

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE VAN
GAUTENG**

Provincial Gazette Provinsiale Koerant

EXTRAORDINARY • BUITENGEWOON

Selling price • Verkoopprijs: **R2.50**
Other countries • Buitelands: **R3.25**

Vol. 23

PRETORIA
12 JUNE 2017
12 JUNIE 2017

No. 138

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ISSN 1682-4525



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 818 OF 2017**SAGEWOOD EXTENSION/UITBREIDING 20**

- A. The City of Johannesburg Metropolitan Municipality herewith gives notice that Local Authority Notice 71 dated 8 February 2017 in respect of **Sagewood Extension 20** be amended as follows:

1. THE ENGLISH NOTICE:

- (a) By adding the following condition under 2 A:

“(d) the servitude for general municipal services, in extent 634 (Six Hundred and thirty Four) square metres as indicated by the figure ABCDEFA on diagram SG 1944/2010 in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from Deed of Servitude SK5008/2010S.

- (b) By deleting conditions 3.A. (3), (4), (5), (14), (16), (17), (18) and (19).

(2) THE AFRIKAANS NOTICE:

- (a) By adding the following condition under 2 A:

(d) “the servitude for general municipal services, in extent 634 (Six Hundred and thirty Four) square metres as indicated by the figure ABCDEFA on diagram SG 1944/2010 in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from Deed of Servitude SK5008/2010S.”

- (b) By deleting conditions 3.A. (3), (4), (5), (14), (16), (17), (18) and (19).

- B. Die Stad van Johannesburg Metropolitaanse Munisipaliteit gee hiermee kennis dat Plaaslike Bestuurskennisgewing 71 gedateer 8 Februarie 2017 ten opsigte van **Sagewood Uitbreiding 20** soos volg gewysig moet word:

(1) DIE AFRIKAANSE KENNISGEWING:

- (a) Deur die volgende voorwaarde by te voeg onder voorwaarde 2 A:

(d) “the servitude for general municipal services, in extent 634 (Six Hundred and thirty Four) square metres as indicated by the figure ABCDEFA on diagram SG 1944/2010 in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from Deed of Servitude SK5008/2010S.”

- (b) Deur voorwaardes 3.A. (3), (4), (5), (14), (16), (17), (18) en (19) te verwyder.

(2) DIE ENGELSE KENNISGEWING:

- (a) Deur die volgende voorwaarde by te voeg onder voorwaarde 2 A:

(d) “the servitude for general municipal services, in extent 634 (Six Hundred and thirty Four) square metres as indicated by the figure ABCDEFA on diagram SG 1944/2010 in favour of the City of Johannesburg Metropolitan Municipality, as will more fully appear from Deed of Servitude SK5008/2010S.”

- (b) Deur voorwaardes 3.A. (3), (4), (5), (14), (16), (17), (18) en (19) te verwyder.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr /2017

LOCAL AUTHORITY NOTICE 819 OF 2017**JUKSKEI HEIGHTS EXTENSION/UITBREIDING 3**

- A. 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 Heights Extension 3** 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 WATERFALL FIELDS WUQF PROPRIETARY LIMITED, REGISTRATION NO:2013/211395/07 (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 822 (A PORTION OF PORTION 62) OF THE FARM WATERVAL 5- IR, GAUTENG PROVINCE HAS BEEN APPROVED.

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

The name of the township is Jukskei Heights Extension 3

(2) DESIGN

The township consists of erven and roads as indicated on General Plan No. 5600/2016.

(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 all engineering services of which the local authority is the supplier, as well as the construction of roads and stormwater drainage in and for the township, to the satisfaction of the local authority.

(4) ELECTRICITY

The local authority is not the bulk supplier of electricity to or 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 of electricity for the provision of electricity.

(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)

Should the development of the township not be commenced with within a period of 5 years from the date authorisation, 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 be completed within a period of 10 years from the date of their letter, 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 17 September 2018 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 and/or the Department of Roads and Transport.

(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 road/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 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, when requested thereto by the local authority.

(13) ENDOWMENT

The township owner shall, in terms of the provisions of Section 98(2) read with 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 shortfall in the provision of land for a park (public open space).

(14) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE 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 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 such certificate had been issued by ESKOM;

(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 nor 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 therefor, 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 nor 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 3.A(1) 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 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.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

A. EXCLUDING THE FOLLOWING WHICH DO NOT AFFECT THE TOWNSHIP:

- A. The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2350,9635 hectares (of which the property hereby held forms a portion) is subject to the right granted in favour of the electricity supply commission to convey electricity over the property together with ancillary rights, represented by the lines ab and cd on annexed diagram SG No A6915/1969 and subject to conditions as will more fully appear on reference to Notarial Deed No K1293/63S and diagram attached thereto.
- B. The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2253,3189 hectares (of which the property hereby held forms a portion) is subject to the right granted to Eskom to convey electricity over the property together with ancillary rights and conditions as will more fully appear on reference to Notarial Deed No K55/1973S with diagram attached thereto.
- C. The former remaining extent of portion 1 of the said farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2250,6858 hectares (of which the property hereby held forms a portion) is subject to the right granted to Eskom to convey electricity over the property together with ancillary rights and conditions as will more fully appear on reference to Notarial Deed No K2514/1976S as amplified by Notarial Deed K3475/81.
- D. A portion of the remaining extent of portion 1 of the farm Waterval 5 registration division IR measuring plus minus 3.15 hectares has been expropriated by the National Transport Commission in terms of section 8 (1)(a) of Act No 54 of 1971 as will more fully appear from Notice of Expropriation EX 396/77.
- E. A portion of the remaining extent of portion 1 of the farm Waterval 5 registration division IR has been expropriated by the National Transport Commission in terms of section 8 (1)(a) of Act No 54 of 1971 as will more fully appear from Notice of Expropriation EX 366/1978.
- F. The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2249,8888 hectares (of which the property hereby held forms a portion) is subject to the right granted to Eskom to convey electricity over the property together with ancillary rights and subject to conditions as will more fully appear on reference to Notarial Deed No K5028/92S and diagram attached thereto.

- G. A portion of the remaining extent of portion 1 of the farm Waterval 5 registration division IR measuring plus minus 3.1297 hectares has been expropriated by the Municipality of Johannesburg in terms of section 134 (b) and 137 of Ordinance 17 of 1939 as will more fully appear from Notice of Expropriation EX 114/1988.
- H. The former Remaining extent of Portion 1 of the farm WATERVAL 5, Registration Division I.R., Province of Gauteng, measuring 2083,2179 hectares (of which the priority hereby held forms a portion), is subject to a servitude for municipal purposes 3 meters wide, the center line of which is defined by the letters ABCDEFGHJKLMN PQRSTUWXYZAA'B'C'D'E'F'G'H'J'K ' L' M'N'P'Q on diagram SG NoA7672/89 with ancillary rights in favour of the Town Council of Midrand as will fully appear from Notarial Deed of Servitude K3366/1997S with ancillary rights.
- I. The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2083.2179 hectares (of which the property hereby held forms a portion), is subject to a servitude of sewerage 2021 square metres indicated on diagram SG. No 12040/1997 in favour of portion 516 (a portion of portion 61) of the Farm Waterval No 5 with ancillary rights as will more fully appear from Notarial Deed Of Servitude K4394/1999S.
- J. The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2083.2179 hectares (of which the property hereby held forms a portion), is subject to a servitude in favour of eskom depicted on diagram SG. No 6150/1997 with ancillary rights as will more fully appear from Notarial Deed of Servitude K4398/1999S.
- K. The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2083.2179 hectares (of which the property hereby held forms a portion), is subject to a perpetual servitude of electrical power transmission to convey electricity in favour of Eskom indicated by the lines ABCD and HJK on diagram SG No 8801/1998 as will more fully appear from Notarial Deed Of Servitude K3161/2000S
- L. By virtue of Notarial Deed of Servitude K6300/2005S dated 20/5/2005 the within mentioned property is subject to a perpetual right of way servitude for road purposes measuring 5,0479 (Five Comma Zero Four Seven Nine) Hectares in favour of the City of Johannesburg Metropolitan Municipality indicated by the figure ABCDEFGHJKLMNPQRSTUVWXYZ A1 B1 C1 D1 E1 F1 G1 H1 K1 L1 on diagram SG No 9584/2004 together with the right of the Council to use the servitude area in perpetuity for road purposes and to make the servitude area available to the public for cause as a road as will more fully appear from the said deed.

B. INCLUDING THE FOLLOWING CONDITIONS WHICH ONLY AFFECT WATERFALL HILLS LANE

By virtue of Notarial deed of servitude K294/2009S dated 10 December 2008 subject to a perpetual servitude in favour of the City of Johannesburg Metropolitan Municipality for road and municipal purposes, measuring 9054 square metres indicated by the figure A B A1 A2 A3 A4 A5 B' A on diagram SG number 5600/2016 as will more fully appear from the said deed.

C. INCLUDING THE FOLLOWING CONDITIONS WHICH ONLY AFFECT WATERFALL HILLS LANE AND ERF 10 IN THE TOWNSHIP:

By virtue of Notarial Deed of Servitude K 2760/2017S dated 12 April 2017, subject to a perpetual servitude in favour of the City of Johannesburg Metropolitan Municipality to convey water storm water and sewerage measuring 356 square metres as indicated by the figure A e" f" g" A3 h" j" k" l" m" n" A on diagram SG number 5600/2016, and as will more fully appear from the said deed.

D. INCLUDING THE FOLLOWING CONDITIONS WHICH ONLY AFFECT THE ERVEN IN THE TOWNSHIP:

(a) Erven 6, 8 and 10 only

By virtue of Notarial Deed of Servitude K3584/2009S dated 29 July 2009, perpetual servitude in favour of the City of Johannesburg Metropolitan Municipality for storm water attenuation purposes measuring 7553 square metres as indicated by the figure a b c d e f g h j k l m n p q r s t u v w x y z a1 b1 c1 d1 e1 f1 g 1 h1 j1 k1 l1 m1 n1 p1 q1 r1 s1 a on General Plan SG number 5600/2016, and as will more fully appear from the said deed.

(b) Erf 9 only

By virtue of Notarial Deed of Servitude K 2761/2017S dated 29 March 2017, subject to a perpetual servitude in favour of Eskom Holdings SOC Limited Registration Number 2002/015572/30 to erect operate and maintain an electric substation on a portion of the Property measuring 18 square metres as indicated by the figure a" b" c" d" a" on General Plan SG number 5600/2016, and as will more fully appear from the said deed.

(c) Erven 6 and 10 only

By virtue of Notarial deed of servitude K 2763/2017S dated 12 April 2017 the withinmentioned property is subject to a perpetual servitude of use in favour of PORTION 201 OF ERF 3 JUKSKEI HEIGHTS EXTENSION 1 TOWNSHIP over a portion of the Property, indicated by the figure B'p'q'r'B' on General Plan SG No 5600/2016 as will more fully appear from the said notarial deed.

(d) Erf 6 Only

By virtue of Notarial deed of servitude K 2764/2017S dated 12 April 2017 the withinmentioned property is subject to a perpetual servitude of right of way and use in favour of City of Johannesburg Metropolitan Municipality in respect of that portion of the Property, indicated by the figure a2 b2 c2 d2 e2 f2 g2 h2 j2 k2 l2 m2 n2 a2 on General Plan SG No 5600/2016 as will more fully appear from the said notarial deed.

E. INCLUDING THE FOLLOWING CONDITIONS WHICH AFFECT ALL THE ERVEN AND STREETS IN THE TOWNSHIP:

By virtue of notarial deed of lease number K 2765/2017L the withinmentioned property is subject to a lease in favour of Balwin Properties Limited (registration number 2003/028851/06) for a period of 99 years, as will appear more fully from the said lease.

3. 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 erven in the township lie in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority must indicate 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 proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(b)(i) 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.

(ii) 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.

(iii) 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 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.

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

Subject to a 40m wide underpass right of way servitude for private vehicular and pedestrian access, municipal services, refuse storage and removal purposes and gas farm purposes, which only affects Polo Fields Drive in the township, as indicated by the figure a3 b3 B11 c3 c4 B27 a3 on the General Plan.

- B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it 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 Heights Extension 3**. 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 07-15726.
- C. 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 Heights Uitbreiding 3** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

PLAASLIKE OWERHEID KENNISGEWING 819 VAN 2017**BYLAE**

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR WATERFALL FIELDS WUQF EIENDOMS BEPERK, REGISTRASIE NR: 2013/211395/07 (HIERNA DIE 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 822 ('N GEDEELTE VAN GEDEELTE 62) VAN DIE PLAAS WATERVAL 5 IR, REGISTRASIE AFDELING GAUTENG PROVINSIE GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is **Jukskei Heights Uitbreiding 3**.

(2) ONTWERP

Die dorp bestaan uit erwe en 'n pad soos aangedui op Algemene Plan Nr 5600/2016.

(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinerings in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

(4) ELEKTRISITEIT

Die plaaslike bestuur is nie die grootmaatverskaffer van elektrisiteit aan of in 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 gelisensieerde verskaffer, vir die voorsiening van elektrisiteit.

(5) GAUTENG PROVINSIALE REGERING(DEPARTEMENT VAN LANDBOU EN PLAASLIKE ONTWIKKELING)

Indien die ontwikkeling van die dorp nie binne 5 jaar van die datum van hul skrywe in aanvang neem nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou, Bewaring en Omgewing vir vrystelling/magtiging ingevolge die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), soos gewysig.

(6) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)

(a) Indien die ontwikkeling van die dorp nie binne 'n periode van 10 jaar van die datum van hul skrywe voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorweging.

(b) Indien omstandighede egter, voor die vervaldatum vermeld in (a) 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 beherende liggaam in gevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

(7) NASIONALE REGERING (DEPARTEMENT: MINERALE EN ENERGIE)

Indien die ontwikkeling van die dorp nie voor 17 September 2018 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Minerale en Energie vir heroorweging.

(8) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Roads Agency (Edms) Bpk en/of die Departement van Openbare Vervoer, Paaie en Werke.

(9) ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpseienaar moet reël dat die stormwaterdreinerings van die dorp inpas by dië van die aangrensende pad/paaie en dat alle stormwater wat van die pad/paaie afloop of afgelei word, ontvang en versorg word.

(10) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(11) 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 die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(12) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op sy eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot die tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(13) BEGIFTIGING

Die dorpseienaar moet ingevolge die bepalings van Artikel 98(2) saamgelees met Regulasie 44 van die Dorpsbeplanning en Dorpe Ordonnansie, 1986 (Ordonnansie 15 van 1986) 'n globale bedrag as begiftiging aan die plaaslike bestuur betaal vir die tekort aan die voorsiening van grond vir 'n park (publieke oop ruimte).

(14) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING, OORDRAG, KONSOLIDASIE EN/OF NOTARIËLE VERBINDING VAN ERWE

(a) Die dorpseienaar moet 'n sertifikaat uitgereik deur ESKOM wat bevestig dat aanvaarbare finansiële reëlings met betrekking tot die voorsiening van elektrisiteit, getref is, by die plaaslike bestuur indien. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat sodanige sertifikaat deur ESKOM uitgereik is; en

(b) Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, insluitend die interne paaie en die stormwaterretikulasie. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste voorsien en geïnstalleer is; en

(c) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water en sanitêre ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom, insluitend die konstruksie van die paaie oor die serwitute van reg-van-weg wat ten gunste van die plaaslike bestuur oor sekere gespesifiseerde aangrensende eiendomme geregistreer is. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in 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 ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is; en

(d) Nieteenstaande die bepalings van klousule 3.A. hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige:-

A. UITGESLUIT DIE VOLGENDE WAT NIE DIE DORP RAAK NIE:

- A. "The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2350,9635 hectares (of which the property hereby held forms a portion) is subject to the right granted in favour of the electricity supply commission to convey electricity over the property together with ancillary rights, represented by the lines ab and cd on annexed diagram SG No A6915/1969 and subject to conditions as will more fully appear on reference to Notarial Deed No K1293/63S and diagram attached thereto."
- B. "The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2253,3189 hectares (of which the property hereby held forms a portion) is subject to the right granted to Escom to convey electricity over the property together with ancillary rights and conditions as will more fully appear on reference to Notarial Deed No K55/1973S with diagram attached thereto."
- C. "The former remaining extent of portion 1 of the said farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2250.6858 hectares (of which the property hereby held forms a portion) is subject to the right granted to Escom to convey electricity over the property together with ancillary rights and conditions as will more fully Notarial Deed No K2514/1976S as amplified by Notarial Deed K3475/81".
- D. "A portion of the remaining extent of portion 1 of the farm Waterval 5 registration division IR measuring plus minus 3.15 hectares has been expropriated by the National Transport Commission in terms of section 8 (1)(a) of Act No 54 of 1971 as will more fully appear from Notice of Expropriation EX 396/77."
- E. "A portion of the remaining extent of portion 1 of the farm Waterval 5 registration division IR has been expropriated by the National Transport Commission in terms of section 8 (1)(a) of Act No 54 of 1971 as will more fully appear from Notice of Expropriation EX 366/1978."
- F. "The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2249.8888 hectares (of which the property hereby held forms a portion) is subject to the right granted to Eskom to convey electricity over the property together with ancillary rights and subject to conditions as will more appear to fully Notarial Deed No K5028/92S and diagram attached thereto."
- G. "A portion of the remaining extent of portion 1 of the farm Waterval 5 registration division IR measuring plus minus 3.1297 hectares has been expropriated by the Municipality of Johannesburg in terms of section 134 (b) and 137 of Ordinance 17 of 1939 as will more fully appear from Notice of Expropriation EX 114/1988."
- H. "The former Remaining extent of Portion 1 of the farm WATERVAL 5, Registration Division I.R., Province of Gauteng, measuring 2083,2179 hectares (of which the priority hereby held forms a portion), is subject to a servitude for municipal purposes 3 meters wide, the center line of which is defined by the letters ABCDEFGHJKLMN PQRSTUVWXYAA'B'C'D'E'F'G'H'J'K ' L' M'N'P'Q on diagram SG NoA7672/89 with ancillary rights in favour of the Town Council of Midrand as will fully appear from Notarial Deed of Servitude K3366/1997S with ancillary rights."

- I. "The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2083.2179 hectares (of which the property hereby held forms a portion), is subject to a servitude of sewerage 2021 square metres indicated on diagram SG. No 12040/1997 in favour of portion 516 (a portion of portion 61) of the Farm Waterval No 5 with ancillary rights as will more fully appear from Notarial Deed Of Servitude K4394/1999S."
- J. "The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2083.2179 hectares (of which the property hereby held forms a portion), is subject to a servitude in favour of Eskom depicted on diagram SG. No 6150/1997 with ancillary rights as will more fully appear from Notarial Deed of Servitude K4398/1999S."
- K. "The former remaining extent of portion 1 of the farm Waterval 5 Registration Division IR, Province of Gauteng, measuring 2083.2179 hectares (of which the property hereby held forms a portion), is subject to a perpetual servitude of electrical power transmission to convey electricity in favour of Eskom indicated by the lines ABCD and HJK on diagram SG No 8801/1998 as will more fully appear from Notarial Deed Of Servitude K3161/2000S."
- L. "By virtue of Notarial Deed of Servitude K6300/2005S dated 20/5/2005 the within mentioned property is subject to a perpetual right of way servitude for road purposes measuring 5,0479 (Five Comma Zero Four Seven Nine) Hectares in favour of the City of Johannesburg Metropolitan Municipality indicated by the figure ABCDEFGHJKLMNPQRSTUVWXYZ A1 B1 C1 D1 E1 F1 G1 H1 K1 L1 on diagram SG No 9584/2004 together with the right of the Council to use the servitude area in perpetuity for road purposes and to make the servitude area available to the public for cause as a road as will more fully appear from the said deed."

B. INGESLUIT DIE VOLGENDE VOORWAARDE WAT SLEGS WATERFALL HILLS LAAN RAAK

Die 9054 vierkante meter groot serwituu ten gunste van die Stad van Johannesburg Metroplitaanse Munisipaliteit vir pad en munisipale doeleindes wat aangedui word deur die figuur A B A1 A2 A3 A4 A5 B' A op diagram SG nommer 5600/2016 en meer volledig aangetoon word op Notariele Akte van serwituu K294/2009S gedateer 10 Desember 2008.

C. INGESLUIT DIE VOLGENDE VOORWAARDES WAT SLEGS WATERFALL HILLS LAAN EN ERF 10 IN DIE DORP RAAK:

Die 356 vierkante meter ewigdurende serwituu ten gunste van die stad van Johannesburg Metroplitaanse Munisipaliteit om water, stormwater en riool te gelei en aangetoon word deur die figuur A e" f" g" A3 h" j" k" l" m" n" A op diagram SG nommer 5600/2016, soos meer volledig sal blyk van die Notariele Akte van Serwituu K2760/2017S wat gedateer is 12 April 2017.

D. INGESLUIT DIE VOLGENDE VOORWAARDES WAT SLEGS ERWE IN DIE DORP RAAK:

(a) Erwe 6, 8 en 10 alleenlik

Die 7553 vierkante meter ewigdurende serwituu vir stormwater afvloei ten gunste van die Stad van Johannesburg Metroplitaanse Munisipaliteit en aangetoon word deur die figuur a b c d e f g h j k l m n p q r s t u v w x y z a1 b1 c1 d1 e1 f1 g 1 h1 j1 k1 l1 m1 n1 p1 q1 r1 s1 a op Algemene Plan SG nommer 5600/2016, en meer volledig aangetoon word op Notariele Akte van Serwituu K3584/2009S gedateer 29 Julie 2009.

(b) Erf 9 alleenlik

Die 18 vierkante meter ewigdurende serwituu vir die oprigting en onderhoud van 'n elektriese substasie ten gunste van Eskom Holdings SOC Beperk Registrasie Nommer 2002/015572/30 en aangetoon word deur die figuur a" b" c" d" a" on Algemene Plan SG nommer 5600/2016, en soos meer volledig voorkom op Notariele Akte van Serwituu K 2761/2017S gedateer 29 Maart 2017.

(c) Erwe 6 en 10 alleenlik

Die ewigdurende serwituut vir die gebruik van 'n gedeelte van die eiendom ten gunste van Gedeelte 201 van erf 3 Jukskei Heights Uitbreiding 1 dorp oor 'n gedeelte van die eiendom aangetoon deur die figuur B'p'q'r'B' on General Plan SG No 5600/2016 en soos meer volledig voorkom op Notariele akte van serwituut K 2763/2017S gedateer 12 April 2017.

(d) Erf 6 alleenlik

Die ewigdurende serwituut vir reg van weg ten gunste van Johannesburg Metropolitaanse Munisipaliteit met betrekking tot daardie gedeelte van die eiendom wat aangetoon word deur die figuur a2 b2 c2 d2 e2 f2 g2 h2 j2 k2 l2 m2 n2 a2 op Algemene Plan SG Nr 5600/2016 en soos meer volledig voorkom op Notariele Akte van serwituut K 2764/2017S gedateer 12 April 2017.

E. INGESLUIT DIE VOLGENDE VOORWAARDES WAT ALLE ERWE EN STRATE IN DIE DORP RAAK:

Die genoemde eiendom is onderworpe aan 'n 99 jaar huurpag ooreenkoms ten gunste van Balwin Properties Limited (registrasie nommer 2003/028851/06) soos meer volledig sal blyk van notariele akte van huur nommer K 2765/2017L.

3. TITELVOORWAARDES**A. Titellovoorwaardes opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).****(1) ALLE ERWE**

(a) Die erwe is geleë in 'n area waar grondtoestande ernstige skade aan geboue en strukture kan aanrig. Ten einde sulke skade te beperk, moet fundamente en strukturele elemente van die geboue en strukture deur 'n bevoegde professionele ingenieur ontwerp en onder sy toesig opgerig word, tensy aan die plaaslike bestuur bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word. Die NHRR kode vir fundamente word geklassifiseer as Grond Zone S-S2P (opvulling) vir fondasies.

(b)(i) Elke erf is onderworpe aan 'n serwituut 2m breed, ten gunste van die plaaslike bestuur, vir riolerings- en ander munisipale doeleindes, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2m 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.

(ii) 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 2m daarvan, geplant word nie.

(iii) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings, en ander werke wat hy volgens goeie doedunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleiding en ander werke veroorsaak word.

B. Titellovoorwaardes opgelê ten gunste van derde partye wat geregistreer /geskep moet word op die eerste registrasie van die betrokke erwe.

Onderworpe aan 'n 40meter wye reg van weg vir 'n duikweg vir private vervoer en voetganger toegang, munisipale dienste, vullis berging en gas-plaas doeleindes, wat slegs Polo Fieldsweg in die dorp raak soos aangetoon deur die figuur a3 b3 B11 c3 c4 B27 a3 op die Algemene Plan.

- D. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Halfweg Huis en Clayville Dorpsbeplanningskema, 1976 wat uit dieselfde grond as die dorp **Jukskei Heights Uitbreiding 3** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 07-15726

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 90T/2017

Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,
for the **Gauteng Provincial Administration**, Johannesburg.

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