

***THE PROVINCE OF  
GAUTENG***



***DIE PROVINSIE VAN  
GAUTENG***

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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 50 OF 2019  
AEROTON EXTENSION 46**

A. In terms of Section 28(15) of the City of Johannesburg Municipal Planning By-Law, 2016, the City of Johannesburg Metropolitan Municipality declares Aeroton Extension 46 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 K2017261388 (SOUTH AFRICA) PROPRIETARY LIMITED REGISTRATION NUMBER 2017/261388/07 (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER 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 196 (A PORTION OF PORTION 161) OF THE FARM DIEPKLOOF 319 IQ, GAUTENG PROVINCE HAS BEEN APPROVED.**

**1. CONDITIONS OF ESTABLISHMENT.****(1) NAME**

The name of the township is Aeroton Extension 46

**(2) DESIGN**

The township consists of erven as indicated on General Plan SG No.2105/2017

**(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 for the design and installation of all engineering services of which the local authority is the supplier.

**(4) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)**

(a) Should the development of the township not been completed before 19 November 2022 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).

(c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township. The erection of such physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.

(d) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 19 November 2012.

**(5) ACCESS**

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and Johannesburg Roads Agency (Pty) Ltd and the Department of Roads and Transport.

(b) No access to or egress from the township shall be permitted via the line/lines of no access as indicated on the approved layout plan of the township No.01-15801/1/01

(c) Access to or egress from erven 984 and 985 shall only be permitted via the servitude of right of way to be registered over erven 995 and 996 Aeroton extension 50

(6) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent road/roads and all stormwater running off or being diverted from the road/roads shall be received and disposed of.

(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) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall, after compliance with Clause (3) above, at its own costs cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when requested thereto by the local authority.

(10) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, 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 provided and installed.

(b) The township owner shall fulfil its obligations in respect of the installation of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority in terms of Clause (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.

**2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.**

All erven shall be made subject to existing conditions and servitudes, if any.

**A Including the following which affects all the erven in the township:**

C. The former Remaining Extent of Portion 2 of the farm VIERFONTEIN 321, Registration Division I.Q., Transvaal, extent 414,7718 (four hundred and fourteen comma seven seven one eight) hectares whereof the property held hereunder forms a portion is subject to the following conditions:

1. By Notarial Deed K2490/1993S the within mentioned property is subject to a servitude of a perpetual right of way in favour of the City Council of Johannesburg, measuring 2 (two) metres wide, the centre line whereof is indicated by the line fgh on Subdivisional Diagram SG No. 2100/2017 annexed hereto, as more fully set out in the said Notarial Deed.

F. The former Portion 161 (a Portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng, measuring 36,8964 hectares (a portion whereof is hereby transferred) is subject to:

3. By virtue of Notarial Deed of Servitude K4360/2015S dated 08 May 2015 the owner of the within mentioned property hereby gives and grants to the Council a servitude in perpetuity for sewer purposes, 6,30 (six comma three zero) metres wide, the centre line of which

servitude is indicated by the line ab on Subdivisional Diagram SG Number 2100/2017, as will more fully appear from reference to the aforesaid Notarial Deed.

- D. The former Remaining Extent of Portion 2 of the said farm Diepkloof, measuring 414,7718 hectares (a portion whereof is hereby transferred) is by virtue of Notarial Deed of Servitude K1937/1999S subject to the right and servitude of exclusive use in perpetuity in general terms with the exact location to be determined in favour of Crown Consolidated Gold Recoveries Limited, as will more fully appear from the said notarial deed.

**B Including the following which only affects Erf 985**

- H. The former Remaining Extent of Portion 161 (a Portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng, measuring 20,6711 hectares (a portion whereof is hereby transferred) is subject to:

1. By virtue of Notarial Deed of Servitude K6394/2018S, dated 19 October 2018 a portion of the property is subject to a servitude for water purposes in perpetuity as indicated by the figure mEFGHJKtsrqnm on Subdivisional Diagram S.G Number 2100/2017 measuring 1692 (one thousand six hundred and ninety two) square metres in extent in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from reference to the said Notarial Deed.

**C. Excluding the following which do not affect the township due to the location thereof and shall not be made applicable to the individual erven in the township:**

- A. The former Remaining Extent of Portion 2 of the farm VIERFONTEIN 321, Registration Division I.Q., Transvaal, EXTENT 698,5256 (SIX HUNDRED AND NINETY EIGHT comma FIVE TWO FIVE SIX) hectares whereof the property held hereunder forms a portion is subject to the following condition:

1. By Notarial Deed K1077/1963S the within mentioned property is subject to a servitude for sewerage purposes in favour of Erf No 3 Baragwanath Extension No 1, Johannesburg, measuring 10,9003 (TEN comma NINE NOUGHT NOUGHT THREE) hectares, as will more fully appear from the said Notarial Deed.

- B. The former Remaining Extent of Portion 2 of the farm VIERFONTEIN 321, Registration Division I.Q., Transvaal, EXTENT 568,9330 (FIVE HUNDRED AND SIXTY EIGHT comma NINE THREE THREE NOUGHT) hectares whereof the property held hereunder forms a portion is subject to the following conditions:

1. By Notarial Deed K2424/1987S, the withinmentioned property is subject to perpetual right of way in favour of the City Council of Johannesburg measuring 7808 (seven thousand eight hundred and eight) square metres and represented by the figure A B C D E F G H J K L M N P Q R on Diagram S.G. No. 5359/1986, as will more fully appear from reference to the said Notarial Deed
2. By Notarial Deed K77/1987S the within mentioned property is subject to a perpetual servitude in favour of the Rand Water Board to convey and transmit water over the portion of the property measuring 7 203 square metres represented by the figure ABCDEF on Diagram S.G. No. A8779/1984 as will more fully appear from reference to the said Notarial Deed.

- E. The former Remaining Extent of Portion 2 of the said farm Diepkloof, measuring 410,7718 hectares (whereof the property hereby transferred forms a portion) is by virtue of Notarial Deed of Servitude K1211/2003S subject to a perpetual servitude of right of way and access for the purpose of advertising, including the erection of advertising signs and boards in favour of iProp Limited, 20 metres wide as depicted by the figure lettered ABCDEFGHJ on Diagrams S.G. No. 2770/2002 and as depicted by the figure lettered ABCDEFGHJKL on Diagram S.G. No. 2769/2002 annexed thereto, as will more fully appear from the said notarial deed.

- F. The former Portion 161 (a Portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng measuring 36,8964 hectares (a portion whereof is hereby transferred) is subject to -

1. By virtue of Notarial Deed of Servitude K4358/2015S dated 11 May 2018 the owner of the within mentioned property hereby gives and grants to the Council a servitude in perpetuity for stormwater purposes, 1579 (one thousand five hundred and seventy nine) square metres, indicated by the figure ABCDEFGHJKLMA on Diagram SG No. 4173/2014, as will more fully appear from the said Notarial Deed.
2. By virtue of Notarial Deed of Servitude K4359/2015S dated 08 May 2015 the owner of the within mentioned property hereby gives and grants to the Council a servitude in perpetuity for sewer purposes, 1593 (one thousand five hundred and ninety three) square metres, indicated by the figure ABCDEFGHJKA on Diagram SG No. 4174/2014 as will more fully appear from the said Notarial Deed.
- G. The former Remaining Extent of Portion 161 (a Portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng, measuring 30,3102 hectares (a portion whereof is hereby transferred) is subject to:
  1. By virtue of Notarial Deed of Servitude K764/2017S dated 30 January 2017 a portion of the property is subject to a praedial servitude of right of way and use in perpetuity for general services and incidental purposes, 7489 (seven thousand four hundred and eighty nine) square metres in favour of the Remaining Extent of Portion 2 of the farm Diepkloof No. 319, Registration Division I.Q, measuring 333,7495 hectares, as will more fully appear from reference to the said Notarial Deed.
- H. The former Remaining Extent of Portion 161 (a Portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng, measuring 20,6711 hectares (a portion whereof is hereby transferred) is subject to:
  1. By virtue of Notarial Deed of Servitude K6394/2018S, dated 19 October 2018 a portion of the property is subject to a water pipeline servitude indicated by the figures A B C A and A1 B1 C1 D1 E1 A1 on Diagram 3789/2016 measuring 260 (two hundred and sixty) square metres in extent and 65 (sixty five) square metres in extent in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from the said notarial deed.

### 3. CONDITIONS OF TITLE.

#### A. Conditions of Title imposed by the local authority in terms of the provisions of Chapter 5 Part 3 of the By-Law.

##### (1) ALL ERVEN

(1) The erf lies 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 the 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. The NHBRC coding for foundations is classified as C1-C2/R (locally)/P (fill)/W (locally), Soil Zone III.

##### (2) ALL ERVEN

(a) 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.

(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 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.

(3) ERF 984

(a) The erf shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferees accept the following condition: The local authority limited the electricity supply to the erf to a maximum of 513kVA and should the registered owner/s of the erf exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions, as determined by the local authority, shall become due and payable by such owner/s to the local authority.

(b) The erf is subject to a temporary servitude of right of way in favour of the local authority as indicated on the General Plan.

(4) ERF 985

(a) The erf shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferees accept the following condition: The local authority limited the electricity supply to the erf to a maximum of 987kVA and should the registered owner/s of the erf exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions, as determined by the local authority, shall become due and payable by such owner/s to the local authority.

(b) The erf is subject to a 6,50m x 12,00m electrical mini substation servitude in favour of the local authority as indicated on the General Plan.

**B, Conditions of Title imposed in favour of third parties to be registered/ created on the first registration of the erven concerned:**

1) ALL ERVEN

a) No erf in the township shall be transferred nor shall a Certificate of Registered Title be registered, unless the following conditions have been registered:

Each and every owner of the erf or owner of any sub-divided portion of the erf or owner of any unit thereon shall become and remain a member of Diepkloof Market Property Owners Association (RF) NPC (Registration Number 2015/014972/08) incorporated for the purposes of the community scheme ("the Association") and shall be subject to its Memorandum of Incorporation until he/she ceases to be an owner and such owner shall not be entitled to transfer the erf or any subdivided portion thereof or any interest therein or any unit thereon, without a clearance certificate from such Association certifying that the provisions of the Memorandum of Incorporation have been complied with and the purchaser has bound himself/herself to the satisfaction of the Association to become a member of the Association.

b) The erven are entitled to a servitude of right of way over Erven 995 and 996 Aeroton Extension 50 for access purposes.

B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of Section 54 of the City of Johannesburg Municipal Planning By-Law, 2016, declares that it has approved an amendment scheme being an amendment of the Johannesburg town Planning Scheme, 1979, comprising the same land as included in the township of Aeroton Extension 46. 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 01-15801/1.

**Hector Bheki Makhubo**  
**Deputy Director: Legal Administration**  
**City of Johannesburg Metropolitan Municipality**  
**Notice No.T041/2019**

**PROCLAMATION 51 OF 2019**  
**AEROTON EXTENSION 50**

A. In terms of Section 28(15) of the City of Johannesburg Municipal Planning By-Law, 2016, the City of Johannesburg Metropolitan Municipality declares Aeroton Extension 50 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 BRIDGEPORT NO.24 PROPRIETARY LIMITED REGISTRATION NUMBER 2001/015942/07 (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF PART 3 OF CHAPTER 5 OF THE CITY OF JOHANNESBURG BY-LAW, 2016 (HEREINAFTER REFERRED TO AS THE BY-LAW), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 199 (A PORTION OF PORTION 161) OF THE FARM DIEPKLOOF 319 IQ, GAUTENG PROVINCE HAS BEEN APPROVED.**

**1. CONDITIONS OF ESTABLISHMENT.**

**(1) NAME**

The name of the township is Aeroton Extension 50

**(2) DESIGN**

The township consists of erven as indicated on General Plan SG No. 2108/2017

**(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 for the design and installation of all engineering services of which the local authority is the supplier.

**(4) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)**

(a) Should the development of the township not been completed before 19 November 2022 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).

(c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township. The erection of such physical barrier and the maintenance thereof shall be done to the satisfaction of the said Department.

(d) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 19 November 2012.

**(5) ACCESS**

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and Johannesburg Roads Agency (Pty) Ltd and the Department of Roads and Transport.

(b) No access to or egress from the township shall be permitted via the line/lines of no access as indicated on the approved layout plan of the township No.01-15801/4/01

(c) Access to or egress from the township shall only be permitted via the servitude of right of way to be registered over erven 995 and 996



(6) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent road/roads and all stormwater running off or being diverted from the road/roads shall be received and disposed of.

(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) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when requested thereto by the local authority.

(10) RESTRICTION ON THE TRANSFER OF AN ERF/ERVEN

Erven 995 and 996 shall be transferred only to the Diepkloof Market Property Owners Association (RF) NPC (Registration Number 2015/014972/08), which Association shall have full responsibility for the functioning and proper maintenance of the said erven and the engineering services within the said erven.

(11) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

The township owner shall, 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 provided and installed.

The township owner shall fulfil its obligations in respect of the installation of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority in terms of Clause (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.

(12) CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township, submit an application to the local authority for consent to consolidate Erven 995 and 996. The consolidation may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be consolidated, have been submitted or paid to the said local authority.

**2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.**

All erven shall be made subject to existing conditions and servitudes, if any.

**A. Excluding the following which do not affect the township due to the location thereof and shall not be made applicable to the individual erven in the township:**

The former Remaining Extent of Portion 2 of the farm VIERFONTEIN 321, Registration Division I.Q., Transvaal, EXTENT 698,5256 (SIX HUNDRED AND NINETY EIGHT comma FIVE TWO FIVE SIX)

hectares whereof the property held hereunder forms a portion is subject to the following condition:

1 By Notarial Deed K1077/1963S the within mentioned property is subject to a servitude for sewerage purposes in favour of Erf No 3 Baragwanath Extension No 1, Johannesburg, measuring 10,9003 (TEN comma NINE NOUGHT NOUGHT THREE) hectares, as will more fully appear from the said Notarial Deed.

The former Remaining Extent of Portion 2 of the farm VIERFONTEIN 321, Registration Division I.Q., Transvaal, EXTENT 568,9330 (FIVE HUNDRED AND SIXTY EIGHT comma NINE THREE THREE NOUGHT) hectares whereof the property held hereunder forms a portion is subject to the following conditions:

By Notarial Deed K2424/1987S, the withinmentioned property is subject to perpetual right of way in favour of the City Council of Johannesburg measuring 7808 (seven thousand eight hundred and eight) square metres and represented by the figure A B C D E F G H J K L M N P Q R on Diagram S.G. No. 5359/1986, as will more fully appear from reference to the said Notarial Deed

2. By Notarial Deed K77/1987S the within mentioned property is subject to a perpetual servitude in favour of the Rand Water Board to convey and transmit water over the portion of the property measuring 7 203 square metres represented by the figure ABCDEF on Diagram S.G. No. A8779/1984 as will more fully appear from reference to the said Notarial Deed.

D. The former Remaining Extent of Portion 2 of the said farm Diepkloof, measuring 410,7718 hectares (whereof the property hereby transferred forms a portion) is by virtue of Notarial Deed of Servitude K1211/2003S subject to a perpetual servitude of right of way and access for the purpose of advertising, including the erection of advertising signs and boards in favour of iProp Limited, 20 metres wide as depicted by the figure lettered ABCDEFGHJ on Diagrams S.G. No. 2770/2002 and as depicted by the figure lettered ABCDEFGHJKL on Diagram S.G. No. 2769/2002 annexed thereto, as will more fully appear from the said notarial deed.

E. The former Portion 161 (a Portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng measuring 36,8964 hectares (a portion whereof is hereby transferred) is subject to –

1. By virtue of Notarial Deed of Servitude K4358/2015S dated 11 May 2015 the owner of the within mentioned property hereby gives and grants to the Council a servitude in perpetuity for stormwater purposes, 1579 (one thousand five hundred and seventy nine) square metres, indicated by the figure ABCDEFGHJKLMA on Diagram SG No. 4173/2014, as will more fully appear from the said Notarial Deed.

2. By virtue of Notarial Deed of Servitude K4359/2015S dated 08 May 2015 the owner of the within mentioned property hereby gives and grants to the Council a servitude in perpetuity for sewer purposes, 1593 (one thousand five hundred and ninety three) square metres, indicated by the figure ABCDEFGHJKA on Diagram SG No. 4174/2014 as will more fully appear from the said Notarial Deed.

3. By virtue of Notarial Deed of Servitude K4360/2015S dated 08 May 2015 the owner of the within mentioned property hereby gives and grants to the Council a servitude in perpetuity for sewer purposes, 6,30 (six comma three zero) metres wide, the centre line of which servitude is indicated by the line ab on Subdivisional Diagram SG Number 2100/2017, as will more fully appear from reference to the aforesaid Notarial Deed.

F. The former Remaining Extent of Portion 161 (a Portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng, measuring 30,3102 hectares (a portion whereof is hereby transferred) is subject to:

1. By virtue of Notarial Deed of Servitude K764/2017S dated 30 January 2017 a portion of the property is subject to a praedial servitude of right of way and use in perpetuity for general services and incidental purposes, 7489 (seven thousand four hundred and eighty nine) square metres in favour of the Remaining Extent of Portion 2 of the farm Diepkloof No. 319, Registration Division I.Q., measuring 333,7495 hectares, as will more fully appear from reference to the said Notarial Deed.

G. The former Remaining Extent of Portion 161 (a portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng measuring 20,6711 hectares (a portion whereof

is hereby transferred) is subject to:

1. By virtue of Notarial Deed of Servitude K6394/2018S dated 19 October 2018 a portion of the property is subject to a water pipeline servitude indicated by the figures A B C A and A1 B1 C1 D1 E1 A1 on Diagram 3789/2016 measuring 260 (two hundred and sixty) square metres in extent and 65 (sixty five) square metres in extent in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from reference to the said Notarial Deed.

**B. Including the following which does affect the township and shall be made applicable to the individual erven in the township:**

C. The former Remaining Extent of Portion 2 of the said farm Diepkloof, measuring 414,7718 hectares (a portion whereof is hereby transferred) is by virtue of Notarial Deed of Servitude K1937/1999S subject to the right and servitude of exclusive use in perpetuity in general terms with the exact location to be determined in favour of Crown Consolidated Gold Recoveries Limited, as will more fully appear from the said notarial deed.

**C. Including the following which only affects Erf 996**

G. The former Remaining Extent of Portion 161 (a portion of Portion 2) of the farm Diepkloof 319, Registration Division IQ, Province of Gauteng measuring 20,6711 hectares (a portion whereof is hereby transferred) is subject to:

1. By virtue of Notarial Deed of Servitude K6394/2018S dated 19 October 2018 a portion of the property is subject to a servitude for water purposes in perpetuity as indicated by the figure aEFGdcba on Subdivisional Diagram S.G Number 2103/2017 measuring 1692 (one thousand six hundred and ninety two) square metres in extent in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from reference to the said Notarial Deed

**3. CONDITIONS OF TITLE.**

**A. Conditions of Title imposed by the local authority in terms of the provisions of Chapter 5 Part 3 of the By-Law.**

**(1) ALL ERVEN**

The erf lies 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 the 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. The NHBRC coding for foundations is classified as C1-C2/R (locally)/P (fill)/W (locally), Soil Zone III.

**(2) ALL ERVEN**

(a) 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.

(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 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.

(3) ERVEN 995 AND 996

(a) The entire erven as indicated on the General Plan, are subject to a servitude for municipal purposes and right of way in favour of the local authority.

(b) The erven shall not be transferred into the name of any purchaser other than The Diepkloof Market Property Owners Association (RF) NPC (Registration Number 2015/014972/08 without the written consent of the local authority first having been obtained.

**B. Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.**

The erven are subject to a servitude of right of way in favour of all the erven in Aeroton Extensions 40, 46, 47 and 48 for services and access purposes.

B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of Section 54 of the City of Johannesburg Municipal Planning By-Law, 2016, declares that it has approved an amendment scheme being an amendment of the Johannesburg town Planning Scheme, 1979, comprising the same land as included in the township of Aeroton Extension 50. 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 01-15801/4.

**Hector Bheki Makhubo**  
**Deputy Director: Legal Administration**  
**City of Johannesburg Metropolitan Municipality**  
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Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065