

***THE PROVINCE OF
GAUTENG***



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5 APRIL 2018
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No. 93

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 32 OF 2018

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY GREENFIELDS GARDENS PROPRIETARY LIMITED REGISTRATION NUMBER 2007/006985/07 (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF SECTION 96 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 172 (A PORTION OF PORTION 171) OF THE FARM RIETFONTEIN NO 153 REGISTRATION DIVISION I.R. PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP

1.1 GENERAL

- (1) The applicant shall ensure that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (2) The applicant must comply with the requirements of Sections 72, 75 and 101 of Ordinance 15 of 1986.
- (3) The applicant shall ensure that the following conditions contained in Deed of Transfer **T68410/2015** with regard to **Portion 93** are cancelled, suspended or removed:

(a)

- B. Subject to the following conditions imposed by the Administrator in terms of Section 11(2) of Act 21 of 1940, namely:

Except with the written approval of the Administrator as Controlling Authority as defined in Act 21 of 1940:

- (i) The land may not be subdivided.
- (ii) The land shall be used solely for residential and agricultural purposes. The number of buildings on the land, or on any duly approved subdivision thereof, shall not exceed one residence together with such outbuildings as are ordinarily required to be used in connection therewith and such further buildings and structures as may be required for purposes of agriculture.

(iii) No store or place of business or industry whatsoever may be opened or conducted on the land.

(iv) No building or any structure whatsoever may be erected within a distance of 94,46 meters from the centre line of a public road.

(b)

1. The Remaining Extent of the said Portion called "DE LEEUW" of the farm Rietfontein Number 153 I.R., Measuring as such 405,3666 Hectares (a portion whereof is hereby transferred) is subject to the following conditions:

A. (a) Die regte van die Goewerneur-generaal soos in Artikel vier-en-dertig van die "Kroongrond Nederzettings Wet", 1912 bepaal.

(4) The applicant shall ensure that the following conditions contained in Deed of Transfer **T68411/2015** with regard to **Portion 94** are cancelled, suspended or removed:

(a)

B. Subject to the following conditions imposed in terms of Act 21 of 1940, namely:

Except with the written approval of the Controlling Authority:

(i) The land may not be subdivided.

(ii) The land shall be used solely for residential and agricultural purposes. The number of buildings on the land, or on any duly approved subdivision thereof, shall not exceed one residence together with such outbuildings as are ordinarily required to be used in connection therewith and such further buildings and structures as may be required for purposes of agriculture.

(iii) No store or place of business or industry whatsoever may be opened or conducted on the land.

(iv) No building or any structure whatsoever may be erected within a distance of 94,46 meters from the centre line of a public road.

(b)

1. The Remaining Extent of the said Portion called "DE LEEUW" of the farm Rietfontein Number 153 I.R., Measuring as such 405,3666 Hectares (a portion whereof is hereby transferred) is subject to the following conditions:

- A. (a) Die regte van die Goewerneur-generaal soos in Artikel vier-en-dertig van die “Kroongrond Nederzettings Wet”, 1912 bepaal.

2. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be **“PALM RIDGE EXTENSION 18”**.

(2) DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. NO 3096/2017.

3. EXISTING CONDITIONS OF TITLE

3.1 DISPOSAL OF EXISTING CONDITIONS

3.1.1 All erven shall be made subject to the existing conditions of title and servitudes if any, excluding the following conditions which only affect certain erven in the Township:

- 3.1.1.1 The former portion 93 (a portion of portion 1) of the farm Rietfontein No 153, Registration Division I.R. Gauteng Province, (a portion whereof is indicated by the figure A, B, x, J, A on Diagram S.G. No 3093/2017 annexed hereto) is subject to:

The right has been granted to ESKOM to convey electricity over the hereinmentioned land together with ancillary rights, as will more fully appear from Notarial Deed of Servitude K 888/1976 S. By Notarial Deed K624/1978 S the route has been determined and the centre line thereof is indicated by the line g,e on diagram SG No 3093/2017 annexed hereto extending 23,61 metres on both sides of the line g,e on the said diagram.

Which condition only affects Erf 22217 (PARK) and Road 1484 in the Township

- 3.1.1.2 The former portion 94 (a portion of portion 1) of the farm Rietfontein No 153, Registration Division I.R. Gauteng Province, (a portion whereof is indicated by the figure B, C, D, E, F, G, H, x, B on Diagram S.G. No 3093/2017 annexed hereto, is subject to:

The right has been granted to ESKOM to convey electricity over the hereinmentioned land together with ancillary rights, as will more fully appear from Notarial Deed of Servitude K 888/1976 S. By Notarial Deed K624/1978 S the route has been determined and the centre lines thereof are indicated by the lines a,b and c,d and e,f on diagram SG no 3093/2017 annexed hereto, extending 23,61 metres on both sides of the lines a,b and c,d and e,f on the said diagram.

Which condition only affects Erf 22217 (PARK) in the Township

3.1.2 Excluding the following conditions which will not be passed onto erven in the Township regarding Portion 93:

- A. The Remaining Extent of the said Portion called “DE LEEUW” of the farm Rietfontein Number 153 I.R., Measuring as such 405,3666 Hectares, (a Portion whereof is hereby transferred) is subject to the following:
- (b) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die hierby getransporteerde grond geregtig is tot die water uit die watervoorlopende uit die spruit op gedeelte 3 van gedeelte genoem “DE LEEUW” van die plaas Rietfontein Nommer 153, Registrasie Afdeling I.R. Provinsie van Gauteng, oorspronklik toegeken kragtens Kroongrondbrief Nommer 73/1943 geregistreer op 24 Maart 1943, na die hiermee getransporteerde grond.
 - (c) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die hierby getransporteerde grond verantwoordelik is vir die onderhoud van die watervoor genoem in voorwaarde (b) hiervan en geregtig is tot toegang tot enige deel van die genoemde watervoor op gedeelte B van gedeelte genoem “DE LEEUW” van die Plaas Rietfontein Nommer 153, Registrasie Afdeling I.R. Province of Gauteng, Transvaal, oorspronklik toegeken kragtens Kroongrondbrief Nommer 73/1943 geregistreer op 24 Maart 1943.
 - (d) Die voorwaarde dat die regte verleen in voorwaarde (b) en (c) hiervan geen regte tot water of tot enige serwituut of regte hoegenaamd sal wees waartoe die grond nie volgens Wet geregtig is nie, of wat met die bepalinge van die Besproeiings en Waterbewarings Wet van 1912 of ‘n Wysiging daarvan in stryd is, en verder dat aan die voorwaardes geen uitleg gegee word dat dit bedoel om enige oewerrechte te gee waartoe die grond volgens Wet geregtig is nie.

3.1.3 Excluding the following conditions which will not be passed onto erven in the Township regarding Portion 94:

1. The Remaining Extent of the said Portion 1 “DE LEEUW” of the farm measuring as such 353,1898 Hectares (of which the property hereby transferred forms a portion) is subject to the following conditions:

- A. (b) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder getranspoteer geregtig is tot die water uit die watervoor lopende uit die spruit op gedeelte B van gedeelte genoem “De Leeuw” van die gesegde plaas Rietfontein, oorspronklik toegeken kragtens Kroongrondbrief Nommer 73/1943 geregistreer op 24 Maart 1943, na die hiermee getranspoteerde grond.
- (c) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder gehou verantwoordelik is vir die onderhoud van die watervoor genoem in voorwaarde (b) hiervan en geregtig is tot toegang tot enige deel van die genoemde watervoor op Gedeelte 3 van gedeelte genoem “De Leeuw” van die gesegde plaas Rietfontein, oorspronklik toegeken kragtens Kroongrondbrief Nommer 73/1943 geregistreer op 24 Maart 1943.
- (d) Die voorwaarde dat die regte verleen in voorwaardes (b) en (c) hiervan geen regte tot water of tot enige serwituut of regte hoegenaamd sal wees waartoe die grond nie volgens Wet geregtig is nie, of wat met die bepalings van die Besproeiings en Waterbewarings Wet van 1912 of ‘n Wysiging daarvan in stryd is, en verder dat aan die voorwaardes geen uitleg gegee word dat dit bedoel om enige oewerregte te gee waartoe die grond nie volgens Wet geregtig is nie.

3.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION

- (a) The township owner shall, carry out the approved scheme at his/her own expense under the supervision of the appointed Professional Engineer.
- (b) The township owner shall be responsible for the maintenance of the streets and stormwater drainage system as set out in sub-clause (b) above.
- (c) The Traffic impact study must be approved before any development can take place.

3.4 WATER AND SANITATION

Written Consent shall be obtained from ERWAT to the effect that the sewage treatment plant has spare capacity available to accommodate the development.

3.5 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall fulfil obligations in respect of the provision of water, electricity and sanitary services and the installation of systems.

3.6 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the costs thereof shall be borne by the township owners.

3.7 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with those adjacent public roads, for all stormwater run-off or being diverted from the roads to be received and disposed of.

3.8 SOIL CONDITIONS

Proposals to overcome detrimental soil conditions to the satisfaction of the Municipality shall be contained in all building places submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

3.9 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished when required to do so.

3.10 PRECAUTIONARY MEASURES

The township owner shall at his own expense, ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

3.11 REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed when required to do so.

3.12 LAND FOR PUBLIC / MUNICIPAL PURPOSES

Erf 22217

4. CONDITIONS OF TITLE**4.1 A. CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986.**

All erven shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986:

- 4.1.1 The property is subject to a servitude, 2 metres wide, in favour of the Local Authority, for sewerage and other municipal purposes, along one boundary other than a street boundary, and in the case of a corner stand the servitude will only be

applicable along one boundary other than a street boundary, and in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres 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 on submission of a site plan or a building plan which is to be approved by the local authority.

4.1.2 No building or other structures 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 metres thereof.

4.1.3 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.

4.2 Erf 22075 is subject to a 3 metre wide stormwater servitude in favour of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY as indicated on General Plan S.G. NO 3096/2017.

5. CONDITIONS TO BE INCORPORATED IN THE CITY OF EKURHULENI TOWN PLANNING SCHEME 2014 IN ADDITION TO THE PROVISION OF THE TOWN PLANNING SCHEME IN OPERATION.

5.1 Conditions to be contained in Annexure:

USE ZONE 2 – “RESIDENTIAL 2”

Erven 21930 to 22216

(i)	Density	1(one dwelling house per erf)
(ii)	Coverage	60%
(iii)	Height	2 storeys
(iv)	Building Lines	As per the City of Ekurhuleni TPS 2014
(v)	Parking	As per the City of Ekurhuleni TPS 2014

USE ZONE 15 – “PUBLIC OPEN SPACE”

Erf 22217

Subject to the standard conditions of the City of Ekurhuleni Town Planning Scheme 2014

PROCLAMATION 33 OF 2018

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY GREENFIELDS GARDENS PROPRIETARY LIMITED REGISTRATION NUMBER 2007/006985/07 (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF SECTION 96 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 173 (A PORTION OF PORTION 171) OF THE FARM RIETFontein NO 153 REGISTRATION DIVISION I.R. PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP

1.1 GENERAL

- (1) The applicant shall ensure that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (2) The applicant must comply with the requirements of Sections 72, 75 and 101 of Ordinance 15 of 1986.
- (3) The applicant shall ensure that the following conditions contained in Deed of Transfer **T46668/2014** with regard to **Portion 92** are cancelled, suspended or removed:
 - A. The remaining extent of Portion 1 "DE LEEUW" of the aforesaid farm measuring as such 353,1898 hectares, (of which the property held hereunder forms a portion) is subject to the following:
 - (a) Die regte van die Staatspresident soos in Artikel vier-en-dertig van die "Kroongrond Nederzettingen Wet" 1912 bepaal.
 - B. SUBJECT to the following conditions imposed in terms of Act 21 of 1940: Except with the written approval of the Controlling Authority:
 - (i) The land shall be used solely for residential and agricultural purposes. The number of buildings on the land, or on any duly approved subdivision thereof, shall not exceed one residence together with such outbuildings as are ordinarily required to be used in connection therewith and such further buildings and structures as may be required for purposes of agriculture.
 - (ii) No store or place of business or industry whatsoever may be opened or conducted on the land.

- (4) The applicant shall ensure that the following conditions contained in Deed of Transfer **T68410/2015** with regard to **Portion 93** are cancelled, suspended or removed.
- A. The Remaining Extent of the said Portion called “DE LEEUW” of the farm Rietfontein Number 153 I.R., Measuring as such 405,3666 Hectares (a Portion whereof is hereby transferred) is subject to the following conditions:
- (a) Die regte van die Goewerneur-generaal soos in Artikel vier-en-dertig van die “Kroongrond Nederzettings Wet”, 1912, bepaal.
- B. SUBJECT to the following conditions imposed by the Administrator in terms of Section 11(2) of Act 21 of 1940, namely:
- Except with the written approval of the Administrator as Controlling Authority as defined in Act 21 of 1940:
- (i) The land may not be subdivided
- (ii) The land shall be used solely for residential and agricultural purposes. The number of buildings on the land, or on any duly approved subdivision thereof, shall not exceed one residence together with such outbuildings as are ordinarily required to be used in connection therewith and such further buildings and structures as may be required for purposes of agriculture.
- (iii) No store or place of business or industry whatsoever may be opened or conducted on the land.
- (iv) No building or any structure whatsoever may be erected within a distance of 94,46 metres from the centre line of a public road.
- (5) The applicant shall ensure that the following conditions contained in Deed of Transfer **T68411/2015** with regard to **Portion 94** are cancelled, suspended or removed.
1. The Remaining Extent of the said Portion 1 “DE LEEUW” of the farm measuring as such 353,1898 hectares (of which the property hereby transferred forms a portion) is subject to the following conditions:
- A. (a) Die regte van die Staats President soos in Artikel vier-en-dertig van die “Kroongrond Nederzettings Wet”, 1912, bepaal.

2. Subject to the following conditions imposed in terms of Act 21 of 1940:

Except with the written approval of the Controlling Authority:

- (i) The land may not be subdivided
- (ii) The land shall be used solely for residential and agricultural purposes. The number of buildings on the land, or on any duly approved subdivision thereof, shall not exceed one residence together with such outbuildings as are ordinarily required to be used in connection therewith and such further buildings and structures as may be required for purposes of agriculture.
- (iii) No store or place of business or industry whatsoever may be opened or conducted on the land.
- (iv) No building or any structure whatsoever may be erected within a distance of 94,46 metres from the centre line of a public road.

2. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be **“PALM RIDGE EXTENSION 19”**.

(2) DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G No 3097/2017.

3. EXISTING CONDITIONS OF TITLE

3.1 DISPOSAL OF EXISTING CONDITIONS

3.1.1 All erven shall be made subject to the existing conditions of title and servitudes, if any, excluding the following conditions which only affect certain erven in the Township:

- 3.1.1.1 The former Portion 92 (a Portion of Portion 1) of the farm Rietfontein No 153, Registration Division I.R. Gauteng, indicated by the figure A, a, b K, L, M, N, A on Diagram S.G. No 3094/2017 annexed hereto is subject to:

Subject to the right to convey electricity, together with ancillary rights, in favour of ESCOM, by virtue of Notarial Deed K254/1976 S, dated the 4th February 1976, and subject to the conditions as will more fully appear therein, which Notarial Deed was granted in respect of the property mentioned herein. By Notarial Deed K614/1978 S the route has been determined and the centre line thereof is indicated by the line x, y on Diagram SG No 3094/2017, extending 23,61 metres on both sides of the line x,y on the said Diagram.

Which condition only affects Erf 22525 (park) and Ehamba Street in the Township

3.1.1.2 The former portion 93 (a portion of portion 1) of the farm Rietfontein No 153, Registration Division I.R. Gauteng Province, (a portion whereof is indicated by the figure a, B, C, c, d, E, F, G, H, J, b, a on Diagram S.G. No 3094/2017 annexed hereto) is subject to:

The right has been granted to ESKOM to convey electricity over the hereinmentioned land together with ancillary rights, as will more fully appear from Notarial Deed of Servitude K 888/1976 S. By Notarial Deed K624/1978 S the route has been determined and the centre line thereof is indicated by the line y,z on Diagram SG No 3094/2017 annexed hereto extending 23,61 metres on both sides of the line y,z on the said Diagram.

Which condition only affects Erf 22526 (park) and Ehamba Street in the Township

3.1.2 Excluding the following conditions which will not be passed onto erven in the Township

A. In regard to Portion 92:

The Remaining Extent of the said Portion 1 "DE LEEUW" of the farm measuring as such 353,1898 hectares (of which the property hereby transferred forms a portion) is subject to the following conditions:

- b) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder getranspoteer geregtig is tot die water uit die watervoor lopende uit die spruit op gedeelte B van gedeelte genoem "DE LEEUW" van die gesegde plaas Rietfontein oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943, na die hiermee getranspoteerde grond.
- c) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder gehou verantwoordelik is vir die onderhoud van die watervoor genoem in voorwaarde (b) hiervan en geregtig is tot toegang tot enige deel van die genoemde watervoor op gedeelte B van gedeelte genoem "DE LEEUW" van die gesegde plaas Rietfontein oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943.
- d) Die voorwaarde dat die regte verleen in voorwaarde (b) en (c) hiervan geen regte tot water of tot enige serwituut of regte hoegenaamd sal wees waartoe die grond nie volgens Wet geregtig is nie, of wat met die bepalings van die Besproeiings en Waterbewarings Wet van 1912 of 'n wysiging daarvan in stryd is, en verder dat aan die voorwaardes geen uitleg gegee word dat dit bedoel om enige oewerregte te gee waartoe die grond volgens Wet geregtig is nie.

B. In regard to Portion 93:

The Remaining Extent of the said Portion called "DE LEEUW" of the farm Rietfontein Number 153 I.R., Measuring as such 405,3666 Hectares, (a Portion whereof is hereby transferred) is subject to the following:

- (b) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die hierby getransporteerde grond geregtig is tot die water uit die watervoorlopende uit die spruit op gedeelte 3 van gedeelte genoem "DE LEEUW" van die plaas Rietfontein Nommer 153, Registrasie Afdeling I.R. Provinsie van Gauteng, oorspronklik toegeken kragtens Kroongrondbrief Nommer 73/1943 geregistreer op 24 Maart 1943, na die hiermee getransporteerde grond.
- (c) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die hierby getransporteerde grond verantwoordelik is vir die onderhoud van die watervoor genoem in voorwaarde (b) hiervan en geregtig is tot toegang tot enige deel van die genoemde watervoor op gedeelte B van gedeelte genoem "DE LEEUW" van die Plaas Rietfontein Nommer 153, Registrasie Afdeling I.R. Province of Gauteng, Transvaal, oorspronklik toegeken kragtens Kroongrondbrief Nommer 73/1943 geregistreer op 24 Maart 1943.
- (d) Die voorwaarde dat die regte verleen in voorwaardes (b) en (c) hiervan geen regte tot water of tot enige serwituut of regte hoegenaamd sal wees waartoe die grond nie volgens Wet geregtig is nie, of wat met die bepalings van die Besproeiings en Waterbewarings Wet van 1912 of 'n Wysiging daarvan in stryd is, en verder dat aan die voorwaardes geen uitleg gegee word dat dit bedoel om enige oewerregte te gee waartoe die grond volgens Wet geregtig is nie.

C. In regard to Portion 94:

The Remaining Extent of the said Portion 1 "DE LEEUW" of the farm measuring as such 353,1898 hectares (of which the property hereby transferred forms a portion) is subject to the following conditions:

- b) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder getransporteer geregtig is tot die water uit die watervoorlopende uit die spruit op gedeelte B van gedeelte genoem "DE LEEUW" van die gesegde plaas Rietfontein oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943, na die hiermee getransporteerde grond.

- c) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder gehou verantwoordelik is vir die onderhoud van die watervoor genoem in voorwaarde (b) hiervan en geregtig is tot toegang tot enige deel van die genoemde watervoor op gedeelte 3 van gedeelte genoem "DE LEEUW" van die gesegde plaas Rietfontein oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943.
- d) Die voorwaarde dat die regte verleen in voorwaardes (b) en (c) hiervan geen regte tot water of tot enige servituut of regte hoegenaamd sal wees waartoe die grond nie volgens Wet geregtig is nie, of wat met die bepalings van die Besproeiings en Waterbewarings Wet van 1912 of 'n wysiging daarvan in stryd is, en verder dat aan die voorwaardes geen uitleg gegee word dat dit bedoel om enige oewerregte te gee waartoe die grond volgens Wet geregtig is nie.

3.1.3 Excluding the following condition which does not affect the township due to its location;

- G. The former portion 94 (a portion of portion 1) of the farm Rietfontein No 153, Registration Division I.R. Gauteng Province, a portion whereof is indicated by the figure c, D, E, d, c on Diagram S.G. No 3094/2017 annexed hereto is subject to:
The right has been granted to ESKOM to convey electricity over the hereinmentioned land together with ancillary rights as will more fully appear from Notarial Deed of Servitude K888/76S.

3.2 STORMWATER DRAINAGE AND STREET CONSTRUCTION

- (a) The township owner shall, carry out the approved scheme at his/her own expense under the supervision of the appointed Professional Engineer.
- (b) The township owner shall be responsible for the maintenance of the streets and stormwater drainage system as set out in sub-clause (b) above.
- (c) The Traffic impact study must be approved before any development can take place.

3.3 WATER AND SANITATION

Written Consent shall be obtained from ERWAT to the effect that the sewage treatment plant has spare capacity available to accommodate the development.

3.4 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall fulfil obligations in respect of the provision of water, electricity and sanitary services and the installation of systems.

3.5 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the costs thereof shall be borne by the township owners.

3.6 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with those adjacent public roads, for all stormwater run-off or being diverted from the roads to be received and disposed of.

3.7 SOIL CONDITIONS

Proposals to overcome detrimental soil conditions to the satisfaction of the Municipality shall be contained in all building places submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

3.8 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished when required to do so.

3.9 PRECAUTIONARY MEASURES

The township owner shall at his own expense, ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

3.10 REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed when required to do so.

3.11 LAND FOR PUBLIC / MUNICIPAL PURPOSES

Erf 22525 and 22526

4. CONDITIONS OF TITLE**4.1 A. CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986.**

All erven shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986:

- 4.1.1 The property is subject to a servitude, 2 metres wide, in favour of the Local Authority, for sewerage and other municipal purposes, along one boundary other than a street boundary, and in the case of a corner stand the servitude will only be applicable along one boundary other than a street boundary, and in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres 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 on submission of a site plan or a building plan which is to be approved by the local authority.
- 4.1.2 No building or other structures 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 metres thereof.
- 4.1.3 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.
- 4.2 Erven 22342 and 22436 are subject to a 3 metre wide stormwater servitude in favour of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY as indicated on General Plan S.G. No 3097/2017.
5. **CONDITIONS TO BE INCORPORATED IN THE CITY OF EKURHULENI TOWN PLANNING SCHEME 2014 IN ADDITION TO THE PROVISION OF THE TOWN PLANNING SCHEME IN OPERATION.**

5.1 Conditions to be contained in Annexure:

USE ZONE 2 – “RESIDENTIAL 2”

Erven 22218 to 22397 and 22400 to 22524

- | | | |
|-------|----------|-------------------------------|
| (i) | Density | 1(one dwelling house per erf) |
| (ii) | Coverage | 60% |
| (iii) | Height | 2 storeys |

- | | | |
|------|----------------|--|
| (iv) | Building Lines | As per the City of Ekurhuleni TPS 2014 |
| (v) | Parking | As per the City of Ekurhuleni TPS 2014 |

USE ZONE 17 – “SOCIAL SERVICES”

Erf 22398

- | | | |
|-------|----------------|--|
| (i) | Coverage | 50% |
| (ii) | FAR | 0,5 |
| (iii) | Primary Rights | As per the City of Ekurhuleni TPS 2014 |
| (iv) | Height | 2 storeys |
| (v) | Building Lines | As per the City of Ekurhuleni TPS 2014 |
| (vi) | Parking | As per the City of Ekurhuleni TPS 2014 |

RESIDENTIAL 4**USE ZONE 4 - RESIDENTIAL 4**

Erf 22399

- | | | |
|-------|----------------|-----------------------|
| (i) | Density | 125 units per hectare |
| (ii) | Coverage | 60% |
| (iii) | FAR | 1,2 |
| (iv) | Primary Rights | As per scheme |
| (v) | Height | 4 storeys |
| (vi) | Parking | As per scheme |
| (vii) | Building lines | As per scheme |

USE ZONE 15 – “PUBLIC OPEN SPACE”

Erven 22525 to 22526

Subject to the standard conditions of the City of Ekurhuleni Town Planning Scheme
2014

PROCLAMATION 34 OF 2018

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY GREENFIELDS GARDENS PROPRIETARY LIMITED REGISTRATION NUMBER 2007/006985/07 (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF SECTION 96 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 174 (A PORTION OF PORTION 171) OF THE FARM RIETFontein NO 153 REGISTRATION DIVISION I.R. PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP

1.1 GENERAL

- (1) The applicant shall ensure that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (2) The applicant must comply with the requirements of Sections 72, 75 and 101 of Ordinance 15 of 1986.
- (3) The applicant shall ensure that the following conditions contained in Deed of Transfer **T46668/2014** with regard to **Portion 92** are cancelled, suspended or removed:

(a)

- B. Subject to the following conditions imposed in terms of Act 21 of 1940, :
Except with the written approval of the Controlling Authority:

- (i) The land shall be used solely for residential and agricultural purposes. The number of buildings on the land, or on any duly approved subdivision thereof, shall not exceed one residence together with such outbuildings as are ordinarily required to be used in connection therewith and such further buildings and structures as may be required for purposes of agriculture.
- (ii) No store or place of business or industry whatsoever may be opened or conducted on the land.

(b)

- A. The remaining extent of Portion 1 "DE LEEUW" of the aforesaid farm measuring as such 353,1898 hectares, (of which the property held hereunder forms a portion) is subject to the following:

- (a) Die regte van die Staatspresident soos in Artikel vier-en-dertig van die “Kroongrond Nederzettings” Wet 1912 bepaal.
- (4) The applicant shall ensure that the following conditions contained in Deed of Transfer **T68410/2015** with regard to **Portion 93** are cancelled, suspended or removed:
- (a)
- B. Subject to the following conditions imposed by the Administrator in terms of Section 11(2) of Act 21 of 1940, namely:
- Except with the written approval of the Administrator as Controlling Authority as defined in Act 21 of 1940:
- (i) The land may not be subdivided;
- (ii) The land shall be used solely for residential and agricultural purposes. The number of buildings on the land, or on any duly approved subdivision thereof, shall not exceed one residence together with such outbuildings as are ordinarily required to be used in connection therewith and such further buildings and structures as may be required for purposes of agriculture.
- (iii) No store or place of business or industry whatsoever may be opened or conducted on the land.
- (iv) No building or any structure whatsoever may be erected within a distance of 94.46 metres from the centre line of a public road.
- (b)
1. The Remaining Extent of the said Portion called “DE LEEUW” of the farm Rietfontein Number 153 I.R., measuring as such 405,3666 hectares, (a portion whereof is hereby held) is subject to the following conditions:
- A. (a) Die regte van die Goewerneur-generaal soos in Artikel vier-en-dertig van die “Kroongrond Nederzettings” Wet 1912 bepaal.

2. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be “**PALM RIDGE EXTENSION 20**”.

(2) DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No 3098/2017.

3. EXISTING CONDITIONS OF TITLE**3.1 DISPOSAL OF EXISTING CONDITIONS****3.1.1 All erven shall be made subject to the existing conditions of title and servitudes if any, excluding the following conditions which do not affect the erven due to its location:**

- 3.1.1.1 The former portion 92 (a portion of portion 1) of the farm Rietfontein No 153, Registration division IR, Gauteng Province (a portion whereof is indicated by the figure H, A, B, C, D, a, b, H on Diagram SG No 3095/2017 annexed hereto) is subject to:
- a) Subject to the right to convey electricity, together with ancillary rights, in favour of ESCOM, by virtue of Notarial Deed K 254/1976S, dated the 4th day of February 1976, and subject to the conditions as will more fully appear therein, which Notarial Deed was granted in respect of the property mentioned herein
- 3.1.1.2 The former portion 93 (a portion of portion 1) of the farm Rietfontein no 153, Registration Division I.R. Gauteng province, a portion whereof is indicated by the figure a,E, F, G, b, a on Diagram S.G. No 3095/2017 annexed hereto is subject to:

The right has been granted to ESKOM to convey electricity over the hereinmentioned land together with ancillary rights, as will more fully appear from Notarial Deed of Servitude K 888/1976 S.

3.1.2 Excluding the following conditions which will not be passed onto erven in the Township regarding Portion 92:

The remaining extent of Portion 1 "DE LEEUW" of the aforesaid farm measuring as such 353,1898 hectares, (of which the property held hereunder forms a portion) is subject to the following:

- (b) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder gehou geregtig is tot die water uit die watervoor lopende uit die spruit op gedeelte B van gedeelte genoem "DE LEEUW" van die gesegde plaas Rietfontein oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943, na die hiermee getransporteerde grond.
- (c) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die grond hieronder gehou verantwoordelik is vir die onderhoud van die watervoor genoem in voorwaarde (b) hiervan en geregtig is tot toegang tot enige deel van die genoemde watervoor op gedeelte B van gedeelte

genoem “DE LEEUW” van die gesegde plaas Rietfontein oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943.

- (d) Die voorwaarde dat die regte verleen in voorwaarde (b) en (c) hiervan geen regte tot water of tot enige serwituut of regte hoegenaamd sal wees waartoe die grond nie volgens Wet geregtig is nie, of wat met die bepalings van die Besproeiings en Waterbewaringswet van 1912 of ‘n wysiging daarvan in stryd is, en verder dat aan die voorwaardes geen uitleg gegee word dat dit bedoel om enige oewerregte te gee waartoe die grond nie volgens Wet geregtig is nie.

3.1.3 Excluding the following conditions which will not be passed onto erven in the Township regarding Portion 93:

- A. The Remaining Extent of the said Portion called “DE LEEUW” of the farm Rietfontein Number 153 I.R., Measuring as such 405,3666 Hectares, (a Portion whereof is hereby transferred) is subject to the following:
- (b) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die hierby getransporteerde grond geregtig is tot die water uit die watervoorlopende uit die spruit op gedeelte 3 van gedeelte genoem “DE LEEUW” van die plaas Rietfontein Nommer 153, Registrasie Afdeling I.R. Provinsie van Gauteng, oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943, na die hiermee getransporteerde grond.
- (c) Die voorwaarde dat die huurders, eienaars of regverkrygendes van die hierby getransporteerde grond verantwoordelik is vir die onderhoud van die watervoor genoem in voorwaarde (b) hiervan en geregtig is tot toegang tot enige deel van die genoemde watervoor op gedeelte B van gedeelte genoem “DE LEEUW” van die Plaas Rietfontein Nommer 153, Registrasie Afdeling I.R. Province of Gauteng, Transvaal, oorspronklik toegeken kragtens Kroongrondbrief Nr 73/1943 geregistreer op 24 Maart 1943.
- (d) Die voorwaarde dat die regte verleen in voorwaarde (b) en (c) hiervan geen regte tot water of tot enige serwituut of regte hoegenaamd sal wees waartoe die grond nie volgens Wet geregtig is nie, of wat met die bepalings van die Besproeiings en Waterbewarings Wet van 1912 of ‘n Wysiging daarvan in stryd is, en verder dat aan die voorwaardes geen uitleg gegee word dat dit bedoel om enige oewerregte te gee waartoe die grond volgens Wet geregtig is nie.

3.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION

- (a) The township owner shall, carry out the approved scheme at his/her own expense under the supervision of the appointed Professional Engineer.
- (b) The township owner shall be responsible for the maintenance of the streets and stormwater drainage system as set out in sub-clause (b) above.
- (c) The Traffic impact study must be approved before any development can take place.

3.4 WATER AND SANITATION

Written Consent shall be obtained from ERWAT to the effect that the sewage treatment plant has spare capacity available to accommodate the development.

3.5 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall fulfil obligations in respect of the provision of water, electricity and sanitary services and the installation of systems.

3.6 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the costs thereof shall be borne by the township owners.

3.7 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with those adjacent public roads, for all stormwater run-off or being diverted from the roads to be received and disposed of.

3.8 SOIL CONDITIONS

Proposals to overcome detrimental soil conditions to the satisfaction of the Municipality shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

3.9 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished when required to do so.

3.10 PRECAUTIONARY MEASURES

The township owner shall at his own expense, ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

3.11 REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed when required to do so.

3.12 LAND FOR PUBLIC / MUNICIPAL PURPOSES

Erf 22894

4. CONDITIONS OF TITLE**4.1 A. CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986.**

All erven shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986:

4.1.1 The property is subject to a servitude, 2 metres wide, in favour of the Local Authority, for sewerage and other municipal purposes, along one boundary other than a street boundary, and in the case of a corner stand the servitude will only be applicable along one boundary other than a street boundary, and in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres 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 on submission of a site plan or a building plan which is to be approved by the local authority.

4.1.2 No building or other structures 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 metres thereof.

4.1.3 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.

4.2 Erf 22868 is subject to a 3 metre wide stormwater servitude in favour of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY as indicated on General Plan S.G. No 3098/2017.

5. **CONDITIONS TO BE INCORPORATED IN THE CITY OF EKURHULENI TOWN PLANNING SCHEME 2014 IN ADDITION TO THE PROVISION OF THE TOWN PLANNING SCHEME IN OPERATION.**

5.1 **Conditions to be contained in Annexure:**

USE ZONE 2 – “RESIDENTIAL 2”

Erven 22527 to 22893

(i)	Density	1(one dwelling house per erf)
(ii)	Coverage	60%
(iii)	Height	2 storeys
(iv)	Building Lines	As per the Ekurhuleni TPS 2014
(v)	Parking	As per the Ekurhuleni TPS 2014

USE ZONE 15 – “PUBLIC OPEN SPACE”

Erf 22894

Subject to the standard conditions of the City of Ekurhuleni Town Planning Scheme 2014

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
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