

***THE PROVINCE OF  
GAUTENG***



***DIE PROVINSIE VAN  
GAUTENG***

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS****PROVINCIAL NOTICE 357 OF 2024****CITY OF EKURHULENI METROPOLITAN MUNICIPALITY  
ALBERTON CUSTOMER CARE AREA****DECLARATION OF ALBERTSDAL EXTENSION 27 AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) read together with the relevant section of the Spatial Planning and Land Use Management Act, 16 of 2013, the City of Ekurhuleni Metropolitan Municipality, Alberton Customer Care Area, hereby declares **ALBERTSDAL EXTENSION 27 TOWNSHIP** to be an approved township, subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

**CONDITIONS UNDER WHICH THE APPLICATION, MADE BY ARMADILLO DEVELOPMENTS 505 PROPRIETARY LIMITED REGISTRATION NUMBER 2006/027569/07 (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF SECTION C OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 1986, (ORDINANCE 15 OF 1986) READ TOGETHER WITH SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE REMAINING EXTENT OF PORTION 37 (A PORTION OF PORTION 34) OF THE FARM PALMIETFONTEIN NO. 141-I.R. IN THE DISTRICT AND MUNICIPALITY OF CITY OF EKURHULENI METROPOLITAN MUNICIPALITY, GAUTENG PROVINCE, HAS BEEN GRANTED.**

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be **Albertsdal Extension 27**.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on Plan No. S. G. No. 1936/2020.

**1.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION**

1.3.1 The township owner shall on request by the Council submit to such Council for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, tar macadamizing, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.

1.3.2 The scheme shall provide for the catchments of storm water in catch pits hence it shall be drained off in watertight pipes of durable material, approved by the Council, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.

The township owner shall, when required by the Council to do so, carry out the approved scheme at its own expense on behalf of and to the satisfaction of the Council under supervision of a civil engineer approved by the Council.

1.3.3 If the township owner fails to comply with the provisions of paragraphs 1.3.1 and 1.3.2 hereof the Council shall be entitled to do the work at the cost of the township owner.

#### **1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following conditions which are registered in the title deeds T45540/2007 of the Remaining Extent of Portion 37 (a Portion of Portion 34) of the farm Palmietfontein 141-IR:

- 1.4.1 The following servitude affects erven 2943, 2944, 2945, 2946, 2947 and Hennie Alberts Street only:

A water pipeline servitude 5,01m wide, vide diagram A7657/81 as will more fully appear from notarial deed of servitude K3476/1982S.

- 1.4.2 The following condition that does not affect any erven in the township area and only affects Hennie Alberts Street and will not be passed on to the erven in the township:

A Servitude of Right of Way, 15,74m wide vide diagram SG No A4165/1945 and Deed of Servitude Number 42/1954-S in favour of the general public affects a part of Hennie Alberts Street.

#### **1.5 ACCESS**

Only Erven 2943 and 2944 shall gain access from Statler Street. Erven 2689 to 2942 shall gain access via Right-of-Way servitudes registered over the whole of Erven 2943 and 2944. No access shall be gained from Hennie Alberts Street by any erf.

#### **1.6 ENGINEERING SERVICES**

- 1.6.1 The township owner shall be responsible for the installation and provision of internal engineering services to the satisfaction of the relevant departments.
- 1.6.2 Once the electrical network has been installed, same will be transferred to the Local Authority, free of cost, who shall maintain this network (except internal streetlights).
- 1.6.3 The Municipality shall not be responsible for or maintain internal water and sewer engineering services installed within a development with access control.
- 1.6.4 The Section 21 Company will be responsible for the maintenance of the internal roads (including storm water) and the internal streetlights (including electrical power usage), to the satisfaction of the local authority.
- 1.6.5 The township owner shall be liable for the erection of the street name signs on internal roads. The Section 21 Company Shall be liable for the maintenance of the street name signs.

#### **1.7 DEMOLITION OF BUILDINGS OR STRUCTURES**

The township owners shall at their own expense 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, within a period of six months from the date of publication of this notice.

## **1.8 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

## **1.9 GENERAL**

- 1.9.1 Proposals to overcome detrimental soil conditions, to the satisfaction of the local authority, shall be contained in all building plans submitted for approval, and all buildings shall be erected in accordance with the precautionary measures accepted by the local authority.
- 1.9.2 The township owner must indemnify the local authority against any and all claims regarding the maintenance and provision of any roads and storm water services in the development (the provision of engineering services under paved areas to be avoided); any damage to the paving, which is caused by an emergency vehicle or any vehicle of the local authority that is involved in any maintenance of services; and any damage and/or incidental damage to the water and sewer infrastructure (shall be for the account of the owner), prior to the approval of building plans.
- 1.9.3 The township owner shall at his own expense, erect a physical barrier along all boundaries not already fenced, consisting of palisade or brick to the satisfaction of the local authority. The maintenance of the barrier shall be at the expense of the township owner / Section 21 company.
- 1.9.4 The applicant shall satisfy the local authority that street names have been approved in accordance with approved policies for the area. The names to be indicated as per 1.6.5.

## **2. SPECIAL CONDITIONS**

- 2.1 The township owner shall ensure that a legal body "Homeowners Association", is established in terms of Section 21 of Act 61 of 1973, as amended, which shall include all land owners in the township of Albertsdal Extension 27.
- 2.2 The said "Homeowners Association" shall, in addition to such other responsibilities as may be determined by the Council, also be responsible for the maintenance of the intercom and access relating to Erven 2943 and 2944.
- 2.3 The memorandum of association of the Section 21 Company, or a universitas personarum, shall provide that:
  - (i) Each and every owner of an erf in the township shall become a member of the Homeowner's Association upon transfer to him of that erf.
  - (ii) The Homeowner's Association shall have full responsibility for the functioning and proper maintenance of the roadways and engineering services in the township. The local authority shall not be liable for any defectiveness of the surfacing of the roadways or / and of the engineering services.
  - (iii) The Homeowner's Association shall be incorporated with the legal power to levy from each and every member of the Homeowner's Association the costs incurred fulfilling its function and to have legal recourse to recover such fees in the event of a default in payment by any member.

- (iv) The construction and maintenance of the roadways shall be the responsibility of the township owner until transfer of the relevant erf / erven has been effected to the company intended.
- (v) The Section 21 Company must indemnify the local authority against any and all claims regarding:
  - (a) the maintenance and provision of any roads and storm water services in the development (the provision of engineering services under paved areas to be avoided).
  - (b) any damage to the paving which is caused by an emergency vehicle or any vehicle of the local authority that is involved in any maintenance of services.
  - (c) any damage and/or incidental damage to the water and sewer infrastructure (shall be for the account of the owner)

### 3. RESTRICTION

Erven 2943 and 2944, shall be registered in the name of the Association mentioned in 2 (2.1), above, and shall be subject to a servitude in favour of the Local Authority for any municipal services as well as for emergency services and a servitude of right-of-way in favour of all adjacent erven to guarantee access to a public road to all owners.

### 4. CONDITIONS OF TITLE

**THE ERVEN SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AS INDICATED, IMPOSED BY THE COUNCIL IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986.**

#### 4.1 ERVEN 2689 to 2942

- 4.1.1 The erven shall be 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.
- 4.1.1 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.
- 4.1.2 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 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.

**4.2** Erven 2760, 2761, 2814, 2846 and 2935 are subject to 1,5-meter-wide servitudes for storm water purposes as indicated on general plan S.G. No. 1936/2020.

**4.3 ERVEN 2943 and 2944**

4.3.1 Subject to a servitude for municipal purposes and right-of-way in favour of the local authority, as indicated on the general plan to guarantee access to the local authority's personnel and vehicles in order to carry out repair and maintenance work to the electrical networks (excluding streetlights) after they have been taken over by the local authority.

4.3.2 Subject to a servitude of right-of-way in favour of all owners and occupiers in the township, as indicated on the general plan, to guarantee access to a public road to all the residents.

**4.4 SERVITUDES IN FAVOUR OF THIRD PARTIES**

4.4.1 Every owner of the erf or of any subdivided portion thereof or any person who has an interest therein shall become and shall remain a Member of the Homeowner's Association and be subject to its constitution until he/she cease to be an owner of aforesaid. Neither the erf nor any subdivided portion thereof nor any interest therein shall be transferred to any person who has not bound himself/herself to the satisfaction of such Association to become a Member of the Homeowners' Association.

4.4.2 The owner of the erf or any subdivided portion thereof, or any person who has an interest therein, shall not be entitled to transfer the erf or any subdivided portion thereof or any interest therein without the Clearance Certificate from the Homeowners' Association that the provisions of the Articles of Association of the Homeowners' Association have been complied with.

Dr Imogen Mashazi, City Manager  
2<sup>nd</sup> Floor, Head Office Building,  
Cnr Cross & Rose Streets,  
Germiston

Notice No. A027/2024

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**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY  
ALBERTON CUSTOMER CARE AREA**

**CITY OF EKURHULENI AMENDMENT SCHEME A0457C**

The City of Ekurhuleni Metropolitan Municipality (Alberton Customer Care Area) hereby, in terms of the provision of section 125(1)(a) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read together with the relevant section of Spatial Planning and Land Use Management Act, 16 of 2013, declares that it has approved an amendment scheme, being an amendment of the City of Ekurhuleni Land Use Scheme, 2021, comprising the same land as included in the township of **ALBERTSDAL EXTENSION 27**.

Annexures of the amendment scheme are filed with the Director-General, Gauteng Provincial Administration: Development Planning and Local Government, 8<sup>th</sup> floor, Corner House, 63 Fox Street, Johannesburg, and the Manager: Alberton Customer Care Area and are open for inspection at all reasonable times.

The amendment scheme is known as City of Ekurhuleni Amendment Scheme A0457C.

Dr Imogen Mashazi, City Manager  
2<sup>nd</sup> Floor, Head Office Building,  
Cnr Cross & Rose Streets,  
Germiston

Notice No. A027/2024









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