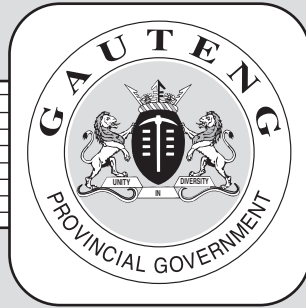


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**PROCLAMATION • PROKLAMASIE****PRCLAMATION NOTICES 15 OF 2021****RIVERSIDE VIEW EXTENSION 85**

- A.** In terms of Section 28(15) of the City of Johannesburg Municipal Planning By-Law, 2016, the City of Johannesburg Metropolitan Municipality declares **Riverside View Extension 85** to be an approved township subject to the conditions set out in the Schedule hereunder.

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY CENTURY PROPERTY DEVELOPMENTS (PROPRIETARY) LIMITED (REGISTRATION NUMBER 2002/023633/07) (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) IN TERMS OF THE PROVISIONS OF PART 3 OF CHAPTER 5 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016 (HEREINAFTER REFERRED TO AS THE BY-LAW), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 658 OF THE FARM ZEVENFONTEIN 407-J.R., GAUTENG PROVINCE, HAS BEEN APPROVED.**

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

The name of the township is **Riverside View Extension 85**.

**(2) DESIGN**

The township consists of erven and a road as indicated on General Plan S.G. No. 2141/2020.

**(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 be commenced with before 21 December 2028, 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 be completed before 17 November 2027, 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).

(7) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 1 July 2024, 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/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Roads and Transport.

(b) No access to or egress from the township shall be permitted via the line/lines of no access as indicated on the approved layout plan of the township No. 03-17620/L01.

(9) 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 roads and all stormwater running off or being diverted from the 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) RESTRICTION ON THE TRANSFER OF AN ERF/ERVEN

Erven 5307, 5308, 5309 and 5310 to 5312 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to Helderfontein Residential Homeowners' Association NPC (Registration Number 2010/024988/08), the Non-profit Company incorporated for the township which Association shall have full responsibility for the functioning and proper maintenance of the said erven and the engineering services within the said erven. All refuse, building rubble and/or other materials shall be removed from the erven prior to the transfer thereof to the mentioned Association.

(14) 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.

(15) OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND INSTALLATION OF ENGINEERING SERVICES AND RESTRICTIONS REGARDING THE 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 transferred into the name of a purchaser 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 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 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 transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that such certificate had been issued by ESKOM.

#### (16) 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 transferred into the name of a purchaser 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, servitudes and entitlements: -

### A. Excluding the following conditions which only affect Mull Road in the township

1. "The former Portion 11 of the farm Zevenfontein 407 of which a portion depicted by the figure e" V W X Y Z A1 e" on consolidation diagram S.G. No. 2140/2020 annexed hereto forms a portion, is subject to the following servitude-":  
By Notarial Deed No. 604/1970S, 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 on reference to the said Notarial Deed, and which route is defined by the figure k'X Y Z g' f k' on Consolidation Diagram S.G. No. 2140/2020, as will more fully appear from Notarial Deed of Route Description K2195/2018S.
2. "The former Remaining Extent of Portion 5 of the farm Zevenfontein 407, in extent 52,1291 hectares, of which a portion depicted by the figures a" C D E F G a" and b" P Q R S T U e" d" c" b" on consolidation diagram S.G. No. 2140/2020 annexed hereto forms a portion, is subject to the following servitude-":  
By Notarial Deed of Servitude K2196/2018S, the within mentioned property is subject to a servitude for right of way and municipal purposes over a portion of the property measuring 375 (three hundred and seventy five) square metres as indicated by the figure U e" b' d' e' U on Consolidation Diagram S.G. No.2140/2020 in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from reference to the said Notarial Deed.
3. "The former Portion 11 of the farm Zevenfontein 407 of which a portion depicted by the figure e" V W X Y Z A1 e" on Consolidation Diagram S.G. No. 2140/2020 annexed hereto forms a portion, is subject to the following servitude-":  
By Notarial Deed of Servitude K2197/2018S the within mentioned property is subject to a servitude for right of way and municipal purposes, together with ancillary rights, over a portion of the property measuring 1,0587 hectares, as indicated by the figure e" a b c d e f g h j k m n p q" Z q r s t u v w x y z a' b' e" on Consolidation Diagram S.G. No. 2140/2020 in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from reference to the said Notarial Deed.

- B. Excluding the following conditions which do not affect the township by virtue of the location of the proposed township:**
1. By Deed of Servitude No. 482/1951-S the within property is subject to a Servitude of Right-of-Way 4,72 metres wide along the Northern Boundary of Portion 49 of Portion 2 of Portion D of portion of the within mentioned farm Zevenfontein 407, Registration Division J.R., as will more fully appear from the said Notarial Deed No. 482/1951-S attached to Deed of Transfer T14325/1934, the said property being held Deed of Transfer T26728/1943.
  2. Notarial Deed No. 1306/62-S, the right has been granted to ELECTRCITY SUPPLY COMMISSION to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram, grosse whereof is annexed to Deed of Transfer T3854/1954.
  3. By Notarial Deed No. 1258/61-S, dated 17th June, 1960 the within mentioned property is subject to a Servitude of Pipeline vide diagram S.G. No. A4174/57 in favour of the City Council of Johannesburg, as will more fully appear from reference to the said Notarial Deed, a copy whereof is annexed to Deed of Transfer T3854/1954.
  4. By Notarial Deed No. K2916/1975S, 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 on reference to said Notarial Deed and diagram, grosse whereof is annexed Deed of Transfer T48324/1969.
  5. By Notarial Deed K2194/2018S, the within mentioned property is subject to a servitude in perpetuity over a portion of the property for the construction of a sub-station, and all ancillary infrastructure necessary, the servitude area indicated by the figure ABCDA on Servitude Diagram SG No 5836/2016 measuring 18m<sup>2</sup> in favour of ESKOM HOLDINGS SOC LIMITED, as will more fully appear from reference to the said Notarial Deed.
  6. By Notarial Deed No. 888/1959S dated 24th June 1959, and registered on 25th August 1959, the property hereby transferred is subject to a perpetual servitude of right of way and use for water pipeline purposes with ancillary rights, in favour of the City Council of Johannesburg, as will more fully appear from reference to the said Notarial Deed.
  7. By Notarial Deed No. 741/1954S dated 17th August 1954 and registered on the 4th September 1954 the property hereby transferred is subject to a perpetual right of way for municipal services and other ancillary rights over the figure marked ABCDEFGHJ on Diagram S.G. No. A.4981/51 annexed to servitude in favour of City Council of Johannesburg, as will more fully appear from reference to the said Notarial Deed.
  8. By Notarial Deed No. 375/1961S registered on the 8th April 1961, 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.
  9. By Notarial Deed No. K1883/1979S, the right has been granted to ELECTRICITY SUPPLY COMMISSION convey electricity over the property hereby conveyed together ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
  10. Subject to a right of way 6,30 metres wide in favour of Portion 13 (a portion of Portion 9) of the farm Zevenfontein 407, Registration Division J.R., Transvaal, indicated by the figure abckLM on diagram S.G. No. A6270/82 annexed to Certificate of Consolidated Title No T4357/84 and as will more fully appear from Deed of Servitude No. K48/1982S registered on 11th January 1982.
  11. The former Portion 185 of the farm Zevenfontein 407, Registration Division J.R., Transvaal of which the property indicated by the figure aEFGH' mid river on Diagram S.G. No. A6270/82 annexed to Certificate of Consolidated Title No T4357/84, forms a portion is subject to the conditions-

- a. By Notarial Deed No. 1306/62S, 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 on reference to the said Notarial Deed and diagram, grosse whereof is annexed to Deed of Transfer No 3854/1954.
  - b. By Notarial Deed No 1258/61S, dated 17th June, 1960 the within mentioned property is subject to a servitude of pipeline vide diagram S.G. No. A4175/57 in favour of the City Council of Johannesburg, as will more fully appear from reference to the said Notarial Deed, a copy whereof is annexed to Deed of Transfer No. 3854/1954.
  - c. By Notarial Deed No. K2916/1975S, 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 on reference to the said Notarial Deed.
12. The former Remaining Extent of Portion 187 of the farm Zevenfontein 407, Registration Division J.R., Province of Gauteng, in extent 8,5605 (eight comma five six zero five) hectares, (of which the portion held herewith forms a portion) is subject to the following conditions:
- a. By virtue of Notarial Deed K1210/2011 the within mentioned property is subject to a perpetual servitude for right of way purposes of a road and access, over and in favour of any area of land measuring 4747 square metres, which area is defined by figure ABCDEFGA on the diagram SG No. 8101/2007, as will more fully appear from the said Notarial Deed.
  - b. By virtue of Notarial Deed of Right of Way K804/2016S the within mentioned property is subject to a perpetual servitude for access purposes as indicated on the diagram SG No. 5461/2012 by Figure ABCDEFA, as will more fully appear from the said Notarial Deed.

**C. Excluding the following Entitlements/Rights which will not be passed on to the erven in the Township:**

The former Portion 185 of the farm Zevenfontein 407, Registration Division J.R., Transvaal of which the property indicated by the figures A' B a" G H J K L M N b" c" d" A1 b1 middle of river A' on consolidation diagram SG No 2140/2020 annexed hereto forms a portion, is subject to the conditions:

By Notarial Deed of Servitude No. 482/1951S the within property is entitled to a servitude of right of way 4,72 metres wide along the northern boundary of Portion 49 of Portion 2 of Portion D of portion of the withinmentioned farm Zevenfontein 407, Registration Division J.R., as will more fully appear from the said Notarial Deed No. 482/1951S attached to Deed of Transfer No 14325/1934, the said property being held under Deed of Transfer No. 26728/1943."



### 3. CONDITIONS OF TITLE.

#### A. Conditions of Title imposed by 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 and erected under his supervision 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 coding for foundations is classified as C-C2/S1/R/P (floodplain) – Soil Zone II.

(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 5307 AND 5308

The entire erven are each subject to a servitude for municipal purposes and right of way in favour of the local authority, as indicated on the General Plan.

(4) ERVEN 5249, 5250, 5253, 5254, 5257, 5258 AND 5312

The erven are each subject to a 3m wide stormwater servitude in favour of the local authority, as indicated on the General Plan.

(5) ERVEN 5252, 5256, 5260, 5273, 5284, 5285, 5286, 5289, 5296, 5297, 5300, 5302 AND 5303

The erven are each subject to a 2m wide sewer servitude in favour of the local authority, as indicated on the General Plan.

(6) ERF 5311

The erf is subject to a 2m wide water pipeline servitude in favour of the local authority, as indicated on the General Plan.

(7) ERVEN 5262 TO 5276, 5308, 5309 AND 5310

The erven are each subject to a 3m wide sewer servitude in favour of the local authority, as indicated on the General Plan.

#### 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) ALL ERVEN (EXCEPT ERVEN 5307, 5308, 5309 AND 5310 - 5312)

Each and every owner of the erf or owner of any sub-divided portion of the erf or owner of any unit thereon, shall on transfer become and remain a member of Helderfontein Residential Homeowners' Association NPC (Registration Number 2010/024988/08), the Non-profit Company incorporated for the purpose of the community scheme ("the Association") and shall be subject to its Memorandum of Incorporation until he/she ceases to be an owner and such owner shall not be entitled to transfer the erf or any sub divided portion thereof or any interest therein or any unit thereon, without a clearance certificate from such Association certifying that the provisions of the Memorandum of Incorporation have been complied with and the purchaser has bound himself/herself to the satisfaction of the Association to become and remain a member of the Association.

(2) ERVEN 5249, 5250, 5253, 5254, 5257, 5258 AND 5312

The Helderfontein Residential Homeowners' Association NPC (Registration Number 2010/024988/08) incorporated for the township shall maintain the stormwater attenuation system on the erven, to the satisfaction of the local authority.

(3) ERVEN 5308, 5309 AND 5290

The erven are each subject to a servitude for electrical purposes in favour of ESKOM as indicated on the General Plan.

(4) ERVEN 5249, 5306, 5311 AND 5312

The erven are each subject to a right of way servitude in favour of Helderfontein Residential Homeowners' Association NPC (Registration Number 2010/024988/08) as indicated on the General Plan.

**B.** The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of Section 54 of the City of Johannesburg Municipal Planning By-Law, 2016, declares that it has approved an amendment scheme being an amendment of the Johannesburg Land Use Scheme, 2018, comprising the same land as included in the township of **Riverside View Extension 85**. Map 3 and the scheme clauses of the amendment schemes 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 03-17620.

**Hector Bheki Makhubo**  
**Deputy Director: Legal Administration**  
**City of Johannesburg Metropolitan Municipality /**  
**Notice No. T003/2021**





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