

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

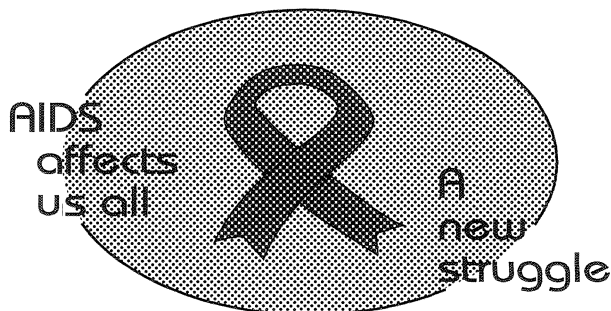
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LOCAL AUTHORITY NOTICES**LOCAL AUTHORITY NOTICE 788**

**CITY OF JOHANNESBURG
AMENDMENT SCHEME 07-5833/12**

The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Halfway House and Clayville Town Planning Scheme, 1976, comprising the same land as included in the township of **Jukskei View Extension 43**.

Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning and Urban Management: City of Johannesburg and are open for inspection at all reasonable times.

This amendment is known as Amendment Scheme 07-5833/12

Hector Mbeki Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No. 359/2015

PLAASLIKE BESTUURSKENNISGEWING 788**STAD VAN JOHANNESBURG
WYSIGINGSKEMA 07-5833/12**

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Halfway House en Clayville Dorpsbeplanning Skema, 1976, wat uit dieselfde grond as die dorp **Jukskei View Uitbreiding 43** bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning en Stedelike Bestuur: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 07-5833/12

Hector Mbeki Makhubo
Adjunk Direkteur: Regsadministrasie
Stad van Johannesburg Metropolitaanse Munisipaliteit
Notice No. 359/2015

LOCAL AUTHORITY NOTICE 789**CITY OF JOHANNESBURG
DECLARATION AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Jukskei View Extension 43** 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 WATERFALL COUNTRY ESTATE WUQF (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 797 OF THE FARM WATERVAL NO. 5 I.R. HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT**(1) NAME**

The name of the township shall be Jukskei View Extension 43.

(2) DESIGN

The township shall consist of erven as indicated on General Plan S.G. No.3942/2014.

- (3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES
The township owner shall make the necessary arrangements with the local authority for the provision and installation of water, electricity and sanitation as well as the construction of roads and stormwater drainage in the township, to the satisfaction of the local authority.
- (4) ELECTRICITY
- (a) The local authority is not the bulk supplier of electricity in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make the necessary arrangements with ESKOM, the licensed supplier in the township for the provision of electricity to the township.
- (5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)
- (a) Should the development of the township not been commenced with, within a period of 5 (five) years from **29 April 2010** of authorization or exemption, the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for exemption / authorization 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 within a period of **ten years** from **18 October 2010** of their letter, the application to establish the township shall be resubmitted to the Department of Public Transport, Roads and Works (Gauteng Provincial Government) for re-consideration.
- (b) If however, before the expiry date mentioned in (i) above, circumstances change in such a way 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).
- (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, JVX43/P1/2014. 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 Departments' letter dated 07/05/2010.
- (e) The township owner shall comply with the conditions of the Gauteng Provincial Government (Gautrain).
- (7) ACCESS
- (a) Access to or egress from the township shall be provided to the satisfaction of Johannesburg Roads Agency (Pty) Ltd and the Department of Public Transport, Roads and Works.
- (b) No access to or egress from the township shall be permitted along the lines of no access as indicated on the approved layout plan of the township JVx43/P1/2014.
- (8) ACCEPTANCE AND DISPOSAL OF STORMWATER
The township owner shall arrange for the drainage of the township to fit in with that of the adjacent roads and for all stormwater running off or being diverted from the road to be received and disposed of.
- (9) 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.
- (10) REMOVAL OR REPLACEMENT OF EXISTING SERVICES
If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal, ESKOM and/or TELKOM services, the cost thereof shall be borne by the township owner.
- (11) DEMOLITION OF BUILDINGS AND STRUCTURES
The township owner shall at its own cost cause all existing buildings and structures, if any, 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.

- (12) **RESTRICTION ON THE TRANSFER OF AN ERF**
Erven 4246, 4247 and 4248 Jukskei View Extension 43 shall only be made subject to a perpetual servitude in favour of the Property Association to be established for the township, or for the development of which the township forms part, and the NPC shall have full responsibility for the functioning and proper maintenance of the erf, and the engineering services within the said erven, shall not be transferred to any other person without the consent of the local authority.
- (13) **ENDOWMENT**
The township owner shall, in terms of the provisions of Section 98(2) and Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) pay a lump sum as endowment to the local authority for the provision of land for a park (public open space).
- (14) **OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN**
- (a) 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 in the township may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that such certificate had been issued by ESKOM; and
- (b) The township owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct 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 alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been provided and installed; and
- (c) The township owner shall, within such period as the local authority may determine, fulfil its obligations in respect of the provision of water and sanitary services, as well as the construction of roads and stormwater drainage and the installation of systems therefore, as previously agreed upon between the township owner and the local authority. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services by the township owner have been submitted or paid to the said local authority; and
- (d) Notwithstanding the provisions of clause 4.A.(a), (b) and (c) hereunder, the township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the engineering services provided, constructed and/or installed as contemplated in (a), (b) and (c) above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, 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.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

(A) INCLUDING THE FOLLOWING WHICH DOES AFFECT THE TOWNSHIP

- A. By virtue of Notarial Deed K464/2014S, the within-mentioned property is subject to a servitude to lay optic cable and to erect billboards in favour of Waterval Investment Company Proprietary Limited registration Number 2006/001921/07, and as will appear more fully from the said notarial deed.
- B. By virtue of Notarial Lease K1668/2015L the within mentioned property is subject to a lease in favour of Waterfall Golf Estate Proprietary Limited for a period of 99 years as will more fully appear from the said notarial lease.
- C. By virtue of Notarial Deed in Restraint of Free Alienation of Property No K536/2010S the residential properties laid out in township on the within mentioned Property may not be sold and only leased which leases are subject to the Standard Terms and Conditions set out in Annexure 1 to the said Notarial deed and as will more fully appear from the said deed.

(B) EXCLUDING THE FOLLOWING SERVITUDES THAT DOES NOT AFFECT THE TOWNSHIP

- (A) By Notarial Deed No. K1293/1963S, the rights 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 said Notarial Deed.
- (B) By Notarial Deed No. K55/1973S, the right has been granted to 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 said Notarial Deed and diagram annexed hereto. The route of this servitude is indicated on Diagram SG No. A5191/1971.
- (C) By Notarial Deed No. K2514/1976S, the right has been granted to 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 said Notarial Deed. The Route of this servitude has been determined by Notarial Deed of Amendment of Servitude K3475/1981S with Diagram A1392/1980 attached hereto.
- (D) By Notarial Deed No. K5028/1992, the right has been granted to ESKOM to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed, (as amended by Notarial Deed of Route Description K3213/1994S with Diagram S.G. No. 5427/1991 attached hereto).
- (E) By virtue of Notarial Deed of Servitude K3366/1997S dated 19 November 1996 with Diagram SG NO. A7672/1989 relating thereto, the within mentioned property is subject to a servitude for municipal purposes 3m wide, in favour of the Town Council of Midrand as will more fully appear from the said Notarial Deed, together with ancillary rights, and as amended by Notarial Deed K3271/2013S with diagrams SG No. 984/2013 relating thereto and further amended by Notarial Deed of Amendment of Servitude K470/2014S.
- (F) By Notarial Deed No. K4398/1999S dated 27th August 1999, the within mentioned property is subject to a servitude in favour of ESKOM depicted on Diagram S.G. No. 6150/1997 with ancillary rights as will more fully appear from reference to the said Notarial Deed.
- (G) By Notarial Deed No K3161/2000S dated 4th May 2000, the within mentioned property is subject to a perpetual servitude of electric power transmission to convey electricity in favour of ESKOM indicated by the line ABCD and HJK on S.G. No. 8801/1998, as will more fully appear from reference to the said Notarial Deed.
- (H) The within mentioned property is subject to a servitude in favour of Eskom Holdings Limited with ancillary rights as will more fully appear from the said Notarial Deed of Servitude K3487/2009S (the route of which servitude has been determined by Notarial Deed of Route Description K2826/2011S with Diagram SG No 4110/2010 annexed thereto).
- (I) "The within mentioned property is subject to a sewer servitude in favour of the City of Johannesburg as will more fully appear from Notarial Deed of Servitude K3772/2010S with Diagram SG No. 8021/1998 and S.G. No. 5362/2009 attached thereto."
- (J) "The within mentioned property is subject to a Servitude in favour of Eskom Holdings Limited as will more fully appear from Notarial Deed of Servitude K300/2009S with diagram SG No 5392/2007, 5388/2007, 5389/2007, 5390/2007 and amended by Notarial Deed of Servitude of Amendment K3589/2011S with diagram SG 1435/2011 annexed thereto and amended by Notarial Deed No. K4187/2012S with diagram S.G. No 5388/2007 and 5067/2011 relating thereto."
- (K) "The within mentioned property is subject to a servitude in favour of the City of Johannesburg Metropolitan Municipality by virtue of Notarial Deed of Servitude No K1848/2010S with diagram SG NO. 4143/2009 relating thereto."
- (L) "*The within mentioned property is subject to a servitude by virtue of Notarial Deed of Servitude No K1849/2010S in favour of the City of Johannesburg Metropolitan Municipality with diagram SG No. 1451/2009 and 2933/2009 relating thereto.*"
- (M) "*The within mentioned property is subject to a Servitude in favour of the Eskom Holdings Limited as will more fully appear from Notarial Deed of Servitude K2800/2007S the route of which servitude has been*"

determined by K786/2009S with diagram SG No 628/2008 relating thereto."

- (N) *"By Virtue of Notarial Deed No. K4795/2010S the within mentioned property is subject to a sewer servitude in favour of the City of Johannesburg the northern boundary of which is indicated by the line LK on Diagram SG No.A4717/1985."*
- (O) *"By Virtue of Notarial Deed No. K4218/2010S the within mentioned property is subject to a sewer servitude in favour of the City of Johannesburg as will more fully appear from the said deed and Diagrams SG No.3199/2010 and SG No 3200/2010 annexed thereto."*
- (P) *"By Virtue of Notarial Deed No. K747/2010S the within mentioned property is subject to a sewer servitude 2.00 metres with in favour of the City of Johannesburg as will more fully appear from the said deed and Diagrams SG No. 2212/2008 annexed thereto."*
- (Q) *"The within mentioned property is subject to a sewer servitude in favour of the City of Johannesburg Metropolitan Municipality as will more fully appear from Notarial Deed of Servitude K222/2011S with diagram SG No 12350/2004 attached thereto."*
- (R) *"By Virtue of Notarial Deed No. K2206/2012S the within mentioned property is subject to a right of way servitude in favour of Portion 2 of the farm Bothasfontein 408 JR as will more fully appear from the said deed and Diagram SG No 4560/2007 annexed thereto."*
- (S) *"By virtue of Notarial Deed No. K3982/2012S the within mentioned property is subject to a right of way and parking servitude in favour of Waterfall Hospital WUQF Proprietary Limited as will more fully appear from the said deed and Diagram SG No. 14/2011 annexed thereto."*
- (T) *"By virtue of Notarial Deed No K1107/2013 the within mentioned property is subject to a substation servitude in favour of Eskom Holdings SOC Limited as will more fully appear from the said deed and Diagram SG No. 5861/2009 annexed thereto."*
- (U) *"By virtue of Notarial Deed No K465/2014S with diagram SG No. 2411/2013 and 2412/2013 annexed thereto, the within mentioned property is subject to a right of way servitude in favour of Eskom Holdings SOC Limited as will more fully appear from the said notarial deed."*
- (V) *By Notarial deed K466/2014 with diagram No 2409/2013 and 2410/2013 annexed thereto, the within mentioned property is subject to a substation servitude in favour of Eskom Holdings SOC Limited as will more fully appear from the said notarial deed."*
- (W) *"By virtue of Notarial Deed No K467/2014S with diagram SG No. 3658/2013 and 3659/2013 annexed thereto, the within mentioned property is subject to a stormwater and sewer servitude in favour of the City of Johannesburg, as will more fully appear from the said notarial deed."*
- (X) *"By virtue of Notarial Deed No K468/2014S with diagram SG No. 4098/2013 annexed thereto, the within mentioned property is subject to a servitude in favour of the City of Johannesburg to use the Servitude Area in perpetuity as a roadway for use by the general public, and to convey water and sewerage over the servitude area, as will more fully appear from the said notarial deed."*

C. CONDITIONS AFFECTING ONLY ERF 4246 AND 4248

- (a) *"By virtue of Notarial Deed of Servitude K537/2010S, the within mentioned property is subject to a 7.00 meter wide sewer servitude in favour of the City of Johannesburg, the centre line of which is depicted on General Plan SG No 3942/2014 by the line a,b,c,d,e,f,g,h."*

4. CONDITIONS OF TITLE

A. Conditions of Title imposed in favour of the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

- (1) ALL ERVEN

- (a) The erf is subject to a servitude, 2m wide, in favour of the Council 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 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.
- (2) ERF 4246
- (a) The entire erf as indicated on the General Plan, is subject to a servitude for municipal purposes and right of way in favour of the local authority.
 - (b) The erf shall not be alienated or transferred into the name of any purchaser other than the Non-profit Company, without the written consent of the local authority first been obtained.
 - (c) Each and every owner/lessee of an erf in Jukskei View Extension 43 shall have free access over Erf 4246, to afford them access to a public road.
- (3) ERF 4247
- (a) The erf shall not be alienated or transferred into the name of any purchaser other than the Non-profit Company, without the written consent of the local authority first been obtained.
- (4) ERF 4248
- (a) The erf shall not be alienated or transferred into the name of any purchaser other than the Non-profit Company, without the written consent of the local authority first been obtained.
- (5) ERVEN 4198 – 4214, 4221, 4223, 4232 AND 4233
- (a) The erven are subject to a 2m sewer servitude as indicated on the General Plan in favour of the local authority.
- (6) ERVEN 4246, 4247 AND 4248
- (a) The erven shall not be rezoned.
 - (b) The Municipal owned Entities and emergency services of the City of Johannesburg Metropolitan Municipality are guaranteed 24 hour access to the erven to maintain, where applicable, the City of Johannesburg Metropolitan Municipality's installations and provide services to the residents in Jukskei View Extension 43.
- B. Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.**
- (a) Erven 4197 and 4198 are subject to servitude for electrical purposes as indicated on the General Plan in favour of Eskom.
 - (b) ERVEN 4246, 4247 AND 4248
 - (a) The erven shall be made subject to a perpetual servitude in favour of the NPC and the NPC shall have full responsibility for the functioning and proper maintenance of the erven and the engineering services within the said erven (if applicable), all to the satisfaction of the City of Johannesburg Metropolitan Municipality, failing which such maintenance shall be done by the City of Johannesburg Metropolitan Municipality at the costs of the NPC.

(c) ERVEN 4202 AND 4203

The erven are subject to a 2m storm water servitude as indicated on the General Plan in favour of the NPC.

Hector Mbeki Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice Number. 359/2015

PLAASLIKE BESTUURSKENNISGEWING 789

STAD VAN JOHANNESBURG VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad van Johannesburg Metropolitaanse Munisipaliteit hiermee die dorp **Jukskei View Uitbreiding 43** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR WATERFALL COUNTRY ESTATE WUQF (EIENDOMS) BEPERK (HIERNA DIE AANSOEKDOENER/ DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 797 VAN DIE PLAAS WATERVAL NR 5- I.R. TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

- (1) NAAM
Die naam van die dorp is Jukskei View Uitbreiding 43.
- (2) ONTWERP
Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 3942/2014.
- (3) VOORSIENING EN INSTALLERING VAN DIENSTE
Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van water, elektrisiteit en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerings in die dorp, tot tevredeheid van die plaaslike bestuur.
- (4) ELEKTRISITEIT
(a) Die plaaslike bestuur is nie die grootmaat verskaffer van elektrisiteit aan die dorp nie. Die dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie 15 van 1986) die nodige reëlings tref met ESKOM, die gelisensieëde verskaffer van elektrisiteit in die dorp.
- (5) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN LANDBOU EN LANDELIKE ONTWIKKELING)
(a) Indien die ontwikkeling van die dorp nie 'n aanvang neem voor of binne 'n periode van 5 jaar vanaf 29 April 2010, die datum wat toestemming of vrystelling gegee is, moet die aansoek om die dorp te stig, heringedien word by Gauteng Departement van Landbou, Bewaring en Omgewing (Gauteng Provinsiale Regering) vir goedkeuring ingevolge Artikel 28A van die Omgewingsbewaringwet, 1989 (Wet 107 van 1989), soos gewysig.
- (6) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)
(a) Indien die ontwikkeling van die dorp nie voltooi is binne 'n periode van 10 jaar vanaf 18 Oktober 2010, die datum van hul skrywe nie, moet die aansoek heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorewing.
(b) Indien omstandighede egter, voor die verstryking van die tydperk vermeld in (i) hierbo, tot so 'n mate verander dat paaie en/of PWV roetes onder die beheer van die betrokke Departement deur die beoogde uitleg van die dorp geraak word, moet die dorpseienaar die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beheerende liggaam ingevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

- (c) Die dorpseienaar sal, voor of gedurende die ontwikkeling van die dorp, 'n fisiese muur oprig volgens die voorwaardes en vereistes van die betrokke departement, langs die lyn van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, JVX43/P1/2014. Die oprigting van genoemde fisiese muur en die onderhoud daarvan, sal gedoen moet word tot die goedkeuring van die betrokke departement.
- (d) Die dorpseienaar sal moet voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se skrywe.
- (e) Die dorpseienaar sal moet voldoen aan die voorwaardes van die Gauteng Provinsiale Regering (Gautrain).
- (7) TOEGANG
- (a) Toegang tot of uitgang vanuit die dorp sal voorsien word, tot die tevredenheid van Johannesburg Roads Agency (Edms) Bpk.en die Departement van Publieke Vervoer, Paaie en Werke.
- (b) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word teen die lyne van geen toegang, soos aangedui op die goedgekeurde uitlegplan, JVX43/P1/2014.
- (8) ONTVANGS EN VERSORGING VAN STORMWATER
Die dorpseienaar moet die dreinerings van die dorp so reël dat dit inpas by dië van die aangrensende paaie en alle stormwater wat van die paaie afloop of afgelei word, moet ontvang en versorg word.
- (9) VULLISVERWYDERING
Die dorpseienaar moet toesien dat daar genoegsame vullisverwyderingspunte in die dorp voorsien word en moet ook reëlings tref vir die verwydering van alle vullis tot die tevredenheid van die plaaslike bestuur.
- (10) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE
Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, TELKOM en/of ESKOM dienste te verwyder of te vervang, moet sodanige verwydering of vervanging op koste van die dorpseienaar gedoen word.
- (11) SLOPING VAN GEBOUE EN STRUKTURE
Die dorpseienaar moet op sy eie koste, alle bestaande geboue en structure, indien enige, wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.
- (12) BEPERKING OP DIE OORDRAG VAN 'N ERF
Erwe 4247, 4247 en 4248 Jukskei View Uitbreiding 43 sal slegs onderhewig wees aan 'n ewigdurende servituut ten gunste van die Eiendoms Assosiasie wat gestig gaan word vir die dorp, of vir die ontwikkeling wat die dorp van deel vorm, sal volle verantwoordelikheid dra vir die funksionering en behoorlike instandhouding van die erwe en die ingenieursdienste binne die betrokke erwe, sal nie oorgedra word aan enige persoon sonder die toestemming van die plaaslike bestuur.
- (13) BEGIFTIGING
Die dorpseienaar moet ingevolge die bepalings van Artikel 98(2) van die Dorpsbeplanning en Dorpe Ordonnansie, 1986 (Ordonnansie 15 van 1986) 'n globale bedrag as begiftiging aan die plaaslike bestuur betaal vir die voorsiening van grond vir 'n park (publieke oop ruimte).
- (14) VERPLIGTINGE TEN OPSIGTE VAN DIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING VAN ERWE
- (a) Die dorpseienaar moet 'n sertifikaat van ESKOM indien by die plaaslike bestuur wat bevestig dat aanvaarbare finansiële reëlings ten opsigte van die voorsiening van elektrisiteit aan die dorp getref is met die plaaslike bestuur. Erwe in die dorp mag nie vervreem of oorgedra word in die naam van die koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie sertifikaat deur ESKOM uitgereik is; en
- (b) Die dorpseienaar moet, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle dienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, asook alle interne paaie en die stormwaterretikulاسie binne die grense van die dorp. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste voorsien en geïnstalleer is; en

- (c) Die dorpseienaar moet, binne sodanige tydperk as wat die plaalike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van elektrisiteit, water en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerig en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpsienaar en die plaalike bestuur, nakom. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge, kontantbydraes ten opsigte van die voorsiening van die dienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is nie; en
- (d) Desnieteenstaande die bepalings van klousule 2.(1) hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die dienste wat voorsien, gekonstrueer en/of geïnstalleer is beoog in (a) to (b) hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

(3) BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien van toepassing.

(A) INGESLUIT DIE VOLGENDE WAT WEL DEUR DIE DORP GEAFFEKTEER WORD

- A. Kragtens Notariële Akte K464/2014S, die hierin-gemelde eiendom is onderworpe aan 'n serwituut om optiese vesel kables te installeer en advertensieborde op te rig ten gunste van die Waterval Investment Company (Proprietary) Limited Registrasie Nommer 2006/001921/07, soos meer volledig sal blyk uit die genoemde akte.
- B. Kragtens Notariële Huurkontrak K1668/2015L die hierin-gemelde eiendom is onderhewig aan 'n huurkontrak ten gunste van Waterfall Golf Estate Eiendoms Beperk vir 'n periode van 99 jaar soos meer volledig sal blyk uit die genoemde notariële akte.
- C. Kragtens Notariële Akte van Beperking van Vrye Vervreemding van Eiendom Nr K536/2010S mag die residensiële eiendomme soos uiteengesit in dorpe in die hierin-gemelde eiendom, nie verkoop word nie en slegs verhuur word, welke huurooreenkomste onderhewig is aan die Standaard Terme en Voorwaardes soos uiteengesit in Aanhangsel 1 tot die genoemde Notariële Akte en wat meer volledig verskyn in die genoemde akte.

(B) UITGESLUIT DIE VOLGENDE SERWITUTE WAT NIE DIE DORP AFFEKTEER NIE

- A. Kragtens Notariële Akte Nr K1293/1963S met Diagram LG Nr. A576/1963 met betrekking daartoe, is die reg toegestaan aan die Elektriese Voorsieningskommissie om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderhewig aan voorwaardes wat meer volledig sal blyk uit genoemde Notariële Akte.
- B. Kragtens Notariële Akte Nr. K55/1973S, is die reg toegestaan aan die Elektriese Voorsieningskommissie om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderhewig aan voorwaardes wat meer volledig sal blyk uit genoemde Notariële Akte en aangehegte diagram. Die roete van hierdie serwituut is aangedui in Diagram LG Nr A5191/1971.
- C. Kragtens Notariële Akte Nr K2514/1976S, is die reg toegestaan aan die Elektriese Voorsieningskommissie om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderhewig aan voorwaardes wat meer volledig sal blyk uit genoemde Notariële Akte. Die roete van hierdie serwituut sal bepaal word deur Notariële Akte van Wysiging van Serwituut K3475/1981S met diagram Nr A1392/1980 hierby aangeheg.
- D. Kragtens Notariële Akte Nr K5028/1992, die reg is toegestaan aan ESKOM om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderhewig aan voorwaardes wat meer volledig verskyn in verwysing tot genoemde Notariële Akte, soos gewysig deur Notariële Akte van Roetebeskrywing K3213/1994 met diagram L.G. Nr 5427/1991 hierby aangeheg.

- E. Kragtens Notariële Akte van Serwituut Nr K3366/1997S gedateer 19 November 1996 met Diagram LG Nr. A7672 met betrekking daartoe, is die hierin-gemelde eiendom onderhewig aan 'n 3m wye serwituut vir munisipale doeleindes, ten gunste van die Stadsraad van Midrand, soos meer volledig sal blyk uit die genoemde Notariële Akte, tesame met aanverwante regte en soos gewysig met Notariële Akte K327/2013S met betrekking daartoe, en verder gewysig met Notariële Akte van Wysiging van Serwituut K470/2014S.
- F. Kragtens Notariële Akte Nr K4398/1999S gedateer 27 Augustus 1999, is die hierin-gemelde eiendom onderhewig aan 'n serwituut ten gunste van ESKOM aangedui deur diagram L.G. Nr 6150/1997 met aanverwante regte, wat meer volledig sal blyk uit die genoemde Notariële Akte.
- G. Kragtens Notariële Akte Nr K3161/2000S gedateer 4 Mei 2000, is die hierin-gemelde eiendom onderhewig aan 'n ewigdurende serwituut om elektriese kragtoevoer te transporteer ten gunste van ESKOM soos aangedui deur die lyn ABCD en HJK op diagram L.G. Nr 8801/1998, wat meer volledig sal blyk uit die genoemde Notariële Akte.
- H. Die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van Eskom Holdings Limited, tesame met aanverwante regte wat meer volledig sal blyk uit die genoemde Notariële Akte van Serwituut K3487/2009S die roete van hierdie serwituut is bepaal deur Notariële Akte van Roetebeskrywing K2826/2011S met Diagram LG Nr 4110/2010 hierby aangeheg.
- I. Die hierin-gemelde eiendom is onderhewig aan 'n rioolserwituut ten gunste van die Stad van Johannesburg, wat meer volledig sal blyk uit Notariële Akte van Serwituut K3772/2010S met Diagram LG Nr 8021/1998 en LG Nr 5362/2009 hierby aangeheg.
- J. Die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van ESKOM Holdings Limited, wat meer volledig sal blyk uit Notariële Akte van Serwituut K300/2009S met Diagram LG Nrs 5392/2007, 5388/2007, 5389/2007, 5390/2007 en gewysig deur Notariële Akte van Serwituut van Wysiging K3589/2011S met Diagram LG 1435/2011 hierby aangeheg en gewysig deur Notariële Akte Nr K4187/2012S met Diagram LG Nr 5388/2007 en 5067/2011 met betrekking daartoe.
- K. Die hierin gemelde eiendom is onderhewig aan 'n serwituut ten gunste van die Stad van Johannesburg Metropolitaanse Munisipaliteit kragtens Notariële Akte van Serwituut Nr K1848/2010S met Diagram LG Nr. 4143/2009 hierby aangeheg.
- L. Die hierin-gemelde eiendom is onderhewig aan 'n serwituut kragtens Notariële Akte van Serwituut Nr K1849/2010S ten gunste van die Stad van Johannesburg Metropolitaanse Munisipaliteit met Diagram LG Nr 1451/2009 en 2933/2009 met betrekking daartoe.
- M. Die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van ESKOM Holdings Limited soos meer volledig sal blyk uit Notariële Akte van Serwituut K2800/2007S, die roete van hierdie serwituut is bepaal deur K786/2009S met Diagram LG Nr 628/2008 met betrekking daartoe.
- N. Kragtens Notariële Akte Nr K4795/2010S die hierin-gemelde eiendom is onderhewig aan 'n rioolserwituut ten gunste van die Stad van Johannesburg, die noordelike grens is aangedui met die lyn LK op Diagram LG Nr A4717/1985.
- O. Kragtens Notariële Akte Nr K4218/2010S die hierin-gemelde eiendom is onderhewig aan 'n rioolserwituut ten gunste van die Stad van Johannesburg soos meer volledig sal blyk van die genoemde akte en Diagramme LG Nrs 3199/2010 en 3200/2010 hierby aangeheg.
- P. Kragtens Notariële Akte Nr K747/2010S die hierin-gemelde eiendom is onderhewig aan 'n 2m rioolserwituut ten gunste van die Stad van Johannesburg soos meer volledig sal blyk van die genoemde akte en Diagram LG Nr 2212/2008 hierby aangeheg.
- Q. Die hierin-gemelde eiendom is onderhewig aan 'n rioolserwituut ten gunste van die Stad van Johannesburg Metropolitaanse Munisipaliteit soos meer volledig sal blyk uit Notariële Akte van Serwituut K222/2011S met Diagram LG Nr 12350/2004 hierby aangeheg.
- R. Kragtens Notariële Akte Nr K2206/2012S die hierin-gemelde eiendom is onderhewig aan 'n reg van weg serwituut ten gunste van Gedeelte 2 van die plaas Bothasfontein Nr 408-J.R. soos meer volledig blyk uit genoemde akte en Diagram LG Nr 4560/2007 hierby aangeheg.

- S. Kragtens Notariële Akte Nr K3982/2012S die hierin-gemelde eiendom is onderhewig aan 'n reg van weg en parkering serwituut ten gunste van die Waterfall Hospitaal WUQF (Eiendoms) Beperk soos meer volledig sal blyk uit Diagram LG Nr 14/2011 hierby aangeheg.
- T Kragtens Notariële Akte Nr. K1107/2013S die hierin-gemelde eiendom is onderhewig aan 'n substasie serwituut ten gunste van Eskom Holdings SOC Limited soos meer volledig sal blyk uit genoemde Akte en Diagram LG Nr. 5861/2009 hierby aangeheg.
- U. Kragtens Notariële Akte Nr. K465/2014S met Diagramme LG Nr 2411/2013 en 2412/2013 hierby aangeheg, die hierin-gemelde eiendom is onderhewig aan 'n reg van weg serwituut ten gunste van Eskom Holdings Soc Beperk soos meer volledig sal blyk uit genoemde Akte.
- V. Kragtens Notariële Akte Nr. K466/2014S met Diagramme LG Nr 2409/2013 en 2410/2013 hierby aangeheg, die hierin-gemelde eiendom is onderhewig aan 'n substasie serwituut ten gunste van Eskom Holdings Soc Beperk soos meer volledig sal blyk uit genoemde Akte.
- W. Kragtens Notariële Akte Nr. K467/2014S met Diagramme LG Nr 3658/2013 en 3659/2013 hierby aangeheg, die hierin-gemelde eiendom is onderhewig aan 'n stormwater en pyplynserwituut ten gunste van die Stad van Johannesburg soos meer volledig sal blyk uit genoemde Akte
- X. Kragtens Notariële Akte Nr. K468/2014S met Diagramme LG Nr 4098/2013 hierby aangeheg, die hierin-gemelde eiendom is onderhewig aan 'n serwituut ten gunste van die Stad van Johannesburg om die serwituutarea ewigdurend te gebruik vir 'n pad deur die algemene publiek en water en riool te vervoer oor die serwituutarea, soos meer volledig sal blyk uit genoemde Akte.

C. VOORWAARDES WAT SLEGS ERWE 4246 EN 4248 AFFEKTEER

- (a) Kragtens Notariële Akte van Serwituut K537/2010S, die hierin-gemelde eiendom is onderhewig aan 'n 7 meter rioolserwituut ten gunste van die Stad van Johannesburg, die middellyn wat aangeui is op Algemene Plan LG Nr 3942/2014 met die lyn a, b, c, d, e, f, g, h.

4. TITELVOORWAARDES

A. Titellovoorwaardes opgelê ten gunste van die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

(1) ALLE ERWE

- (a) Elke erf is onderhewig aan 'n serwituut 2 m breed, ten gunste van die plaaslike bestuur, vir rioolerings- en ander munisipale doeleindes, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- (b) Geen gebou of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 2 m daarvan, geplant word nie.
- (c) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings, en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voorgenoemde doel, onderhewig daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(2) ERF 4246

- (a) Die totale erf soos aangedui op die Algemene Plan, is onderhewig aan 'n serwituut vir munisipale doeleindes en reg van weg ten gunste van die plaaslike bestuur.

- (b) Die erf mag nie onteien of getransporteer word in die naam van enige koper dan die Huiseienaars-vereniging alvorens die plaaslike bestuur se toestemming verkry is nie.
- (c) Ieder en elke eienaar/huurder van 'n erf in Jukskei View Uitbreiding 43 sal vry toegang oor Erf 4246 om toegang te verleen tot die publieke pad.
- (3) ERF 4247
- (a) Die erf mag nie onteien of getransporteer word in die naam van enige koper dan die Huiseienaars-vereniging alvorens die plaaslike bestuur se toestemming eers verkry is nie.
- (4) ERF 4248
- (a) Die erf mag nie onteien of getransporteer word in die naam van enige koper dan die Huiseienaars-vereniging alvorens die plaaslike bestuur se toestemming eers verkry is nie.
- (5) ERWE 4198 – 4214, 4221, 4223, 4232 EN 4233
- (a) Die bogenoemde erwe is onderhewig aan 'n 2m rioolserwituut soos aangedui op die Algemene Plan ten gunste van die plaaslike bestuur.
- (6) ERWE 4246, 4247 EN 4248
- (a) Die erwe mag nie gehersoneer word nie.
- (b) Munisipale besit entiteite en nooddienste van die Stad van Johannesburg Metropolitaanse Munisipaliteit word 24 uur toegang gewaarborg om die erwe te onderhou, waar nodig, asook die Stad van Johannesburg se installasies en voorsieningsdienste vir die inwoners van Jukskei View Uitbreiding 43.

B. Titelvoorwaardes opgelê ten gunste van derde partye wat geregistreer gaan word met die eerste registrasies van die geaffekteerde erwe

- (a) Erwe 4197 en 4198 is onderhewig aan 'n serwituut vir elektriese doeleindes soos aangedui op die Algemene Plan ten gunste van ESKOM.
- (b) ERWE 4246, 4247 EN 4248

Die bogenoemde erwe is onderhewig aan 'n ewigdurende serwituut ten gunste van die Nie-winsgewende Maatskappy (NWM) en die NWM sal volle verantwoordelikheid dra vir die funksionering en behoorlike onderhouding van die erwe en ingenieursdienste binne die genoemde erwe, asook die attenuasiesisteme(e) op die erwe (waar nodig), alles tot die bevrediging van die Stad van Johannesburg Metropolitaanse Munisipaliteit, by gebreke waarvan die onderhoud gedoen sal word deur die Stad van Johannesburg Metropolitaanse Munisipaliteit vir die koste van die NWM.

- (c) ERWE 4202 EN 4203

Die bogenoemde erwe is onderhewig aan 'n 2m stormwaterserwituut soos aangedui op die Algemene Plan ten gunste van die NWM.

Hector Mbeki Makhubo
Adjunk-Direkteur: Regsadministrasie
Stad van Johannesburg Metropolitaanse Munisipaliteit
Kennisgewingsnommer. 359/2015

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