

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

**LOCAL AUTHORITY NOTICE 208 OF 2021
GROBLER PARK EXTENSION 104**

- A. In terms of section 28(15) of the By-laws of the City of Johannesburg Metropolitan Municipality declares **Grobler Park Extension 104** 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 TUTAM PROPERTIES 143CC (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF PART 3 OF CHAPTER 5 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING BY-LAW, 2016 (HEREIN REFERRED TO AS THE BY-LAW), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON A PART OF PORTION 541 OF THE FARM ROODEPOORT NO. 237, REGISTRATION DIVISION I.Q., GAUTENG PROVINCE HAS BEEN APPROVED

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

The name of the township shall be Grobler Park Extension 104.

(2) DESIGN

The township shall consist of erven and a street as indicated on General Plan S.G. No. 1966/2020.

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

Should the development of the township not be commenced with before 6 November 2024, 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 be completed before 8 October 2029 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).

(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 . 20-05-0488/01. 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 9 October 2019.

(6) 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. 20-05-0488/01.

(7) 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.

(8) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

Should it, by reason of the establishment of the township, become necessary to remove or replace any existing municipal, ESKOM and/or TELKOM services, the cost thereof shall be borne by the township owner.

(9) ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent roads and for all stormwater running off or being diverted from the road to be received and disposed of.

(10) DEMOLITION OF BUILDINGS AND STRUCTURES.

The township owner shall at its own cost 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.

(11) 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.

(12) 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 1.(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 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 1.(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.

(13) 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.

(14) CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to consolidate Erven 1299 and 1300 to the local authority for approval.

(15) NOTARIAL TIE

The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to notarially tie Grobler Park Extension 103 and Grobler Park Extension 104, to the local authority for approval.

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 in favour of the local authority in terms of the provisions of Chapter 5 Part 3 of the By-law.

(1) ALL ERVEN

(a)(i) Each erf is subject to a servitude, 2 m 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 2 m 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 2 m 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 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

(b)(i) 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 Local Authority must indicate the 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.

(ii) The NHBRC coding for foundations is C2, Soil Zone III.

(c) The erven in the township 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 erven in the township to 286 KVA 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 owners.

C. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.

(1) ERF 1299

(a) The registered owner of the erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erf boundary abutting Road PWV5.

(b) Except for the physical barrier referred to in clause (a) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erf within a distance less than 20m/30m from the boundary of the erf abutting Road PWV5 neither shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).

- B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 54 of the By-Law of the City of Johannesburg, in addition to the provisions of the Roodepoort Town Planning Scheme, 1987, declares that it has approved an amendment scheme being an amendment of the Roodepoort Town Planning Scheme, 1987, comprising the same land as included in the township of **Grobler Park Extension 104**. 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 20-05-0488.

Hector Bheki Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No. 006/2021