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PROCLAMATION • PROKLAMASIE

PROCLAMATION 24 OF 2019**EKURHULENI TOWN PLANNING SCHEME 2014
EKURHULENI AMENDMENT SCHEME A0274****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 Watervalspruit Extension 28, 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 A0274

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

Notice No. A007/2019

**EKURHULENI METROPOLITAN MUNICIPALITY
ALBERTON CUSTOMER CARE AREA****DECLARATION OF WATERVALSPRUIT EXTENSION 28 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 Watervalspruit Extension 28 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 A PORTION 93 (A PORTION OF PORTION 2) OF THE FARM RIETSPRUIT NO 152, IR, 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 **Watervalspruit Extension 28**.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No. 600/2018.

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)

That portion of the property held hereunder, is subject and entitled to the following conditions:

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

The following rights/entitlements do affect the township area but will not be carried forward to the individual erven:

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 22/1914S.

1.6 ACCESS

- 1.6.1 The relevant accesses must be constructed before the development of any part of the township that is reliant on such accesses takes place.
- 1.6.2 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 department's requirements.

1.7 ENGINEERING SERVICES

- 1.7.1 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.
- 1.7.2 Once water, sewer and electrical networks have been installed, same will be transferred to the Local Authority, who shall maintain these networks.

1.8 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.

1.9 OTHER CONDITIONS.

- 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 ESKOM.
Ref: P213-2312-L41-EC

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)

- 3.1 All Erven:

- a. The 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 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.
- 3.1.1** Erven 4245 and 4246 are subject to a 4m servitude for municipal purposes in favour of the local authority.

GENERAL CONDITIONS:

- d. 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.
- e. The township owner shall arrange for the drainage of the township to fit in with that of Provincial Road K91 and for all storm water running off or being diverted from Provincial Road K91 to be received and disposed off to the satisfaction of the Municipality and the Gauteng Department of Roads and Transport.

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