

***THE PROVINCE OF  
GAUTENG***



***DIE PROVINSIE VAN  
GAUTENG***

# **Provincial Gazette Provinsiale Koerant**

**EXTRAORDINARY • BUITENGEWOON**

Selling price • Verkoopprys: **R2.50**  
Other countries • Buitelands: **R3.25**

**Vol: 27**

**PRETORIA**  
16 AUGUST 2022  
16 AUGUSTUS 2022

**No: 327**

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ISSN 1682-4520



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## PROCLAMATIONS • PROKLAMASIES

## PROCLAMATION NOTICE 58 OF 2022

**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 106 (A PORTION OF PORTION 105) OF THE FARM RIETSPRUIT NO 152 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 **T41056/2019** in respect of **Portion 45** and are cancelled, suspended or removed:

**(a)**

- C. AND FURTHER 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.
- (4) The applicant shall ensure that the following conditions contained in Deed of Transfer **T42477/2019** in respect of **Portion 46** are cancelled, suspended or removed:

**(b)**

- B. ONDERWORPE aan die volgende voorwaardes neergelê in terme van Wet 21 van 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 buildings 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 38**.

**(2) DESIGN**

The township shall consist of erven and streets as indicated on General Plan **S.G. 2250/2020**.

- (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.
- (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.
- (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.
- (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 running off or being diverted from the roads to be received and disposed of.
- (7) **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.
- (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.
- (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.
- (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.
- (11) **LAND FOR PUBLIC/MUNICIPAL PURPOSES**

None

### **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:**

##### **a) excluding the following condition which will not be passed onto the erven in the Township:**

Portion 27 of the aforesaid farm, measuring 488,0188 hectares (a portion of which is held hereunder) together with the Remaining Extent of Portion A called "WELVERDIEND" of the farm Rietspruit 152, Registration Division I.R., measuring as such 3,0010 hectares, held under Deed of Transfer 17638/1951 is entitled to the rights and subject to the conditions and servitudes regarding rights in and to dams, water and water-furrows on the farm Rietspruit as fully described in Deed of Servitude 22/1914-S.

##### **b) excluding the following condition which does not affect the Township due to location:**

The former Portion 1 of Portion A called WELVERDIEND of the aforesaid farm (of which the property hereunder forms a portion) is subject to the following condition:

- (i) SUBJECT to Deed of Servitude No K 315/1946-S, registered on the 13<sup>th</sup> May, 1946, in terms whereof the VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED, its Successors, Assigns or Licensees shall have the right in perpetuity to convey electricity across the property by means of wires and/or cables or other appliances. The line shall cross the property along the route indicated by the letters **ABC** on Diagram S.G. No A 135/1945, as will more fully appear from the said notarial deed.

#### **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 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 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 SERVITUDE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED:**

Erf **30024**

The erf is subject to a servitude for a cell phone mast tower in favour of Sky Tree Connect Proprietary Limited, Registration number 2004/028119/07, as indicated on the General Plan.

#### **5. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986 IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION.**

##### **5.1 GENERAL CONDITIONS**

Except with the written consent of the Local Authority, and subject to such conditions as it may impose, neither the owner nor the other person shall:-

- (i) save and except to prepare the erf for building purposes, excavate any material therefrom;
- (ii) sink any wells or boreholes thereon or abstract any subterranean water therefrom; or

- (iii) make or permit to be made, upon the erf for any purpose whatsoever, any bricks, tiles or earthenware pipes or other articles of any nature.
- (iv) Where, in the opinion of the Local Authority, it is impracticable for stormwater to be drained from higher lying erven direct to a public street, the owner of the lower lying erf shall be obliged to accept and/or permit the passage over the erf of such stormwater.  
Provided that the owners of any higher lying erven, the stormwater from which is discharged over any lower-lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower-lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.
- (v) The siting of buildings, including outbuildings, on the erf and entrances to and exists from the erf to a public street system shall be to the satisfaction of the Local Authority.
- (vi) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.
- (vii) No materials or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for other purpose than the laying out of lawns, gardens, parking or access roads: Provided that is necessary for a screen wall to be erected on such boundary this condition may be relaxed by the Local Authority subject to such conditions as may be determined by it.
- (viii) A screen or walls shall be erected and maintained to the satisfaction of the Local Authority as and when required by it.
- (ix) If the erf is fenced such fence and the maintenance thereof shall be to the satisfaction of the Local Authority.
- (x) The registered owner is responsible for the maintenance of the whole development on the erf. If the Local Authority is of the opinion that the erf or any portion of the development, is not being satisfactorily maintained, the Local Authority shall be entitled to undertake such maintenance at the cost of the registered owner.

## 5.2 USE ZONE 2 – RESIDENTIAL 2

### Erven 29476 to 30023

|                   |  |
|-------------------|--|
| Density           | 1 (one) dwelling house per erf   |
| Coverage          | 60%  |
| Height            | 2 storeys  |
| Building Lines    | As per the City of Ekurhuleni Town Planning Scheme 2014 and 16 metres from the Road K154 |
| Parking           | As per the City of Ekurhuleni Town Planning Scheme 2014                                  |
| Line of no access | Line of no access along Road K154  |

### USE ZONE 17: SOCIAL SERVICES

#### Erf 30024

|                |   |
|----------------|---|
| Density        | N/A   |
| Coverage       | 50%   |
| FAR            | 0,5   |
| Building lines | As per the City of Ekurhuleni Town Planning Scheme 2014 |
| Parking        | As per the City of Ekurhuleni Town Planning Scheme 2014 |

### General conditions

- a. 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 Municipality must show measures to be taken, in accordance with 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 Municipality that such measures are necessary or that the same purpose can be achieved by other more effective means.



Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,  
for the **Gauteng Provincial Administration**, Johannesburg.

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Publications: Tel: (012) 748 6053, 748 6061, 748 6065

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