

***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

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PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NOTICE 42 OF 2022

PROTEA GLEN EXTENSION 41

- A. In terms of section 28(15) of the By-laws of the City of Johannesburg Metropolitan Municipality declares **Protea Glen Extension 41** 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 COSMOPOLITAN PROJECTS JOHANNESBURG PROPRIETARY LIMITED REGISTRATION NUMBER 2005/013577/07 (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 211 (A PORTION OF PORTION 141) OF THE FARM ZUURBEKOM NO. 297, REGISTRATION DIVISION I.Q., THE PROVINCE OF GAUTENG HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT.

(1) NAME

The name of the township is Protea Glen Extension 41.

(2) DESIGN

The township consists of erven and a roads as indicated on General Plan S.G. No. 841/2020.

(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) ELECTRICITY

The local authority is not the bulk supplier of electricity to or in the township. The township owner shall in terms of Chapter 6 Part 1 of the By-law make the necessary arrangements with ESKOM, the licensed supplier of electricity for the provision of electricity.

(6) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)

(a) Should the development of the township not been completed before 19 January 2016 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. 05-14834/1/2. 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 **20 January 2006**.

(7) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 4 September 2023 the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(8) 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. 05-14834/1/2.

(9) 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.

(10) 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.

(11) 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.

(12) 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.

(13) ERVEN FOR MUNICIPAL PURPOSES

Erf 36998 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 and public open space purposes. All refuse, building rubble and/or other materials shall be removed from the erf/erven prior to the transfer thereof to the City of Johannesburg Metropolitan Municipality.

(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 1.(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 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.

(c) The township owner shall submit to the local authority, a certificate issued by ESKOM that acceptable financial arrangements with regard to the supply of electricity, have been made by the township owner to the local authority. 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 such certificate had been issued by ESKOM.

(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, servitudes and entitlements:

A. EXCLUDING THE FOLLOWING CONDITIONS AND SERVITUDES WHICH DO NOT AFFECT THE TOWNSHIP DUE TO THE LOCALITY THEREOF:

1. The former Remaining Extent of the Farm Zuurbekon No. 297 I.Q., Transvaal measuring as such 4330,8571 hectares:
 - a) Is subject to the reservation of Notarial Deed No. 666/1935S whereby the right in perpetuity to convey electricity over the said remaining extent was granted in favour of the Victoria Falls and Transvaal Power Company Limited, of which the route description has been indicated by the line AB on Diagram SG No. A6821/1970 and as attached to Notarial Deed No K5740/2010S
2. The former Remaining Extent of the Farm Zuurbekom No. 297 I.Q., Transvaal, measuring as such 1334,6071 hectares :
 - a) Subject to the right in favour of ESKOM to convey electricity over the said property with ancillary rights and subject to conditions as will more fully appear from Notarial Deed No. K490/1981S, of which route description has been indicated by the lines aB, CD, EF, GH, Jd and Le on Diagram S.G. No. A6631/1983 and as attached by Notarial Deed No. K330/1985S.
 - b) Subject to the right in favour of ESKOM to convey electricity over the said property with ancillary rights and subject to conditions as will more fully appear from Notarial Deed No K1606/1983S of which the route description has been indicated by the line aBCD on Diagram S.G. No. A1516/187 and by the lines aB, Cb, Ec, de and fg on Diagram S.G. No. A11726/1985 and as attached by Notarial deed No K1192/1988S
 - c) Subject to the right in favour of ESKOM to convey electricity over the said property with ancillary rights and subject to conditions as will more fully appear from Notarial Deed No. K3459/1985S of which route description has been indicated by the lines aB, Cb, Ec, de and fg on Diagram S.G. No. A11726/1985 and as attached by Notarial deed No. K1192/1988S.
 - d) Subject to the right in favour of ESKOM to convey electricity over the said property with ancillary rights and subject to conditions as will more fully appear from Notarial Deed No. K3057/1986S of which route description has been indicated by the line aBCb on Diagram S.G. No. A 535/1991 and as attached by the Notarial Deed K4360/1994S.
3. The former Portion 15 of the said farm Zuurbekon No. 297 I.Q., Transvaal, as indicated by the figure a b d a on Diagram S.G. No. 4067/2009 (of which that portion of the property held hereunder) is subject to:

- a) By Notarial Deed No. K139/1964S the right has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said notarial deed and Diagram S.G. NO. A2188/1964 as indicated by the line ABCDA.
 - b) By Notarial Deed No. K140/1964S the right has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said notarial deed and Diagram S.G. No. A785/1958 as indicated by the figure ABCDEFG.
 - c) Further Subject to the following condition:

The Minister of National Education declared the historic pumphouse situated on the withinmentioned property to be a National Monument as will more fully appear from Proclamation 988 dated 23 May 1975 in Government Gazette 4713.
4. The former Portion 15 of the said farm Zuurbekon No. 297 I.Q., Transvaal, measuring 827,6995 hectares, of which that portion indicated by the figure ABCDEFGHJKLMNQRTUA and a b d a on Diagram S.G. No. 4067/2009 (of which that portion of the property held hereunder) is subject to:
- a) Subject to the right in favour of the ELECTRICITY SUPPLY COMMISSION to convey electricity over the said property with ancillary rights and subject to conditions as will more fully appear from Notarial deed No. K490/1981S of which the route description has been indicated by the lines AB, CD, ab, and de on Diagram S.G. No. A6632/1983 and as attached by Notarial deed No K330/1985S.
5. The former Remaining Extent of the Farm Zuurbekom No. 297 I.Q., Transvaal, measuring as such 2003,9890 hectares:
- a) The right in favour of the ELECTRICAL SUPPLY COMMISSION to convey electricity over the said property with ancillary rights and subject to condition as will more fully appear from Notarial Deed No. K383/1961S registered on the 11th April 1961 as indicated by the line ABC on Diagram S.G. No. A5944/1959.
 - b) In terms of Section 1191)(B) of Act No 37 of 1955 a portion measuring approximately 3,4269 hectares of the property hereby transferred has been expropriated by the South African Railways and Harbours Administration.
 - c) The reservations contained in Notarial Deed NO. 1124/1939S in favour of Rand Water Board relating inter alia to the prohibition of the use of existing buildings, the pollution of water supplies, the establishment of stables, cow/byrres, pigstyes or other accommodation for animals and the establishment of a township or small holdings.
- B. EXCLUDING THE FOLLOWING WHICH DOES AFFECT THE TOWNSHIP AND SHALL BE MADE APPLICABLE TO ERVEN 36998 AND 36999 IN THE TOWNSHIP ONLY:**
- (a) The erf is subject to a perpetual servitude Electric Power Transmission in favour of ESKOM, 555 (five hundred and fifty five) square metres in extent as indicated by the figure A B C D A on Diagram SG No. 4068/2009 as will more fully appear from the said Notarial Deed of Servitude No. K2079/2010S.

C. EXCLUDING THE FOLLOWING SERVITUDE WHICH ONLY AFFECTS ERF 36998 IN THE TOWNSHIP:

- (a) The erf is subject to a perpetual servitude 5,00 (Five) metres wide as indicated by the figure a b c d E F a on diagram S.G. No. 840/2020 as will more fully appear from Notarial Deed of Servitude No. K1909/2022.

D. INCLUDING THE FOLLOWING WHICH DOES AFFECT THE TOWNSHIP AND SHALL BE MADE APPLICABLE TO ALL ERVEN IN THE TOWNSHIP:

- (a) The former Remaining Extent of the farm Zuurbekom No. 297 I.Q., Transvaal, measuring as such 4528,5532 hectares, is subject to the following special conditions, servitudes and reservations, namely:

The provisions of certain Notarial Deed of Servitude No. 606/1896 where under the perpetual and exclusive right to bore and dig for water on the said property and to lead same away was granted.

3. CONDITIONS OF TITLE.

(A) Conditions of Title imposed in favour of 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 where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority 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 condition 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 classification for foundations is considered as C1-C2/H1.

(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 36996

The erf is subject to a 4m wide storm water servitudes in favour of the local authority, as indicated on the General Plan.

D. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.

(1) ERVEN 36996 and 36999

(a) The registered owner of the erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erf boundary abutting Road PWV 5/16.

(b) Except for the physical barrier referred to in clause (a) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erf within a distance less than 20m for single storey buildings and 30m for multiple storey buildings from the boundary of the erf abutting Road PWV 5/16 neither shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).

B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 54 of the By-Law of the City of Johannesburg, in addition to the provisions of the Roodepoort Town Planning Scheme, 1987, declares that it has approved an amendment scheme being an amendment of the Roodepoort Town Planning Scheme, 1987, comprising the same land as included in the township of **Protea Glen Extension 41**. 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 05-14834/3.

Hector Bheki Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No. 028/2022

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**PROVINCIAL NOTICE 602 OF 2022**

NOTICE OF APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS OF TITLE IN TERMS OF SECTION 50 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 READ WITH THE GENERAL PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)

ERF 123 DUNVEGAN

I, WILLEM BUITENDAG of Di Cicco & Buitendag CC, being the authorised agent of the owner of Erf 123 Dunvegan, hereby give notice in terms of Section 11 read with Section 50 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019 and the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) that I have applied to the Ekurhuleni Metropolitan Municipality (Edenvale Customer Care Centre) for the removal of conditions of title pertaining to Erf 123 Dunvegan, situated at 19 Elray Avenue, Dunvegan to permit the relaxation of the building line on the site.

Particulars of the application will lie for inspection during normal office hours at the Office of the Ekurhuleni Metropolitan Council, First Floor, Entrance 3, Room 248, Corner Hendrik Potgieter and Van Riebeeck Roads, Edenvale, for a period of 28 (twenty-eight) days from 20 July 2022. Objections to or representations in respect of the application must be lodged with or made in writing to the Director: City Planning at the above address or P O Box 25, Edenvale, 1610, within a period of 28 (twenty-eight) days from 20 July 2022.

Willem Buitendag P.O. Box 752398 Gardenview, 2047
Cell: 083 650 3321 Fax: 086 266 1476

20-27

PROVINSIALE KENNISGEWING 602 VAN 2022

KENNIS VAN AANSOEK OM DIE OPHEFFING VAN BEPERKENDE VOORWAARDES INGEVOLGE DIE BEPALINGS VAN ARTIKEL 50 VAN DIE VERORDENING OP DIE STAD EKURHULENI RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 2019 GELEES MET DIE RELEVANTE BEPALINGS VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 2013 (WET 16 VAN 2013)

ERF 123 DUNVEGAN

Ek, WILLEM BUITENDAG van Di Cicco & Buitendag BK, synde die gemagtigde agent van die eienaar van Erf 123 Dunvegan, gee hiermee kennis ingevolge Artikel 11 saamgelees met Artikel 50 van die Verordening op die Stad Ekurhuleni Ruimtelike Beplanning en Grondgebruikbestuur, 2019 en die bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013) dat ek by die Ekurhuleni Metropolitaanse Raad aansoek gedoen het om die opheffing van beperkende titelvoorwaardes met verwysing na Erf 123 Dunvegan, geleë te Elraylaan 19, Dunvegan, ten einde die verslapping van die boulyn op die erf toe te laat.

Besonderhede van die aansoek is ter insae gedurende gewone kantoorure by die kantoor van die Ekurhuleni Metropolitaanse Raad, Eerste Verdiepings, Ingang 3, Kamer 248, Hoek van Hendrik Potgieter en Van Riebeeckweg, Edenvale, vir 'n tydperk 28 (agt-en-twintig) dae vanaf 20 Julie 2022. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 (agt-en-twintig) dae vanaf 20 Julie 2022 skriftelik by of tot die Direkteur: Beplanning en Ontwikkeling by bovermelde adres of by Posbus 25, Edenvale, 1610, ingedien of gerig word.

Willem Buitendag Posbus 752398 Gardenview, 2047
Sel: 083 650 3321 Faks: 086 266 1476

20-27

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 1230 OF 2022**

Notice is hereby given in terms of section 42.(4) of the City of Johannesburg: Municipal Planning By-law, 2016, that the City of Johannesburg Metropolitan Municipality has approved the following in respect of **Erf 1990 Bryanston**.

The removal of Conditions 1. to 2.(r) from Deed of Transfer T9337/2018.

A copy of the approved application lies open for inspection at all reasonable times, at the office of the Director: Land Use Development Management, 158 Civic Boulevard, Metropolitan Centre, A Block, 8th Floor, Braamfontein 2017. This notice shall come into operation on the date of publication hereof.

Hector Bheki Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No.397/2022

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