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PROCLAMATIONS • PROKLAMASIES**PROCLAMATION NOTICE 65 OF 2022****EKURHULENI TOWN PLANNING SCHEME 2014
EKURHULENI AMENDMENT SCHEME A0391****CITY OF EKURHULENI METROPOLITAN MUNICIPALITY**

It is hereby notified in terms of the provision of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read with the Spatial Planning and Land Use Management Act, 16 of 2013, that the City of Ekurhuleni Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Watervalsspruit Extension 14, being an amendment of the Ekurhuleni Town Planning Scheme, 2014.

The Annexure of this amendment scheme is filed with the Municipal Manager and is open to inspection during normal office hours.

The amendment is known as Ekurhuleni Amendment Scheme A0391

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Rose Street
Germiston

Notice No. A006/2022

**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
ALBERTON CUSTOMER CARE AREA****DECLARATION OF WATERVALSPRUIT EXTENSION 14 AS AN APPROVED TOWNSHIP**

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read with the Spatial Planning and Land Use Management Act, 16 of 2013, the City of Ekurhuleni Metropolitan Municipality hereby declares the township of Watervalsspruit Extension 14 to be an approved township, subject to the conditions as set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), ON PORTION 121 (A PORTION OF PORTION 44) OF THE FARM WATERVAL 150 I.R, GAUTENG PROVINCE BY COSMOPOLITAN PROJECTS JOHANNESBURG PROPRIETARY LIMITED (Registration N0: 2005/013577/07) (HEREAFTER REFERRED TO AS THE APPLICANT/ TOWNSHIP OWNER) AND BEING THE REGISTERED OWNER OF THE LAND HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be **Watervalspruit Extension 14**.

2.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. 852/2021

2.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION

2.3.1 The township owner shall on request by the Council submit to such Council for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, tar macadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.

2.3.2 The scheme shall provide for the catchments of storm water in catch pits whence it shall be drained off in watertight pipes of durable material, approved by the Council, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground.

Furthermore, the scheme shall, indicate the route and gradient by which each erf gain access to the street on which it abuts. The township owner shall, when required by the Council to do so, carry out the approved scheme at its own expense on behalf of and to the satisfaction of the Council under supervision of a civil engineer approved by the Council.

2.3.3 Access to the township shall be provided from the nearest public road system to the satisfaction of the Council.

2.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

2.4.1 All erven shall be made subject to the existing conditions and servitudes, if any, including the reservation of the rights to minerals, but excluding the following conditions and servitudes in Deed of Transfer T106002/2014 which do not affect the township area and will not be carried forward.

Condition 5

By Notarial Deed No. 276/73-S dated the 12th February 1973 the within-mentioned property is subject to a Right of aqueduct in favour of the RAND WATER BOARD, with additional rights as will more fully appear from reference to the said Notarial Deed.

Condition 7

A pipeline servitude with restrictions of 3,15 metres on either side, as it appears on diagram L.G. No. A. 805/78 has been ceded to the REPUBLIC OF SOUTH AFRICA by Deed of Cession No. K 1693/1978-S, registered on the 19th July 1978.

Condition 8

- a. The erf shall be subject to a servitude for sewerage and other municipal purposes in favour of the Ekurhuleni Metropolitan Municipality, Germiston, 6 meters wide, as will more fully appear from Deed

2.4.2 The following ancillary rights and entitlements do affect the township area but will not be carried forward to the individual erven in the township**Condition 1A**

Portion A of the said farm (whereof that portion of the property held hereunder forms a portion) is subject and entitled to the following condition:

Subject to a servitude in favour of the VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED, to convey electricity over the property held hereunder along a Power Line represented by the line c d on the diagram annexed hereto, together with certain ancillary rights and subject to certain conditions as will more fully appear from Notarial Deed No 703/1945S registered on the 2nd November 1945.

Condition 2

That portion of the property held hereunder, is subject and entitled to the following conditions:

SUBJECT to a servitude in favour of the VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED to convey electricity over the property held hereunder along a Power Line represented by the line d b a on the diagram annexed hereto, together with certain conditions as will more fully appear from Notarial Deed No. 704/1945S registered on the 2nd November 1945

Condition 6

- b. By Notarial Deed No. 503/71-S, the right has been granted to ESCOM to convey electricity over the property held hereunder, together with certain ancillary rights, as will more fully appear from reference to the said Notarial Deed.

2.5 SERVITUDES AND CONDITIONS AFFECTING THE TOWNSHIP

The following conditions and servitudes in Deed of Transfer T106002/2014 are only applicable to specific erven and streets in the township

Condition 4

By Notarial Deed No K.487/1980-S dated the 16th October 1979 the within-mentioned property is subject to two perpetual servitudes of right of way, each three metres in extent as indicated by the letters A B C D E F G on diagram S.G. No. A4373/1977 and the letters A B C D E on diagram S.G. No. 825/1979 in favour of the Town Council of Alberton, together with ancillary rights, as will more fully appear from reference to said Notarial Deed.

Condition affects erven 7248 to 7251, Candlefish Street, Bullhead Street, Boarfish Street and Brooder Street in the township only.

2.6 CONDITIONS RELATING TO THE TRANSFER OF ERVEN AND STREETS

No erf in this township will be transferred or developed without the public streets, sports fields and public utility erven having been transferred to the Municipality.

2.7 OTHER CONDITIONS

The applicant shall at his own expense comply with all the conditions imposed by Gauteng Department of Agriculture and Rural Development to the satisfaction of GDARD.

2.8 ENGINEERING SERVICES

- 2.8.1 The provision of engineering services shall be dealt with in detail in the services agreement between the local authority and the applicant/ township owner where the responsibility of the installation and provision of internal engineering services will be agreed upon, as well as the responsibility for maintenance of water, sewer and electrical networks and the maintenance of internal roads.
- 2.8.2 Once water, sewer and electrical networks have been installed, same will be transferred to the Local Authority, who shall maintain these networks.

3. ENDOWMENT

- 3.1. There are no endowments payables towards the provision of parks or open spaces to the local authority prior to proclamation of the township.

4. CONDITIONS OF TITLE

The erven mentioned hereunder shall be made subject to the conditions as indicated, imposed by the Council in terms of the provisions of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

All Erven:

- a) The erf is subject to a servitude, 1m 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 1m 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 1m 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 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.

5. **CONDITIONS TO BE INCORPORATED INTO EKURHULENI TOWN-PLANNING SCHEME, 2014 IN ADDITION TO THE GENERAL PROVISIONS OF THE TOWN-PLANNING SCHEME IN OPERATION**

USE ZONE 2 – “RESIDENTIAL 2”

Erven 6977 to 7247

- i. Density shall be 1 (one) dwelling house per erf
- ii. Coverage shall not exceed 60%
- iii. Height: shall be restricted to 2 storeys
- iv. Building lines buildings
At the back – 1m; one side -0,0m; other side – 1m
- v. Streets : 3m
- vi. No access shall be permitted to those residential erven abutting Cosmopolitan Drive from said road.

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

USE ZONE 15 – “PUBLIC OPEN SPACE”

Erven 7248 to 7251.

- i. The above erven shall be used for parks, gardens, botanical gardens, zoological gardens, conservation areas, art galleries, sport and recreational clubs, social halls, opens spaces, play parks, squares and buildings used in connection therewith, municipal purposes, sports grounds, swimming pools, stormwater retention and attenuation ponds
- ii. Coverage: As determined by the municipality
- iii. Height: As determined by the municipality
- iv. Building lines shall be 10m from the street boundary and 5m along other boundaries
- v. Parking shall be to the satisfaction of the Municipality
- vi. A Site Development Plan (SDP) shall be submitted and approved before building plans may be submitted and the total development on the erf shall be in accordance with the approved SDP

Subject to the conditions of the Ekurhuleni Town Planning Scheme 2014

General conditions

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 unnecessary or that the same purpose can be achieved by other more effective means.

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