or unit in the township shall become a member of the Non Profit Company (Home Owners Association) upon transfer of the erf or unit.
- 1.8.4 The Non Profit Company (Home Owners Association) which organisation shall have full responsibility for the functioning and proper maintenance of the said erven and the engineering services within the said erven as determined by the services agreement for this township.
- 1.8.5 The Non Profit Company (Home Owners Association) shall have full legal power to levy from each and every member the cost incurred in fulfilling its function and shall have legal recourse to recover such fees in the event of a default in payments by any member.

2. ENDOWMENT

- 2.1. An endowment is payable towards the provision of parks and open space in the township to the local authority prior to proclamation of the township equal to an area of 4921m².

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)

3.1 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 1m 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.

3.2 Servitudes only affecting certain erven in the township

- 3.2.1 Erf 982 is affected by an electrical substation servitude in favour of Council as shown on the General Plan of the township;
- 3.2.2 Erf 982 is affected by a 2,00 metre sewer servitude in favour of the Council as shown on the General Plan of the township;
- 3.2.3 Erf 982 is affected by a 2,00 metre water servitude in favour of the Council as shown on the General Plan of the township
- 3.2.4 Erf 985 is subject to a servitude in favour of the Council for access purposes and the conveyance of municipal services as shown on the General Plan.

4. GENERAL CONDITIONS

- a) A service report containing the stormwater design of the land development area shall be submitted to Gauteng Department of Roads and Transport and Ekurhuleni Infrastructure Services (RTCW) for approval.
- b) The township owner shall arrange for the drainage of the township to fit in with that of Provincial Roads K85, K89 and K146 and for all storm water running off or being diverted from Provincials K85, K89 and K146 to be received and disposed of to the satisfaction of the Municipality and the Gauteng Department of Roads and Transport
- c) No advertisements that may be visible from Provincial Roads K85, K89 and K146 shall be displayed without the written approval of the Gauteng Department of Roads and Transport and the Municipality