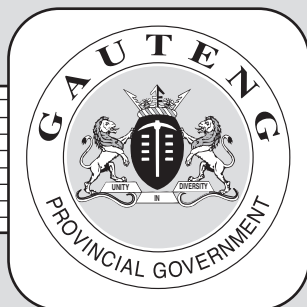


***THE PROVINCE OF  
GAUTENG***



***DIE PROVINSIE VAN  
GAUTENG***

# **Provincial Gazette Provinsiale Koerant**

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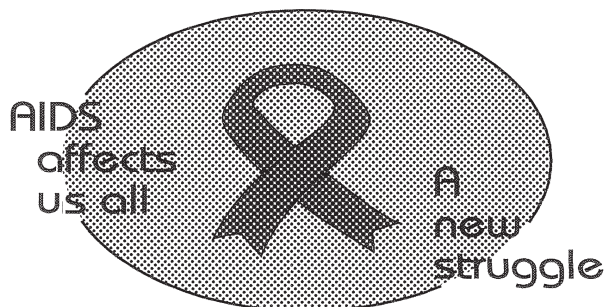
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**Contents**

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
	<b>LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS</b>		
28	City of Johannesburg Municipal Planning By-Law, 2016: Riverside View Extension 104 .....	9	3

**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS****LOCAL AUTHORITY NOTICE 28 OF 2023****RIVERSIDE VIEW EXTENSION 104**

- A. In terms of section 28(15) of the By-laws of the City of Johannesburg Metropolitan Municipality declares **Riverside view Extension 104** 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 RIVERSANDS AFFORDABLE APARTMENTS PROPRIETARY LIMITED (REGISTRATION NUMBER 2012/011956/07) (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 614 OF THE FARM DIEPSLOOT NO. 388 J.R., GAUTENG PROVINCE, HAS BEEN APPROVED.**

**1. CONDITIONS OF ESTABLISHMENT**

- (1) **NAME**  
The name of the township is **Riverside View Extension 104**.
- (2) **DESIGN**  
The township shall consist of erven and roads as indicated on General Plan S.G. No 2442/2021.
- (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.
- (5) **GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)**  
Should the development of the township not been commenced with before **11 November 2026** 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.
- (6) **GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)**
  - (a) Should the development of the township not been completed before 12 November 2031 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).
- (7) **NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)**  
Should the development of the township not been completed before **29 September 2026** the application to establish the township, shall be resubmitted to the Department: Mineral Resources for reconsideration.
- (8) **ACCESS**  
Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd.

- (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 roads/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 building 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) **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 the local authority in terms of clause 1.(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.
- (14) **OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES**  
The township owner shall, at its own 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.
- (15) **CONSOLIDATION OF ERVEN**  
The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to consolidate Erven 5633 and 5634, to the local authority for approval. 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, servitudes and entitlements:

**A. Excluding the following servitudes which do not affect the township due to their locality:**

- I. THE FORMER PORTION 612 (A PORTION OF PORTION 551) OF THE FARM DIEPSLOOT NO. 388, REGISTRATION DIVISION J.R., PROVINCE OF GAUTENG, AS INDICATED BY THE FIGURE ABCDEFGHJKLMxyQRA ON CONSOLIDATION DIAGRAM S.G. NO. 2440/2021 ANNEXED HERETO (WHICH PROPERTY FORMS A PORTION OF THE PROPERTY HELD HEREUNDER) IS SUBJECT TO THE FOLLOWING CONDITIONS:
  - A. By virtue of Notarial Deed of Servitude K1442/1975S dated 12 May 1975,
    - (i) The within mentioned property is subject to a powerline servitude in favour of Eskom to convey electricity over the property with ancillary rights and subject to conditions, the centre lines of which servitude is indicated by the lines ABCDE, FGHIJKL, MNOPQRSTU, VWXYZA1, B1 C1 D1 E1 F1 G1 H1, on Diagram S.G. No. A 7666/1969, as will more fully appear on reference to said Notarial Deed and diagram annexed thereto.
    - (ii) Deed of Servitude 1299/1961S dated 17 August 1961 has been cancelled as will more fully appear from the said Notarial Deed.
  - A. By virtue of Notarial Deed of Servitude K513/1977S dated 21 February 1977, the within mentioned property is subject to a servitude in favour of Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, the centre line of which servitude is indicated by the line a B C D b, on Diagram S.G. No. A.7933/1973, as will more fully appear on reference to the said Notarial Deed and diagram annexed thereto.
  - B. By virtue to Notarial Deed of Servitude K2783/2002S dated 26 November 2001 the within mentioned property is subject to
    - (i) a servitude to rights of operation, maintenance and access to the existing pumpstation in order to pump and convey treated water to the cooling towers of the power plant, 1,5922 Hectares in extent represented by the figure ABCDEFGHJK on diagram SG No 6303/2001; and
    - (ii) a servitude to right of use, maintenance and access to the cooling pipeline in order to convey treated water to the cooling towers of the power plant, 2 metres wide represented by the line LMN on diagram SG No 6303/2001 in favour of Remaining Extent of portion 82 of the Farm Zuurfontein No 33, Registration Division JR Gauteng.
- II. THE FORMER PORTION 613 (A PORTION OF PORTION 6) OF THE FARM DIEPSLOOT NO. 388, REGISTRATION DIVISION J.R., PROVINCE OF GAUTENG, AS INDICATED BY THE FIGURE xNPYx ON CONSOLIDATION DIAGRAM S.G. NO. 2440/2021 ANNEXED HERETO (WHICH PROPERTY FORMS A PORTION OF THE PROPERTY HELD HEREUNDER) IS SUBJECT TO THE FOLLOWING CONDITIONS:
  - A. By virtue of Notarial Deed of Servitude K1345/1976S dated 10 May 1976, the within mentioned property is subject to a servitude in favour of Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to the conditions as will more fully appear on reference to the said Notarial Deed and the centre line of which servitude is indicated by the line ab on diagram LG No A7935/1973 annexed thereto.
  - B. By virtue to Notarial Deed of Servitude K2783/2002S dated 26 November 2001 the within mentioned property is subject to a servitude to right of use, maintenance and access to the cooling pipeline in order to convey treated water to the cooling towers of the power plant, 2 metres wide represented by the line AB on diagram SG No 6304/2001 in favour of Remaining Extent of portion 82 of the Farm Zuurfontein No 33, Registration Division JR Gauteng.
  - C. By virtue of Notarial Deed of Servitude K3878/2022S dated 3 June 2022, the within mentioned property is subject to a perpetual servitude for the distribution and transmission of electricity and related purposes, substantially along the route indicated by the letters ab on Servitude Diagram SG No. 4463/2010, comprising an area 55 (fifty five) metres wide, being the centre line for the Goods, once they are built, in favour of Eskom Holdings SOC Limited, as will more fully appear on reference to the said Notarial Deed.

- D. By virtue of Notarial Deed of Servitude K3876/2022S dated 3 June 2022, the within mentioned property is subject to a perpetual servitude for the distribution and transmission of electricity and related purposes, substantially along the route indicated by the letters AB on Servitude Diagram SG NO. 31/2010, comprising an area 55 (fifty five) metres wide, being the centre line for the Goods, once they are built, in favour of Eskom Holdings SOC Limited, as will more fully appear on reference to the said Notarial Deed.
- E. By virtue of Notarial Deed of Servitude K3877/2022S dated 3 June 2022, the within mentioned property is subject to a perpetual servitude for the distribution and transmission of electricity and related purposes, substantially along the route indicated by the letters ABCD on Servitude Diagram SG No 2861/2013, comprising an area of 22 (twenty two) metres wide, being the centre line for the Goods, once they are built, in favour of Eskom Holdings SOC Limited, as will more fully appear on reference to the said Notarial Deed.
- F. By virtue of Notarial Deed of Servitude K3879/2022S dated 3 June 2022 the within mentioned property is subject to a servitude for sewer and other municipal purposes, which is indicated by the line ABCDEF on Servitude Diagram SG No 5462/2014 representing the centre line of an area 6 (six) metres wide, in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear on reference to the said Notarial Deed.
- G. By virtue of Notarial Deed of Servitude K4873/2022S dated 5 July 2022 the within mentioned property is subject to a perpetual servitude for the construction of a stormwater attenuation dam indicated by the figure A B C D E F G H J K A on Diagram SG No. 5463/2014, measuring 9207 (nine thousand two hundred and seven) square metres, in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear on reference to the said Notarial Deed.
- H. By virtue of Notarial Deed of Servitude K3880/2022S dated 3 June 2022, the within mentioned property is subject to a perpetual water pipeline servitude, measuring 1781 (one thousand seven hundred and eight one) square metres in extent, as indicated by the figure ABCDA on Diagram S.G. No. 2596/2017, in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear on reference to the said Notarial Deed.
- B. Including the following servitudes which do affect the township and shall be made applicable to the individual erven in the township:**
- I. THE FORMER PORTION 612 (A PORTION OF PORTION 551) OF THE FARM DIEPSLOOT NO. 388, REGISTRATION DIVISION J.R., PROVINCE OF GAUTENG, AS INDICATED BY THE FIGURE ABCDEFGHJKLMxyQRA ON CONSOLIDATION DIAGRAM S.G. NO. 2440/2021 ANNEXED HERETO (WHICH PROPERTY FORMS A PORTION OF THE PROPERTY HELD HEREUNDER) IS SUBJECT TO THE FOLLOWING CONDITIONS:
- A. By virtue of Notarial Deed of Servitude K4358/2005S dated on the 27 May 2004 the within mentioned property is subject to a servitude in favour of Eskom for overhead power lines and telecommunication and other related purposes, as will more fully appear from aforesaid Notarial Deed.
- B. By virtue of Notarial Deed of Servitude K4036/2013S dated 6 June 2013 the within mentioned property is subject to
- (i) A perpetual servitude of electric power transmission over the property substantially along the route/s as agreed by the parties, subject to any existing servitude or any other real right, to convey electricity across the Property by means of 2 (TWO) overhead power line consisting of conductors mounted on poles or structures with such structures supporting mechanism as may be necessary or convenient; and
- (ii) A perpetual servitude for telecommunication and other related purposes over the Property substantially along the route/s as agreed upon, by means of conductors, cables and/or appliances mounted on the poles and/or structures with such structure supporting mechanisms as may be necessary or convenient in favour of Eskom Holdings Limited, as will more fully appear from the aforesaid notarial deed.

II. THE FORMER PORTION 613 (A PORTION OF PORTION 6) OF THE FARM DIEPSLOOT NO. 388, REGISTRATION DIVISION J.R., PROVINCE OF GAUTENG, AS INDICATED BY THE FIGURE xNPYx ON CONSOLIDATION DIAGRAM S.G. NO. 2440/2021 ANNEXED HERETO (WHICH PROPERTY FORMS A PORTION OF THE PROPERTY HELD HEREUNDER) IS SUBJECT TO THE FOLLOWING CONDITIONS:

- A. By virtue of Notarial Deed of Servitude K3095/2003S dated 28 May 2003, the within mentioned property is subject to a powerline servitude in favour of Eskom together with ancillary rights.
- B. By virtue of Notarial Deed of Servitude K4644/2013S dated 6 June 2013 the within mentioned property is subject to
- (i) A perpetual servitude of electric power transmission over the property substantially along the route/s as agreed by the parties, subject to any existing servitude or any other real right, to convey electricity across the Property by means of 2 (TWO) overhead power line consisting of conductors mounted on poles or structures with such structures supporting mechanisms as may be necessary or convenient; and
- (ii) A perpetual servitude for telecommunication and other related purposes over the Property substantially along the route/s as agreed upon, by means of conductors, cables and/or appliances mounted on the poles and/or structures with such structure supporting mechanisms as may be necessary or convenient in favour of Eskom Holdings Limited,

As will more fully appear from the aforesaid notarial deed.

### 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

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 and erected under his supervision 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 foundation is classified as R/C-C2/H1 (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 at 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.



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

**(1) ERF 5633**

Erf 5633 is subject to a servitude for electrical purposes, measuring 23m<sup>2</sup> in extent, in favour of Eskom, as indicated on the General Plan.

- 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 City of Johannesburg Land Use Scheme, 2018, declares that it 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 **Riverside View Extension 104**. 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 03-16393/1.

**Hector Bheki Makhubo**  
**Deputy Director: Legal Administration**  
**City of Johannesburg Metropolitan Municipality**  
**Notice No. T103/2023**









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