

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**CONTENTS**

	<i>Gazette</i>	<i>Page</i>
	<i>No.</i>	<i>No.</i>
<b>PROCLAMATION • PROKLAMASIE</b>		
90	Town-planning and Townships Ordinance (15/1986): Gosforth Park Extension 5.....	204 3

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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 90 OF 2018****CITY OF EKURHULENI METROPOLITAN MUNICIPALITY  
(GERMISTON CUSTOMER CARE CENTRE)  
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 Ekurhuleni Metropolitan Municipality, Germiston Customer Care Centre hereby declares GOSFORTH PARK EXTENSION 5 township 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 N3 JUNCTION PROPERTIES PROPRIETARY LIMITED, REGISTRATION NUMBER: 1962/002647/07 (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 615 (A PORTION OF PORTION 8) OF THE FARM ELANDSFONTEIN 108 IR, GAUTENG PROVINCE HAS BEEN APPROVED

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

The name of the township is GOSFORTH PARK EXTENSION 5.

**1.2 DESIGN**

The township consists of erven and streets as indicated on General Plan SG No. 4693/2005.

**1.3 PROVISION, REMOVAL AND REPLACEMENT OF ENGINEERING SERVICES**

1.3.1 The township owner is responsible for making the necessary arrangements for the provision of all engineering services.

1.3.2 If, for some reason due to the establishment of the township, it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

1.3.3 All municipal services that cross the common boundaries between the erven shall be removed and relocated by, and at the cost of the township owner, as and when required by the local authority.

**1.4 ELECTRICITY**

If, for some reason due to the establishment of the township, it should become necessary to reposition any existing circuits of the Electricity

Supply Commission (ESKOM), the cost thereof shall be borne by the township owner.

#### 1.5 ACCESS

1.5.1 Except for the temporary access granted by the local authority in consultation with the Gauteng Department of Public Transport and Roads until a new permanent access is provided, no ingress from Road K122 to the township and no egress to Road K122 shall be allowed from the township.

1.5.2 The township owner shall at his own expense, submit a geometric design layout (scale 1:500) of the ingress and egress points referred to in (1.5.1) above as well as the specifications for the construction of the accesses to the local authority, for approval. The township owner, shall after the approval of the layout and specifications, construct the said ingress and egress points at his own expense to the satisfaction of the local authority.

#### 1.6 ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the drainage of the township to fit in with that of Road N3 and K122 and for all the stormwater running off or being diverted from the road to be received and disposed of.

#### 1.7 REFUSE REMOVAL

The township owner shall at his own expense, cause all litter within the township area to be removed to the satisfaction of the local authority.

#### 1.8 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense, erect a fence or other physical barrier to the satisfaction of the Director, Gauteng Roads Department, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in good order and repair until such time that this responsibility is taken over by the local authority: Provided that the township owner's responsibility for the maintenance thereof shall cease when the local authority takes over the responsibility for the maintenance of the streets in the township.

### 2. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

2.1 excluding the following servitudes which do not affect the township due to its locality:

(a) The former Remaining Extent of Portion 8 of the Farm Elandsfontein 108 I.R., (whereof the property hereby registered forms a portion), is subject to a perpetual servitude to convey transformed gas in favour of DIE SA GASDISTRIBUTIE-

KORPORASIE BEPERK or its successors in title as more fully defined in Notarial Deed of Servitude No. K197/1966S.

- (b) The former Remaining Extent of Portion 8 of the Farm Elandsfontein 108 I.R., (whereof the property hereby registered forms a portion), is subject to a power line servitude in favour of ESKOM or its successors in title with ancillary rights by virtue of Notarial Deed of Servitude No. K509/1985S.
- (c) The former Remaining Extent of Portion 8 of the Farm Elandsfontein 108 I.R., (whereof the property hereby registered forms a portion), is subject to convey electricity over the property by means of a transmission line 22 metres wide. The entire line indicated by the line ABC on diagram SG No A2327/1985 in favour of ESKOM or its successors in title by virtue of Notarial Deed of Servitude No. K3029/1985S.
- (d) The former Remaining Extent of Portion 8 of the Farm Elandsfontein 108 I.R., (whereby the property hereby registered forms a portion), is subject to a perpetual servitude in favour of ESKOM or its successors in title for the conveyance of electricity over the property together with ancillary rights and subject to conditions as will more fully appear in Notarial Deed of Servitude No. K2156/1986S with diagram attached thereto.

2.2 excluding the following which only affects erf/erven:

2.2.1 ERF 61

- (a) That portion of Erf 61 indicated by the figure ABCDA on lease diagram S.G. No. 55/2018 is subject to a lease for a period of 99 years in favour of the Trustees for the time being of the Erf 61 Gosforth Park Trust, as will more fully appear from Notarial Lease K .... / .... L to be registered.
- (b) That portion of Erf 61 indicated by the figure ABCDEFGHJA on lease diagram S.G. No. 563/2018 is subject to a lease for a period of 99 years in favour of Randport Business Units Proprietary Limited, as will more fully appear from Notarial Lease K.... / ....L to be registered.
- (c) That portion of Erf 61 indicated by the figure ABCDEFGA on lease diagram S.G. No. 564/2018 is subject to a lease for a period of 99 years in favour of Randport Business Units Proprietary Limited, as will more fully appear from Notarial Lease K.... / .... to be registered.

2.2.2 ERF 62 AND RAND AIRPORT ROAD

Subject to a servitude in favour of THE RAND WATER BOARD, a body incorporated under the provisions of the Rand Water Statutes (Private) Act, 1950, (17 of 1950) for purposes of conveyance and transmittance of water, in terms whereof the line xy on Diagram S.G. No. 4692/2005 forms the northern

boundary of a servitude 12.5 meters wide, as more fully set out in Notarial Deed of Servitude K8839/2005S.

### 2.2.3 ERVEN 61 AND 62 AND RAND AIRPORT ROAD

The former Remaining Extent of Portion 8 of the Farm Elandsfontein 108 I.R., (whereof the property hereby registered forms a portion), is further subject to a perpetual servitude in favour of ESKOM or its successors in title whereof the lines cd and ef, on Diagram S.G. No. 4692/2005 represent the centre lines of a servitude of electric transmission, 31 metres wide, over the property together with ancillary rights and subject to conditions as will more fully appear in Notarial Deed of Servitude No. K962/1977S as amended by Notarial Deed of Servitude No. K812/1983S.

## 3. CONDITIONS OF TITLE

### 3.1 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)

ALL ERVEN

- (a) The erf is subject to a servitude, 2m wide, in favour of the local authority for sewerage and other municipal purposes, along any two boundaries of the erf other than a street boundary and in the case of a panhandle erf, and 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 therefrom.
- (c) The local authority shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary, and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

### 3.2 Conditions imposed by the National Transport Commission in terms of the National Roads Act, 54 of 1971

ALL ERVEN

- (i) Except for any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it

does not form part of that land, shall be erected, nor shall anything be constructed or laid under or below the surface of the erf, within a distance less than 20m in respect of single storied structures, 30m in respect of multi-storied structures, from the reserve boundary of Road N3, nor shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made except with the written consent of the National Transport Commission.

- (ii) Ingress to and egress from the erf shall not be permitted along the boundary of the erf abutting on Road N3.

Dr Imogen Mashazi: City Manager, City of Ekurhuleni, Private Bag X1069, Germiston, 1400

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CITY OF EKURHULENI METROPOLITAN MUNICIPALITY  
(GERMISTON CUSTOMER CARE CENTRE)  
EKURHULENI TOWN PLANNING SCHEME 2014: AMENDMENT SCHEME G0306

The City of Ekurhuleni Metropolitan Municipality (Germiston Customer Care Centre) hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of the Ekurhuleni Town Planning Scheme 2014, comprising the same land as included in the township of GOSFORTH PARK EXTENSION 5 Township.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the offices of the Head of Department, Department of Economic Development, Gauteng Provincial Government, Johannesburg, as well as the Head of Department: City Planning, 175 Meyer Street, Germiston.

This amendment is known as Ekurhuleni Amendment Scheme G0306 and shall come into operation on date of publication of this notice.

Dr Imogen Mashazi: City Manager, City of Ekurhuleni, Private Bag X1069, Germiston, 1400

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