

***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 278 OF 2021****ZANDSPRUIT EXTENSION 64**

- A. In terms of section 28(15) of the By-laws of the City of Johannesburg Metropolitan Municipality declares **Zandspruit Extension 64** 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 CENTRAL PROPERTY DEVELOPMENT JOHANNESBURG PROPRIETARY LIMITED REGISTRATION NUMBER 2004/018352/07 (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 296 (A PORTION OF PORTION 54) OF THE FARM ZANDSPRUIT NO 191, REGISTRATION DIVISION IQ, GAUTENG PROVINCE HAS BEEN APPROVED.

1. **CONDITIONS OF ESTABLISHMENT.**

(1) **NAME**

The name of the township is Zandspruit Extension 64.

(2) **DESIGN**

The township consists of erven and a road as indicated on General Plan S.G. No 2978/2017.

(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 been commenced with before 7 September 2022 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 been completed before 6 August 2018 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) **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**

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.

(9) 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.

(10) 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 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.

(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.

(11) 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, excluding:

A. The following condition which do affect the township due to its locality:

a)A Subject to and entitles to the following conditions in favour of and against the present and future owners of:-

- (a) Gedeelte A van die Noordelike Gedeelte van genoemde plaas, groot 121,6275 hektaar;
- (b) Die middelste gedeelte van genoemde plaas, groot 580,7958 hektaar;
- (c) Die suid-westelike gedeelte van genoemde plaas, groot 3317777 hektaar, welke drie eiendomme geregistreer is onder Transportakte No. 407/1932.
- (d) Gedeelte 10 van gedeelte bekend as Olievenbosch van genoemde plaas, groot 42,1259 hektaar, gehou onder Akte van transport No.9822/1936;
- (e) Die resterende gedeelte van gedeelte bekend as Olievenbosch van die plaas voornoem, groot as sulks 631,5137 hektaar gehou onder Sertifikaat van gewysigde Titel no. 9821/1936 (waarvan gedeelte 4 voornoemde getransporteer onder Transportakte No. 6424/1941 deel uitmaak) of enige gedeeltes daarvan”:-

That no canteen shall be opened or conducted on the said Portion 54, or any portion thereof.

B. The following entitlement/rights which shall not be passed on to the erven in the township:

- a) "Geregtig op 'n servituut van reg van weg oor die resterende gedeelte 3 voormeld, groot as sodanig 64.3044 hektaar, gehou onder Transportakte No. 6424/1941, langs die pad aangetoon op die kaart S.G. No A450/41 geheg aan transporakte No. 6425/1941, na die publieke pad wat 'n oordelike rigting oor die gesegde resterende gedeelte na PELINDABA gaan."

C. The following servitude which affects erf 964 in the township only:

- a) The 2m wide servitude for sewerage purposes in favour of the local authority in terms of Notarial Deed of Servitude No K 5314/2020S as indicated by the figure AH on diagram SG No A 2977/2017 which affects erf 964 in the township only;

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) The erven in the township 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 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.

(b)(i) 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.

(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 2m 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 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.

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 Peri-Urban Town Planning Scheme, 1975, declares that it has approved an amendment scheme being an amendment of the Peri-Urban Town Planning Scheme, 1975, comprising the same land as included in the township of **Zandspruit Extension 64**. 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 03-9095.

Hector Bheki Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No. 004/2021

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