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GAUTENG***



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GAUTENG***

# **Provincial Gazette Provinsiale Koerant**

**EXTRAORDINARY • BUITENGEWOON**

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

**Vol. 25**

**PRETORIA**  
29 NOVEMBER 2019  
29 NOVEMBER 2019

**No. 388**

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ISSN 1682-4525



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printing**Department:  
Government Printing Works  
**REPUBLIC OF SOUTH AFRICA**Private Bag X85, PRETORIA, 0001 149 Bosman Street, PRETORIA  
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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 2227 OF 2019****WILFORDON EXTENSION 11**

- A. In terms of Section 28(15) of the City of Johannesburg Municipal Planning By-Law, 2016, the City of Johannesburg Metropolitan Municipality declares **Wilfordon Extension 11** 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 ANSEC 171 PROPRIETARY LIMITED (REGISTRATION NUMBER 2008/017545/07) (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 503 OF THE FARM ROODEPOORT NO. 237-IQ, HAS BEEN APPROVED.**

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

The name of the township is **Wilfordon Extension 11**.

**(2) DESIGN**

The township consists of erven and streets as indicated on General Plan No. 311/2018.

**(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) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)**

Should the development of the township not be commenced with before 8 September 2025, 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.

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

(a) Should the development of the township not be completed before 18 September 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, No. 05-12664/T1672/3. 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 18 September 2012.

(6) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 25 April 2022, the application to establish the township, shall be resubmitted to the Department: Mineral Resources for reconsideration.

(7) ACCESS

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

(b) No access to or egress from the township shall be permitted via the lines of no access as indicated on the approved layout plan of the township No. 05-12664/T1672/3.

(8) 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 roads and all stormwater running off or being diverted from the roads shall be received and disposed of.

(9) 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.

(10) 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.

(11) 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.

(12) ERF/ERVEN FOR MUNICIPAL PURPOSES

Erven 382 and 383 shall, prior to or simultaneously with registration of transfer of the first erf in the township and at the cost of the township owner, be transferred to the City of Johannesburg Metropolitan Municipality for municipal purposes (public open space). All refuse, building rubble and/or other materials shall be removed from the erven prior to the transfer thereof to the City of Johannesburg Metropolitan Municipality.

(13) 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.

(14) 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 2.(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 electricity, 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 2.(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.

(15) **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 and servitudes, if any:-

### **A. Excluding the following which only affects Erf 381:**

The Western Portion of the farm Roodepoort Number 237 IQ is subject to the terms of Notarial Deed of Servitude Number 349/1923S whereby a servitude of wayleave 3, 78 meters wide for a pipe line across the property was granted to the Rand Water Board the centre line of which servitude is indicated on the diagram S.G. Number A8397/1949 by the blue lines a – a2, b2 - t and ub. (as more fully set out in Condition 4. A.1. of Deed of Transfer T16760/2013 Registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number. 237 IQ).

### **B. Excluding the following which only affects Erven 381, 383 and Magnetite Street:**

The owner hereby gives and grants to Rand Water for itself, its successors in title or assigns the rights in perpetuity to convey and transmit water over the within mentioned property, measuring 20,9170 hectares ,by means of pipelines already laid and which may hereafter be laid along a strip of ground 968 square metres in extent as depicted by the figure A B C D E F G H J on Servitude Diagram Number SG Number 6004/1996, as will more fully appear from and as created by Notarial Deed of Servitude Number K2357/1998S dated 7th April 1998 (as more fully set out in Condition 4.D of Deed of Transfer T16760/2013 registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237 IQ.).

### **C. Excluding the following which only affects Erven 379, 380 and Quartz Street:**

(a) The Western Portion of the Farm Roodepoort Number 237 IQ is subject to the terms of Notarial Deed of Servitude Number 349/1923S whereby a servitude of wayleave 3, 78 meters wide for a pipe line across the property was granted to the Rand Water Board as indicated on the diagram S.G Number A3352/1945 by the blue line c, d.; marked "Pipe Line" (as more fully set out in Condition 3.1 of Deed of Transfer T16760/2013 registered over Portion 87 of the Farm Roodepoort Number. 237 IQ).

- (b) To the terms of Notarial Deed of Servitude Number 698A/1927S whereby the right was granted to the Victoria Falls and Transvaal Power Company Limited to convey electricity over portion S.1 of portion A of the Western portion of the Farm Roodepoort 237 IQ, together with ancillary rights, and subject to conditions, as will more fully appear from the said deed of servitude and diagram S.G Number A3352/1945 by the red line e,f, marked "V.F.P. Power line" (as more fully set out in Condition 3.3 of Deed of Transfer T16760/2013 registered over Portion 87 of the Farm Roodepoort Number 237 IQ).
- (c) The within mentioned property is subjected to a perpetual servitude to convey and transmit water of 1606 square metres for the purpose of conveying water as indicated by the figure A B C D E F as seen on servitude diagram S.G. Number 5999/1996 in favour of the Rand Water Board as will more fully appear in Notarial Deed of Servitude K3894/1997S (as more fully set out in Condition 3.5 of Deed of Transfer T16760/2013 registered over Portion 87 of the Farm Roodepoort Number 237 IQ).

**D. Excluding the following which only affects Quartz Street:**

- (a) By virtue of Notarial Deed of servitude Number K303/1982S dated 2 December 1981 the within mentioned property is subject to a servitude in perpetuity to convey electricity across the property herein, in favour of Escom of which the centre line of the overhead transmission line with underground cables traverses the property along the route indicated by the line a b on diagram S G Number. A 3276/1978 annexed thereto (as more fully set out in Condition 3.4 of deed of Transfer T16760/2013 registered over Portion 87 of the Farm Roodepoort Number 237 IQ).
- (b) The within mentioned property is subject to a perpetual servitude with the extent of 244 square metres for the purpose of conveying water as indicated by the figure A B C D as seen on servitude diagram S.G. Number 6000/1996 in favour of the Rand Water Board as will more fully appear in Notarial Deed of Servitude K3895/1997S (as more fully set out in Condition 3.6 of Deed of Transfer T16760/2013 registered over Portion 87 of the Farm Roodepoort Number 237 IQ).

**E. Excluding the following which only affects Erven 379 and 382:**

- (a) The Western Portion of the farm Roodepoort Number 237 IQ is subject to the terms of Notarial Deed of Servitude Number 349/1923S whereby a servitude of wayleave 3, 78 meters wide for a pipe line across the property was granted to the Rand Water Board the centre line of which servitude is indicated by the lines a-b and d-e on the annexed diagram S.G. Number A1926/1990 (as more fully set out in Condition 5.A(i) of Deed of Transfer T16760/2013, registered over Portion 297 (a portion of Portion 120) of the Farm Roodepoort Number 237 IQ).
- (b) To the terms of Notarial Deed of Servitude Number 698A/1927S whereby the right was granted to the Victoria Falls and Transvaal Power Company Limited to convey electricity over portion S.1 of portion A of the Western portion of the Farm Roodepoort 237 IQ, together with ancillary rights, and subject to conditions, as will more fully appear from the said deed of servitude and diagrams S.G. No. A1926/1990 indicated by letters fghj (as more fully set out in Condition 5.B of Deed of Transfer T16760/2013, registered over Portion 297 (a portion of Portion 120) of the Farm Roodepoort Number 237 IQ).



- (c) By virtue of Notarial Deed K3880/1997S the within mentioned property is subject to a servitude in perpetuity to convey and transmit water by means of pipelines already laid and which may hereafter be laid along a strip of ground 4324 square metres in extent, is depicted by the figure ABCDEFG on servitude diagram S.G 6007/1996, which is attached thereto as will more fully appear from the said Notarial Deed and subject to the conditions contained therein (as more fully set out in Condition 5.D of Deed of Transfer T16760/2013, registered over Portion 239 (a portion of Portion 120) of the Farm Roodepoort Number. 237 IQ).

**F. Excluding the following which only affects Erf 382:**

- (a) To a servitude in perpetuity in respect of certain portion measuring 3,2405 (Three comma Two Four Zero Five) Hectares being Portion S 3 of the Western Portion of the Farm Roodepoort 237 IQ in the purpose of carrying along or over the said portion S3 a duplicate overhead Electrical Power Distribution Line as per Notarial Deed Number. 350/1923 – S Registered this day 14th July 1923 and which servitude is indicated by the figure klmnN on the annexed diagram S.G. No. A1926/1990 (as more fully set out in Condition 5.A (ii) of Deed of Transfer T16760/2013, registered over Portion 297 (a portion of Portion 120) of the Farm Roodepoort Number 237 IQ).
- (b) By virtue of Notarial Deed of servitude Number K303/1982S dated 2 December 1981 Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237 IQ, (of which the property hereby Transferred forms a portion) is subject to a servitude in perpetuity to convey electricity across the property herein in favour of Escom of which the centre lines of the overhead transmission lines with underground cables traverses the property along the route indicated by the lines pqrst and qu on Diagram SG A1926/1990 annexed hereto (as more fully set out in Condition 5.C of Deed of Transfer T16760/2013 registered over Portion 297 (a portion of Portion 120) of the Farm Roodepoort Number 237 IQ).

**G. Excluding the following which do not affect the township due to its locality:**

- (a) To the terms of Notarial Deed of Servitude Number 698A/1927S whereby the right was granted to the Victoria Falls and Transvaal Power Company Limited to convey electricity over portion S.1 of portion A of the Western portion of the Farm Roodepoort 237 IQ, together with ancillary rights, and subject to conditions, as will more fully appear from the said deed of servitude and diagram No. A8397/1949 by the figures c d e f and g h j k. (as more fully set out in Condition 4.A.2 of Deed of Transfer T16760/2013 registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237).
- (b) To a servitude in perpetuity in respect of certain portion measuring 3,2405 (Three comma Two Four Zero Five) Hectares being Portion S 3 of the Western Portion of the Farm Roodepoort 237 IQ in the purpose of carrying along or over the said portion S3 a duplicate overhead Electrical Power Distribution Line as per Notarial Deed Number. 350/1923 – S Registered this day 14th July 1923 and as indicated on Diagram S.G. Number. A8397/1949 by the figures 1 m n o O and p q r s L. (as more fully set out in Condition 4.A.3 of Deed of Transfer T16760/2013 registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237 IQ).



- (c) Portion A of the Western Portion of the Farm Roodepoort Number 237 IQ, is subject to, the terms of Notarial Deed of Servitude Number 736/1937-S whereby the right was granted to the Victoria Falls and Transvaal Power Company Limited to convey electricity over the property together with ancillary rights, subject to conditions as will more fully appear from the said deed of servitude and as indicated on diagram S.G Number A8397/1949 by the lines v w x and y z. (as more fully set out in Condition 4.A.4 of Deed of Transfer T16760/2013 registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237 IQ).
- (d) By virtue of Notarial Deed of servitude Number K303/1982S dated 2 December 1981 the within mentioned property is subject to a servitude in perpetuity to convey electricity across the property herein in favour of Escom of which the centre lines of the overhead transmission lines with underground cables traverses the property along the route indicated by the lines a B C D E and B F on diagram S G Number. A 3279/1978 annexed thereto (as more fully set out in Condition 4.B of Deed of Transfer T16760/2013 registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237 IQ).
- (e) The owner hereby gives and grants to Rand Water for itself, its successors in title or assigns the rights in perpetuity to convey and transmit water over the within mentioned property, measuring 20,9170 hectares, by means of pipelines already laid and which may hereafter be laid along a strip of ground 1230 square metres in extent as depicted by the figure A B C D E on Servitude Diagram No. S.G Number 6005/1996, as will more fully appear from and as created by Notarial Deed of Servitude Number K2356/1998S dated 7th April 1998 (as more fully set out in Condition 4.C of Deed of Transfer T16760/2013 registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237 IQ).
- (f) To a servitude in perpetuity in respect of certain portion measuring 3,2405 (Three comma Two Four Zero Five) Hectares being Portion S 3 of the Western Portion of the Farm Roodepoort 237 IQ in the purpose of carrying along or over the said portion S3 a duplicate overhead Electrical Power Distribution Line as per Notarial Deed Number. 350/1923 – S Registered this day 14th July 1923 and which servitude is indicated by by the red line, g, h marked “overhead Power Line” as indicated on the Diagram S.G. Number. A3352/1945 (as more fully set out in Condition 3.2 of Deed of Transfer T16760/2013 registered over Portion 87 of the Farm Roodepoort Number 237 IQ).
- (g) By Notarial Deed No. K5988/2017S the within-mentioned property is entitled to a servitude in perpetuity for right of way measuring 386 square metres over Portion 304 (a portion of Portion 19) of the Farm Roodepoort 237, as indicated by the figures A B C D A on Diagram S.G. No. 1594/2017 attached thereto (as more fully Set out in Condition 4 E (endorsement on page 9 of the Deed of Transfer T16760/2013 registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237 IQ) as more fully Set out in Condition 4 E (endorsement on page 9 of the Deed of Transfer T16760/2013 registered over the Remaining Extent of Portion 120 (a portion of Portion 101) of the Farm Roodepoort Number 237 IQ).

### 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

- (a) The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of the buildings and structures must be designed by a competent professional engineer, guided by the geotechnical report 3011 by Africa Exposed, unless it can be 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 C-C2/S/R/P (fill excavations), Soil Zone III.

- (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.

(2) ERVEN 382 AND 383

The erven shall not be alienated or transferred into the name of any purchaser other than the City of Johannesburg Metropolitan Municipality.

(3) ERF 383

The erf is subject to a 3m wide servitude for stormwater purposes in favour of the local authority, as indicated on the General Plan.

(4) ERVEN 378, 380, 382 AND QUARTZ STREET

The erven are each subject to a 3m sewer servitude in favour of the local authority, as indicated on the General Plan.

(5) ERVEN 378 TO 381

The erven are each subject to a 3m X 6m electrical mini-substation in favour of the local authority, as indicated on the General Plan.

(6) ERVEN 378 AND 379

A permeable fence shall be erected along the western boundary of Erven 378 and 379 to the satisfaction of the local authority.

**B. Conditions of Title imposed by the Department: Mineral Resources in terms of Mineral and Petroleum Resources Development Act 28 of 2002:**

(1) ALL ERVEN

The township will be allowed to be a distance of approximately 700m from the Princess Tailings Dam.

- 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 Roodepoort, 1987, comprising the same land as included in the township of **Wilfordon Extension 11**. 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 05-12664/2.

**Hector Bheki Makhubo**  
**Deputy Director: Legal Administration**  
**City of Johannesburg Metropolitan Municipality /**  
**Notice No. T094/2019**



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