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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 2163 OF 2022****DECLARATION AS AN APPROVED TOWNSHIP**

- A.** In terms of section 28.(15) of the City of Johannesburg Municipal Planning By-law, 2016, the City of Johannesburg Metropolitan Municipality declares **Noordhang Extension 93** to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY VTC AFRICA INVESTMENTS PROPRIETARY LIMITED (REGISTRATION NUMBER 2007/003981/07)(HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNERS) 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 THE REMAINING EXTENT OF PORTION 163 OF THE FARM OLIEVENHOUTPOORT 196 I.Q. REGISTRATION DIVISION I.Q., HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT.

- (1) **NAME**
The name of the township is Noordhang Extension 93.
- (2) **DESIGN**
The township consists of erven road as indicated on General Plan S.G. No. 1807/2022.
- (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) **NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)**
Should the development of the township not been completed before 14 October 2026, the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.
- (5) **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.
(b) Access will be allowed via Bellairs Drive as indicated on the approved layout plan.
- (6) **ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE**
The township owner shall arrange for the storm water drainage of the township to fit in with that of the adjacent road/roads and all storm water 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 ERVEN**
(a) Erf 950 shall vest only as common property in the legal entity established for Erf 949 in accordance with the provisions of the Sectional Title Act, 95 of 1986 as amended, which legal entity shall have full responsibility for the functioning and proper maintenance of Erf 950 and the engineering services within the said erf. The township owner shall remove all refuse, building rubble and all materials from Erf 950.

- (b) Erven 949 and 950 may only be developed jointly as a development scheme as provided for in terms of the Sectional Titles Act, 95 of 1986.
- (11) **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.
- (12) **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 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 City Power 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 City Power.
- (13) **NOTARIAL TIE OF ERVEN**
The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to notarially tie Erven 949 and 950 to the local authority for approval.
- (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 therefore, 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.

2.1 All erven shall be made subject to existing conditions, servitudes and entitlements, including the following which does affect the township and shall be made applicable to the individual erven in the township:

2.1.1. *The local authority shall be entitled to the right of access to the property for the purpose of laying such drains at such points as it may consider necessary.*

2.1.2. *The property is subject to a 2 (two) metre wide servitude on all boundaries for the installation of essential services by the local authority.*

2.1.3. *The withinmentioned Remaining extent of Portion 163 the Farm Olievenhoutpoort 196 I.Q. is subject to a 2 metre wide servitude on all boundaries for the installation of essential services by the Local Authority, as will more fully appear from Deed of Servitude K3553/2001.*

2.1.4. *By virtue of Notarial Deed of Servitude No. K4698/2022 dated 25 July 2022 the withinmentioned Remaining Extent of Portion 163 of the Farm Olievenhoutpoort 196, is subject and entitled to a reciprocal servitude of Right of Way and Services over and in favour of Erf 938 Noordhang Extension 91, Registration Division I.Q., Province of Gauteng, measuring 1,3274 (One Comma Three Two Seven Four) Hectares, and Erf 939 Noordhang Extension 91, Registration Division I.Q., Province of Gauteng, measuring 843 (Eight Hundred and Forty Three) Square Metres, as will more fully appear from the said Notarial Deed of Servitude.*

2.2 **Excluding the following servitude which only affects erf 949:**

By virtue of Notarial Deed of Servitude No K 4700/2022 dated 25 July 2022, the within mentioned Remaining Extent of Portion 163 of the Farm Olievenhoutpoort 196, is subject to perpetual servitude for sewer and Stormwater purposes, 3.00 metres wide, of which 334 (Three Hundred and Thirty Four) Square Metres of the land represented by the Figure A B C D A on Diagram S.G. No. 1765/2021 annexed thereto, in favour of the City of Johannesburg Metropolitan Council, as will more fully appear from the said Notarial Deed of Servitude.

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 City of Johannesburg Municipal Planning By-law, 2016.**

(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 conditions unless it is proved to the Local Authority that such measures are unnecessary or that the same purposes can be achieved by other more effective means.

The NHBRC classification for foundations is classified as C1, Soil Zone 2.

- (b) 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.
- (c) 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.
- (d) 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.

- (e) The erven 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 transferee accepts the following condition: The local authority had limited the electricity supply to the erven to 200KVA and should the registered owners of the erven 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.
- (2) ERF 949
The erf is subject to a servitude for electrical substation purposes in favour of the local authority, as indicated by the Figure hjCgh on the General Plan.
- 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 he has approved an amendment scheme being an amendment of the City of Johannesburg Land Use Scheme, 2018, comprising the same land as included in the township of **Noordhang Extension 93**. Map 3 and the scheme clauses of the amendment scheme 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 20-04-3387.

Hector Makhubo
Deputy Director : Legal Administration
City of Johannesburg Metropolitan Municipality /
Notice No. T079/2022

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