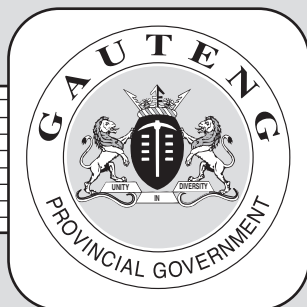


***THE PROVINCE OF  
GAUTENG***



***DIE PROVINSIE VAN  
GAUTENG***

# **Provincial Gazette Provinsiale Koerant**

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS****LOCAL AUTHORITY NOTICE 436 OF 2024****MIDVAAL LOCAL MUNICIPALITY**

In terms of Section 46 (15) of the Midvaal Local Municipality Spatial Planning and Land Use Management By-Law, 2017, Midvaal Local Municipality hereby declares Meyerton Extension 07 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 ALLEYROADS MEYERTON DEVELOPMENT COMPANY (PROPRIETARY) LIMITED, REGISTRATION NUMBER 2023/534194/07 (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 59 OF THE MIDVAAL LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 143 (A PORTION OF PORTION 81) OF THE FARM RIETFONTEIN 364 I.R., GAUTENG PROVINCE, HAS BEEN GRANTED.**

**1. CONDITIONS OF ESTABLISHMENT****1.1. Name**

The name of the township shall be **Meyerton Extension 7.**

**1.2. Design**

The township shall consist of erven and streets as indicated on **Surveyor General number 3555/2013.**

**1.3. Provision and Installation of Engineering services**

1.3.1. The township owner is responsible, by means of a Services Agreement with the local authority, for making the necessary arrangements for the provision of internal engineering services to the satisfaction of the relevant department.

1.3.2. The township owner concerned shall be responsible for the installation and provision of external engineering services, (Bulk and Linked) as stipulated in the Services Agreement noted above. Any external engineering services contributions payable by the township owner / developer shall be reflected in the Services Level Agreement.

**1.4. Electricity**

The township owner shall make arrangements with the Local Authority for the provision of electricity in terms of the Services Agreement.

**1.5. GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)**

- 1.5.1. Should the development of the township not been completed before 29 November 2027, the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.
- 1.5.2. 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 fulfilment 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).
- 1.5.3. The township owner shall at his own expense erect a fence or other physical barrier along the K83, as per the conditions of the Department of Transport Public Works (Gauteng Provincial Government) as set out in their letter dated 29 November 2017 (as read with the Executive Committee Resolution 1112 of 26 June 1978 of said Department), as and when required by him to do so and the township owner shall maintain such fence or physical barrier in good order and repair until such time as this responsibility is taken over by subsequent stand owners.
- 1.5.4. The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 21 November 2021.

**1.6. Access**

Ingress from K83 to the township and egress to K83 from the township shall be restricted to such points as determined by GAUTRANS.

**1.7. Acceptance and disposal of storm water**

The township owner shall arrange for the drainage of the township to fit in with that of K83 and for all storm water running off or being diverted from the road to be received or disposed of.

**1.8. Refuse removal**

The township owner shall at his own expense cause all litter within the township area to be removed, after construction of services.

**1.9. Removal or replacement of existing services**

If, by reason of the establishment of the township, it should be necessary reposition any existing circuits of ESKOM or TELKOM, the cost thereof shall be borne by the township owner.

**1.10. Demolition of buildings and structures**

The township owner shall cause all existing buildings and structures situated within the building line reserves, side spaces over common boundaries to be demolished.

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

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

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

- a. Portion 32 of the said farm Rietfontein measuring 631,4753 hectares, whereof the property hereby transferred forms a portion is subject to the following servitude: "By virtue of Notarial Deed K705/1939-S the right has been granted to The Victoria Falls and Transvaal Power Company Limited, to convey electricity over the aforesaid property, together with ancillary rights, and subject to conditions as will more fully appear on reference to the said Notarial Deed and diagram annexed thereto"
- b. The former Remaining Extent of Portion 32 of the farm Rietfontein aforesaid, measuring 351,8518 hectares, whereof the property hereby transferred form a portion is subject to a servitude of aqueduct 22,86 meters wide in favour of the Rand Water Board together with the ancillary

rights as will more fully appear from Notarial Deed K759 / 1951-S registered on the 15<sup>th</sup> September 1951;

- c. The former Remaining Extent of Portion 32 of the farm Rietfontein aforesaid, measuring 349,8399 hectares, whereof the property hereby transferred forms a portion is subject to:

- I. A servitude in favour of Die Suid Afrikaanse Gasdistribusie korporasie Beperk to convey gass by means of a pipeline together with ancillary rights which will more fully appear from Notarial Deed K252 / 1970-S registered on the 2nd April 1970;
- II. A servitude in favour of Die Suid Afrikaanse Gasdistribusie korporasie Beperk to convey gass by means of a pipeline together with ancillary rights which will more fully appear from Notarial Deed K253 / 1970-S registered on the 2nd April 1970;
- III. A servitude in favour of Die Suid Afrikaanse Gasdistribusie korporasie Beperk to convey gass by means of a pipeline together with ancillary rights which will more fully appear from Notarial Deed K254 / 1970-S registered on the 2nd April 1970;

- d. The former Remaining Extent of Portion 32 of the said farm Rietspruit measuring 293,6505 hectares, whereof the property transferred hereunder forms a portion I is subject to a servitude in favour of Die Suid Afrikaanse Gasdistribusie korporasie Beperk to convey gass by means of a pipeline together with ancillary rights as will more fully appear from Notarial Deed K1001 / 1971 registered on the 19th August 1971 and diagram annexed thereto.

### **3. CONDITIONS OF TITLE**

- A. Conditions of Title imposed by the local authority in terms of the provisions of the Midvaal Local Municipality Spatial Planning and Land Use Management By-Law

#### **3.1. ALL ERVEN**

- a. The erven are subject to a servitude, 2 meters 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 2 meters 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 buildings or other structures shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2 (two) meters 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 course of the construction, maintenance or removal of such sewerage mains and other work as it in its discretion may deem necessary and shall further be entitled to reasonably access to the said land for the aforesaid purposes 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.

### **3.2. ERVEN 1135 and 1150**

The erven are subject to an 8m servitude for municipal sewer services in favour of the local authority, as indicated on the General Plan.

### **3.3. ERF 1135**

The Erf is subject to a right of way servitude in favour of Erf 1136 Meyerton X12 as indicated on the General Plan.

- B. 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.

### **3.4. ERVEN 1135 and 1150**

- a. The registered owner of the erf shall erect a physical barrier consisting of materials as may be approved by the local authority in accordance with the most recent standards of Gauteng Department of Transport and Public Works (Gauteng Provincial Government) before or during development of the erf along the boundary thereof abutting on the K83 Provincial Road. Provided that if the said road has not yet been declared, the relevant physical barrier shall be erected within a period of six months after declaration of such road.
- b. Except for the physical barrier referred to 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 nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 16m in respect of the reserve boundary of the Road K83 / Provincial Road, nor shall any alterations or addition to existing structures of buildings situated within such distance of the said boundary be made except with the consent in writing of the Gauteng Provincial Government: Department of Transport and Public Works;

- c. Ingress and egress from the erf shall not be permitted along the boundary thereof abutting on K83 / Provincial Road.

**4. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 44 OF THE BY-LAW, IN ADDITION TO THE PROVISIONS OF THE MIDVAAL LAND USE SCHEME, 2017**

**4.1. ERF 1135**

Use Zone	:	Business 1
Primary rights	:	As per scheme with an amended definition for Motor Sales Market
Definitions	:	Motor Sales Market - means land used or a building designed or used for the display and sale of motor vehicles, which are roadworthy and of good outward appearance and Motor Accessory Facilities but does not include any form of a vehicle workshop and a taxi holding area.
Consent Use	:	As per scheme
Uses not permitted	:	As per scheme
Height	:	2 Storeys
Coverage	:	60%
Floor Area Ratio	:	0.32
Parking	:	As per Scheme
		6 parking bays per 100m <sup>2</sup> for retail floor area

4 parking bays per 100m<sup>2</sup> for office floor area

Density	:	N/A
Building lines	:	16m along the K83 5m along all streets 2m along all other boundaries

All building lines may be relaxed by the relevant Authority upon submission of an application as determined by the relevant authority

#### **4.2. ERF 1150**

Use Zone	:	Open Space
Primary rights	:	Private open space
Consent uses	:	As per scheme
Uses not permitted	:	As per scheme

#### **4.3. ERF 1151, 1152 AND 1153**

Use Zone	:	Transport
Primary rights	:	Public roads/Streets
Consent uses	:	As per scheme
Uses not permitted	:	As per scheme

### **5. POST DECLARATION CONDITIONS**

- 5.1.** A Site Development Plan shall be submitted to the Local Authority for approval and approved by the Local Authority prior to any development or construction taking place on the property.
- 5.2.** Any development within / under the 1:100 year flood line shall be signed by a registered Professional Engineering in order to indemnify the Local Authority from any possible claims due to flooding. No direct access shall be allowed off the K83.
- 5.3.** Development shall be in accordance with the Geotechnical Report.
- 5.4.** Ingress and egress from the K83 shall be subject to the approval from Gautrans.

- 5.5. Access on Pierneef Boulevard shall be to the satisfaction of the relevant authority.
  - 5.6. All conditions of Gautrans to be adhered to.
  - 5.7. Developer to adhere to the conditions of the Environmental Authorization / Environmental Management Plan.
  - 5.8. The erven that lie in an area where soil conditions can affect buildings and structures and may result in damages to them. Building plans submitted to the local authority must show 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 proven to the local authority that such measures are unnecessary or that the same purpose can be achieved by other, more effective means.
6. That a supplementary valuation of the property is obtained in terms of Section 78 of the Local Government Municipal Property Rates Act (Act 6 of 2004) and the costs thereof are for the applicant's account.
7. The township owner shall be responsible for the maintenance of the land and / or buildings in such a manner that it would not present an injurious condition and it shall be to the satisfaction of the Local Municipality.

The documents as approved lie for inspection during office hours, at the offices of the Executive Director: Development and Planning, Midvaal Local Municipality, Mitchell Street, Meyerton.

**MR. A.M. GROENEWALD**  
**MUNICIPAL MANAGER**  
**Midvaal Local Municipality**  
**Date: 28 March 2024**



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