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PROCLAMATION • PROKLAMASIE

PROCLAMATION 49 OF 2017**PROCLAMATION
EKURHULENI TOWN PLANNING SCHEME 2014
EKURHULENI AMENDMENT SCHEME 314
EKURHULENI METROPOLITAN MUNICIPALITY**

It is hereby notified in terms of the provision of the Town-Planning and Townships Ordinance, 1986(Ordinance 15 of 1986), that the Ekurhuleni Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Union Extension 56, being an amendment of the Ekurhuleni Town Planning Scheme, 2014.

The Annexure of this amendment scheme is filed with the Municipal Manager and is open to inspection during normal office hours.

The amendment is known as Ekurhuleni Amendment Scheme 314.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building
Cnr Cross & Rose Street
Germiston

**EKURHULENI METROPOLITAN MUNICIPALITY
GERMISTON CUSTOMER CARE AREA
UNION EXTENSION 56
DECLARATION OF UNION EXTENSION 56 AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality hereby declares the township of Union Extension 56 to be an approved township, subject to the conditions as set out in the Schedule hereto.

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BEDFORD GATE DEVELOPMENTS PROPRIETARY LIMITED, REGISTRATION NUMBER 2003/016163/07, (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNERS) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 648 OF THE FARM ELANDSFONTEIN 108-IR, GAUTENG PROVINCE, HAS BEEN GRANTED:

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be **“Union Extension 56”**.

1.2 DESIGN

The township shall consist of erven and streets as indicated on Surveyor General Plan No. S.G. No. 3428/2008.

1.3 RESTRICTION ON THE DISPOSAL OF ERVEN

1.3.1 The township owner shall, in terms of prior agreement with the Municipality, fulfil its obligations with regard to the provision of water, sanitation (and if applicable) electricity and the installation of reticulations for such purposes, prior to the disposal of any erf within the township.

1.3.2 No erven may be alienated or transferred in the name of a purchaser prior to the Municipality having confirmed that sufficient guarantees have been furnished in respect of the provision of services by the township applicant to the Municipality.

1.3.3 The portions of land required for Road widening of Jacoba Street and Black Reef Road should be transferred to Council for public road purposes on proclamation of the Township.

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

1.4.1 All erven shall be made subject to existing conditions and servitudes, if any, including the following water rights:

Subject to the terms of Notarial Deed of Servitude 419/1889 having reference to perpetual rights to water in favour of other portions of the said farm ELANDSFONTEIN.

1.4.2 Excluding the following servitudes which affect only streets in the township:

1.4.2.1 The former portion 492 (a portion of portion 132) of the farm Elandsfontein no 108, as indicated by the figure A a H J on diagram SG no 3426/2008, is subject to a servitude of right of way 6,30 metres wide along the Northern side in favour of the general public, indicated by the figure A a b x A on diagram SG no 3426/2008 which affects Chris Street.

1.4.2.2 The former portion 494 (a portion of portion 132) of the farm Elandsfontein no 108, as indicated by the figure c n l j h e c on diagram SG no 3426/2008, is subject to such conditions as are mentioned or referred to in Certificate of Registered Title No 5461/1926 and further subject to a right of way, 6,30 metres wide, indicated by the figure c n m d c as shown on diagram SG no 3426/2008, which affects Chris Street.

1.4.2.3 The former portion 72 (a portion of portion 56) of the farm Elandsfontein no 108, as indicated by the figure n B j l n on diagram SG no 3426/2008 is subject to the following condition: to a right of way 6,30 metres wide, as shown by the figure n B p m n on diagram SG no 3426/2008 in favour of the remaining extent of the said portion F of the farm ELANDSFONTEIN held by Thomas Ignatius Norton and Catharina Petronella Meyer, married out of community of property to Cornelius Floris Johannes Meyer, under Deed of Transfer No 9922/1917, and the remaining extent of a portion of the said Farm Elandsfontein held by Johanna Elizabeth Jacoba Meyer by Certificate of Amalgamated Title No T2471/1914: provided, however, that the Transferee and his successors in title shall at all times have the right to use the said right of way and to grant to any such party or parties as may acquire the said property the right to use the said right of way; provided, however, that neither the said Thomas Ignatius Norton and Catharina Petronella Meyer, married out of community of property to Cornelius Floris Johannes Meyer, nor their successors in title, nor the transferee nor his successors in title, shall at any time have the right to close the said right of way, which affects Chris Street and Black Reef Road.

1.4.2.4 The former portion 493 (a portion of portion 132) of the farm Elandsfontein no 108, as indicated by the figure a c e f E F G H a on diagram SG no 3426/2008 is subject to the following condition: A servitude of right of way – over an area indicated by the figure a c d b d a as shown on diagram SG no 3426/2008, in favour of all other holdings in the said Nortons Small Farms Settlement and the portion of the said Portion "J" of the farm Elandsfontein within the settlement already transferred to third parties, which affects Chris Street.

1.4.3 The following condition will not be transferred to erven in the township:

And specially entitled to a servitude of right of way over portions 2, 3, 4, 5, 7, 8, 9, 10, 12, 13 and 14 of the said portion "J" as shown on the diagrams of those portions.

1.5 DEMOLITION OF BUILDINGS AND STRUCTURES

(a) The Township owner/s shall at his/their expense cause all existing buildings and structures situated within the boundaries of the township to be demolished to the satisfaction of the Council.

- (b) The existing scrap yard on Portion 72 shall be terminated on proclamation of the Township.

1.6. REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

- (a) If, by reason of the establishment of the township, it should become necessary to remove, replace or protect any existing municipal services, the cost thereof shall be borne by the township owners.

2. CONDITIONS OF TITLE

2.1 ALL ERVEN SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986:

- (a) The erf is subject to a servitude, 2 metres 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 2 metres wide across the access portion of the erf, if and when required by the Council: Provided that the Council may dispense with any such servitude.
- (b) No building 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 metres thereof.
- (c) The Council 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 Council.

2.2 ERF 426

The erf is subject to a servitude of right of way in favour of the Local Authority for public road purposes, 6.7 metres wide, as indicated by the figures q r s J q on General Plan S.G. No 3428/2008.

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