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**CONTENTS • INHOUD**

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
<b>LOCAL AUTHORITY NOTICES</b>			
2202	Town-planning and Townships Ordinance (15/1986): Ekurhuleni Metropolitan Municipality: Declaration as an approved township: Albertsdal Extension 19 .....	3	266
2203	do.: do.: Alberton Amendment Scheme 1982 .....	8	266

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# **LOCAL AUTHORITY NOTICES**

## **LOCAL AUTHORITY NOTICE 2202**

### **EKURHULENI METROPOLITAN MUNICIPALITY (ALBERTON CUSTOMER CARE CENTRE)**

#### **DECLARATION OF ALBERTSDAL EXTENSION 19 AS AN APPROVED TOWNSHIP**

This notice supersedes the previous notice (Local Authority Notice 2011 in Provincial Gazette Extraordinary No. 241 of 4 September 2008) published in respect of the under mentioned property.

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), the Ekurhuleni Metropolitan Municipality, Alberton Customer Care Centre, hereby declares **ALBERTSDAL EXTENSION 19 TOWNSHIP**, to be an approved township, subject to the conditions set out in the Schedule hereto.

#### **SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY CENTRAL PROPERTY DEVELOPMENTS JOHANNESBURG (PROPRIETARY) LIMITED (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF SECTION C OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 178 OF THE FARM PALMIETFONTEIN NO. 141-I.R., IN THE DISTRICT AND MUNICIPALITY OF THE EKURHULENI METROPOLITAN MUNICIPALITY, GAUTENG PROVINCE, HAS BEEN GRANTED.

#### **1. CONDITIONS OF ESTABLISHMENT**

##### **1.1 NAME**

The name of the township shall be **ALBERTSDAL EXTENSION 19**.

##### **1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan S.G. No 7395/2007.

##### **1.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION**

1.3.1 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, tarmacadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.

1.3.2 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.

1.3.3 The applicant must comply with conditions imposed by the Gauteng Department of Public Transport, Roads and Works.

##### **1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of the rights to minerals, but excluding the following conditions which are registered in the title deeds of the Remaining Extent of Portion 12 (a Portion of Portion 7) of the farm Palmietfontein No 141-IR and the Remaining Extent of Portion 30 (a Portion of Portion 12) of the farm Palmietfontein No 141-IR:

A.(c) Dat "THE VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED" geregtig is om elektrisiteit oor die hierby getransporteerde grond te vervoer tesame met die nodige bykomende regte en onderhewig aan die kondisies en voorwaardes soos meer ten volle sal blyk uit Notariële Akte No. 459/1937-S geregistreer 5 Junie 1937.

- B. The property hereby transferred is subject to the right in favour of THE VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED, to convey electricity over the property hereby transferred, together with certain ancillary rights and subject to conditions as will more fully appear from Notarial Deed No. 702/1946 – S.
- C. Subject further to a Servitude of Gas Pipeline 30 Cape Feet wide in favour of "DIE SUID-AFRIKAANSE GASDISTRIBUSIEKORPORASIE BEPERK NO. 64/6005", as will more fully appear from Notarial Deed of Servitude No. 898/1968-S, registered the 24<sup>th</sup> July 1968, and Diagram thereto annexed.
- D. By virtue of Deed of Servitude No. 1271/1972S the within mentioned property is subject to a perpetual right to convey and transmit gas over the within mentioned property in favour of Gascor, as will more fully appear from the said Notarial Deed and Diagram annexed thereto.
- E. Subject further to a pipeline servitude, 6 (six) metres wide, ceded to the Republic of South Africa as will more fully appear from Deed of Cession K3275/1975S and diagram SG No. A5712/1974.
- F. By virtue of Deed of Servitude No. K6818/1983 the within mentioned property is subject to a servitude in favour of Eskom to convey electricity across the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- C. (a) Dat "THE VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED" geregtig is om elektrisiteit oor die hierby getransporteerde grond te vervoer tesame met die nodige bykomende regte en onderhewig aan die kondisies en voorwaardes soos meer ten volle sal blyk uit Notariële Akte No. 459/1937-S geregistreer 5 Junie 1937.
- C. (b) By Notarial Deed No. 415/1947 dated 16<sup>th</sup> May 1947 and registered on the 3<sup>rd</sup> July 1947 the property hereby transferred is subject to a perpetual servitude to convey electricity, more fully defined in the said Deed and diagram annexed thereto and Notarial Deed No. 459/1937S hereinbefore referred to, is cancelled in respect of the portion lettered E – F on diagram No. A716/37.
- C. (c) By virtue of Notarial Deed No. K1699/1973S the right has been granted to Gascor to convey gas over the property hereby transferred together with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- C. (d) By virtue of Deed of Servitude No. K7401/1993 the within mentioned property is subject to a servitude in favour of Eskom to convey electricity across the property that the centreline of which is indicated by the figure aBb on diagram S.G. No. 601/1991 with ancillary rights.

## 1.5 ACCESS

- 1.5.1 No direct access shall be allowed on roads P72-1 (K85) and J G Strydom Road.
- 1.5.2 Access from Langkloof Street to the township including access via Erf 2685 shall be allowed to the satisfaction of the local authority to guarantee access to the public road.

## 1.6 ENGINEERING SERVICES

- 1.6.1 The applicant shall be responsible for the installation and provision of internal engineering services to the satisfaction of the relevant department.
- 1.6.2 Once water, sewer and electrical networks have been installed, same will be transferred to the Local Authority, free of cost, who shall maintain these networks (except internal street lights).
- 1.6.3 The Section 21 Company will be responsible for the maintenance of the internal roads (including storm water) and the internal street lights (including electrical power usage).

## **1.7 GENERAL**

- 1.7.1 No building or structures may be erected within the building restriction of 16 metres from the reserve boundary of road P72-1 (K85).
- 1.7.2 No ingress to or egress from P72-1 (K85) Road and on a part of J G Strydom Road as determined by Gauteng Department of Public Transport, Roads and Works.

## **1.8 ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township owner shall arrange for the drainage of the township to fit in with that of the P72-1 (K85) road and for all storm water running off or being diverted from the road to be received and disposed of.

## **1.9 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER**

The township owner shall erect a physical barrier on the lines of no access as determined by Gauteng Department of Public Transport, Roads and Works, on the boundary abutting on the P72-1 (K85) and on a part of J G Strydom Roads.

## **1.10 FORMULATION AND DUTIES OF THE HOME OWNERS ASSOCIATION**

- 1.10.1 The township owner shall legally amend the Constitution of Meyersig Lifestyle Estate being the Home Owners Association of Southdowns Township to include all land owners in the township of Albertsdal Extension 19.
- 1.10.2 Every owner of an erf in the said township of Albertsdal Extension 19 or of any subdivided portion thereof, or any person who has an interest therein shall become and shall remain a Member of the Home Owner's Association Meyersig Lifestyle Estate more fully detailed in 1.10.1 above.
- 1.10.3 The owner of the erf or any subdivided portion thereof, or any person who has an interest therein, shall not be entitled to transfer the erf or any subdivided portion thereof or any interest therein without a Clearance Certificate from the Home Owner's Association that the provisions of the Articles of Association of the Home Owners Association have been complied with.
- 1.10.4 The term "Home Owner's Association" in the aforesaid conditions of Title shall mean the home owners association of Meyersig Lifestyle Estate (an association incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) as amended. (See 1.10.1 above).
- 1.10.5 Erf 2685, a right of way servitude in Albertsdal Extension 19 Township, shall be registered in the name of an association operative in the township incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973).
- 1.10.6 The existing right of way servitude Erf 494 (Langkloof Street) in Southdowns Township must also be notarially amended and registered in favour of all erven in Southdowns Township as well as erven 2565 to 2574, 2618 to 2629 and 2686 of Albertsdal Extension 19 Township to guarantee access to a public road to the residents of both townships.

## **2. CONDITIONS OF TITLE**

The erven mentioned hereunder shall be subject to the conditions as indicated, imposed by the Council in terms of the Town Planning and Townships Ordinance, 1986.

### **2.1 All Erven:**

- a. The 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.

- 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 2m 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.
- d. All erven shall be subject to the following condition as imposed by the Department Minerals and Energy:

"As this erf (stand, land, etc.) forms part of land which may be undermined in future and which may be liable to subsidence, settlement, shock and cracking due to mining operations which might take place in future, the owner thereof accepts all liability for any damage thereto or any structure thereon which may result from such subsidence, settlement, shock or cracking".

## 2.2 ERF 2685

- a. A servitude for municipal purposes in favour of the local authority, as indicated on the general plan, to guarantee access to the local authorities personnel and vehicles in order to carry out repair and maintenance work to the water, sewer and electrical networks (excluding street lights) after they have been taken over by the local authority must be registered over the entire erf.
- b. A right of way servitude in favour of all the other erven in the township as indicated on the general plan must be registered over the entire erf to guarantee access to a public road to all the residents.

## 3. CONDITIONS TO BE INCORPORATED INTO THE ALBERTON TOWN-PLANNING SCHEME, 1979 IN ADDITION TO THE GENERAL PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION.

### 3.1 ERVEN 2565 TO 2684: USE ZONE 1: RESIDENTIAL 1

#### B-Series:

- a. The density shall not exceed one dwelling per erf.
- b. Erf 2685 shall gain access from Langkloof Street to the satisfaction of the local authority.
- c. 16m building line along Kliprivier Road – erven 2595 to 2603.
- d. 10m building line along JG Strydom Road – erven 2584 to 2594.
- e. No direct access will be allowed to roads P72-1 (Kliprivier Road) and J G Strydom Road.

Conditions to be contained in Annexure:

#### Erven 2565 to 2684:

- a. Coverage of buildings on the erf shall not exceed 50%
- b. The height of buildings shall not exceed 2 storeys.
- c. Buildings and structures hereafter erected on the erf shall be erected at least 3 metres from any boundary thereof abutting on a street.



- d. Access to the erf shall be provided at the cost of the owner and to the satisfaction of the department Roads, Transport, Civil Works.
- e. A physical barrier, consisting of a 2 metre high brick wall which is in accordance with the requirements of the Department Public Transport, Roads and Works, shall be erected on the lines of no access, at the owner's expense.
- f. No second dwelling unit, in terms of the provisions of clause 20 of the Alberton Town Planning Scheme, 1979 shall be erected on erven smaller than 500m<sup>2</sup>.
- g. A letter from the Department of Agriculture, Conservation, Environment and Land Affairs, confirming compliance with their requirements, stated in point 3 of their Record of Decision dated 5 April 2007, shall be submitted prior to approval of building plans or commencement of construction.
- h. Proposals to overcome detrimental soil conditions on the erf to the satisfaction of the local authority, shall be submitted by a structural engineer and contained in all building plans submitted to the local authority for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the local authority.

**3.2 ERF 2685: USE ZONE 8 "SPECIAL"**

- a. The erf shall be used solely for the purposes of a private road, which is defined as follows:  
  
*"A portion of land, whether developed as a road or not, reserved for road purposes in favour of a person or institution that is legally in control of such land is not intended or reserved for a "public road" and which includes an access control point, which can consist of a boom or gate and a guard hut not exceeding 25m<sup>2</sup>."*
- b. The owner shall satisfy the local authority that the servitude for right of way has been registered over Erf 2685 prior to the approval of any building plans.
- c. The Section 21 Company must indemnify the local authority against any and all claims regarding: - The maintenance and provision of any roads and storm water services in the development (the provision of engineering services under paved areas to be avoided). - Any damage to the paving which is caused by an emergency vehicle or any vehicle of the local authority that is involved in any maintenance of services. Any damage and/or incidental damage to the water and sewer infrastructure (shall be for the account of the owner).
- d. Proposals to overcome possible detrimental soil conditions on the erf, to the satisfaction of the local authority, shall be submitted by a structural engineer and contained in all building plans submitted to the local authority for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the local authority.

**3.3 ERVEN 2686, 2687 AND 2688: USE ZONE 22 "PRIVATE OPEN SPACE"**

Height zone 0.

P FLUSK, CITY MANAGER  
CIVIC CENTRE, ALWYN TALJAARD AVENUE, ALBERTON

DATE: ..... 2008  
NOTICE NO. A018/2008

**LOCAL AUTHORITY NOTICE 2203****EKURHULENI METROPOLITAN MUNICIPALITY  
(ALBERTON CUSTOMER CARE CENTRE)****ALBERTON AMENDMENT SCHEME 1982**

The Ekurhuleni Metropolitan Municipality (Alberton Customer Care Centre) hereby, in terms of the provisions of section 125(1)(a) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it has approved an amendment scheme, being an amendment of the Alberton Town-planning Scheme, 1979, comprising the same land as included in the township of **ALBERTSDAL EXTENSION 19**.

Map 3 and the scheme clauses of the amendment scheme are filed with the Director-General, Gauteng Provincial Administration: Development Planning and Local Government, 8<sup>th</sup> Floor, Corner House, 63 Fox Street, Johannesburg, and the City Manager: City Development, Alberton Customer Care Centre, and are open for inspection during office hours.

The amendment scheme is known as **Alberton Amendment Scheme 1982**.

**P FLUSK, CITY MANAGER**  
**CIVIC CENTRE, ALWYN TALJAARD AVENUE, ALBERTON**

**DATE: ..... 2008**  
**NOTICE NO. A018/2008**

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