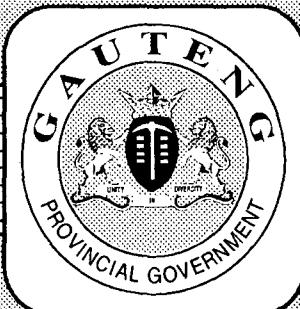


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**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinciale Koerant

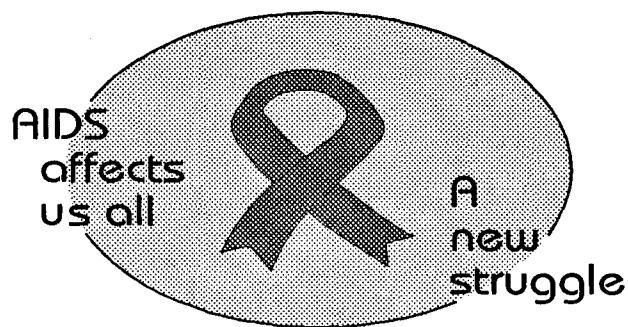
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Vol. 9

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AUGUSTUS 2003

No. 314

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PLAASLIKE BESTUURSKENNISGEWING 1523

JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT

(GEWESE NOORDELIKE METROPOLITAANSE PLAASLIKE RAAD)

VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Johannesburg Stad, (vroëer Noordelike Metropolitaanse Pleaslike Raad) hierby Noordhang Uitbreiding 44 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uitaengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR BERGKRIEK PROPERTIES (EIENDOMS) BEPERK NO 1999/007531/07(HIerna DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN ARTIKEL 98(1) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DÖRP TE STIG OP GEDEELTE 418 VAN DIE PLAAS OLIEVENHOUTPOORT 197, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is Noordhang Uitbreiding 44.

1.2 Ontwerp

Die dorp bestaan uit enkele en strate soos aangedui op Algemene Plan L.G. No. 1053/2003.

1.3 Ingenieursdienste

1.3.1 Die dorpselenaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinering soewel as 'n bydra vir eksterne dienste; en

1.3.2 die plaaslike bestuur is verantwoordelik vir die installering en voorsiening van eksterne ingenieursdienste.

Die dorpselenaar sal, wanneer hy van voorneme is om die dorp van ingenieurs- en noodsaaklike dienste te voorsien:

1.3.3 elke ingenieursdiens wat vir die dorp voorsien moet word, ingevolge artikel 116 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) by ooreenkoms met die plaaslike bestuur klassifiseer as interne en eksterne ingenieursdienste; en

1.3.4 alle interne ingenieursdienste en noodsaaklike dienste installeer en voorsien tot bevrediging van die plaaslike bestuur en vir hierdie doel moet die verslae, planne en spesifikasies soos vereis deur die plaaslike overheid ingedien word.

1.4 Begiftiging

Die dorpselenaar moet kragtens die bepalings van artikel 98(2) van die Ordonnansie op

Dorpsbeplanning en Dorpe, 1986 aan die plaaslike bestuur as begeleiding 'n globale bedrag vir parks (publieke oop ruimte) betaal. Hierdie bydra is betaalbaar soos bepaal deur die plaaslike bestuur, in terme van artikel 81 van die genoemde Ordonnansie.

1.5 Samestellings en pligte van die Huisseienaars Assosiasie

- 1.5.1 Die applikant sal 'n Huisseienaars Assosiasie, ooreenlik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelykydig met die verkoop van die eerste erf in die dorp.
- 1.5.2 Erwe 461 en 462 (Toegang) moet in die naam van die Huisseienaars Assosiasie geregistreer word.
- 1.5.3 Een en elk eienaar van erwe 422 tot 460 moet lid word van die Huisseienaars Assosiasie op oordrag van die erwe. Die Huisseienaars Assosiasie is ten volle verantwoordelik vir Erwe 460 en 481 en vir alle dienste (uitgesluit dienste wat deur die Raad oorgeneem word) wat binne die erwe geleë is.
- 1.5.4 Die Huisseienaars Assosiasie sal volle wetlike mag hê om van een en elke lid die koste te verhaal wat nodig is om sy werk te verrig en sal wetlike regte hê om sodanige kostes van enige lid te verhaal indien die lid nie sy verantwoordelikhede nakom nie.
- 1.5.5 Die plaaslike bestuur kan nie verantwoordelik gehou word indien die oppervlakte van die toegangs erf onklaar raak nie en/of enige ander dienste, met die uitsondering van dienste wat deur die Raad oorgeneem is.
- 1.5.6 Toegang van erwe 422 tot 460 na 'n publiekse straat moet oor Erwe 461 en 462 wees.
- 1.5.7 Die plaaslike bestuur moet ten alle tye tot onbeperkte toegang oor Erwe 461 en 462 beskik.

1.6 Beskikking oor bestaande titel voorwaardes

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, met inbegrip van die regte op minerale.

1.7 Verwydering van rommel

Die dorpsseienaar moet op eie koste al rommel binne die dorpsgebied laat verwyder tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.8 Verskuiwing of vervanging van munisipale dienste

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang moet die koste daarvan deur die dorpsseienaar gedra word.

2. TITELVOORWAARDES

2.1 Voorwaardes opgele deur die Plaaslike Bestuur kragtans die bepallisings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986)

Allie erwe is onderworpe aan die voorwaardes soos aangedui :

Allie erwe behalwe erwe 461 en 462

2.1.1 Die erwe is onderworpe aan 'n servitut 2 meter breed vir riolering- en ander

municipale doeleindes en ten gunste van die plaaslike bestuur langs enige twee grense, uitgesondend 'n straatgrens en in die geval van 'n pypstelsel, 'n addisionele servituut vir municipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstaande dat die plaaslike bestuur van sodanige servituut mag afsien.

- 2.1.2 Geen geboue of ander strukture mag binne die voorgenoemde servituutgebied opgerig word nie en geen grootvartelbome mag binne die gebied van sodanige servituut of binne 'n afstand van 2 (two) meter daarvan geplant word nie.
- 2.1.3 Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rielhoofpypleidings en ander werke wat hy volgens goeddunke noodsaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde servituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voorgenoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rielhoofpypleidings en ander werke veroorsaak word.
- 2.1.4 Enwe 461 en 462

Die enwe is onderworpe aan 'n servituut van reg van weg en municipale doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 1523

CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY (FORMER NORTHERN METROPOLITAN LOCAL COUNCIL)

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the City of Johannesburg, (former Northern Metropolitan Local Council) hereby declares Noordhang Extension 44 Township to be an approved township subject to the conditions set out in the schedule hereto.

ANNEXURE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY BERGKRIEK PROPERTIES (PROPRIETARY) LIMITED NO 1999/007531/07 (HEREIN AFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 98(1) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 418 FARM Olievenhoutpoort 196, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1. Conditions of establishment

1.1 Name

The name of the township shall be Noordhang Extension 44.

1.2 Design

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

1053/2003.

1.3 Engineering services

- 1.3.1 The township owner shall be responsible for the installation and provision of engineering services including streets and storm-water drainage and a contribution towards bulk sewerage services; and
- 1.3.2 the local authority concerned shall be responsible for the installation and provision of external engineering services;

The township owner shall when he intends to provide the township with engineering and essential services:

- 1.3.3 by agreement with the local authority classify every engineering service to be provided for the township in terms of section 116 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as an internal or external engineering service and in accordance with the guidelines; and
- 1.3.4 install or provide all internal and essential services to the satisfaction of the local authority and for this purpose shall lodge reports, diagrams and specifications as the local authority may require.

1.4 Endowment

The township owner shall in terms of section 98(2) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read with regulation 43 of the Town planning and Townships Regulations, 1986, pay the local authority a lump sum endowment for the provision of land for park (public open space). Such endowment shall be payable as determined by the local authority, in terms of section 81 of the said Ordinance.

1.5 Formation and duties of Resident's Association

- 1.5.1 The applicant shall properly and legally constitute a Resident's association to the satisfaction of the local authority prior to or simultaneous with the sale of the first erf in the township.
- 1.5.2 Erven 461 and 462 (Access) shall be registered in the name of the Resident's Association.
- 1.5.3 Each and every owner of Erven 422 to 460 shall become a member of the Resident's Association upon transfer of the erven. Such Association shall have full responsibility for Erven 460 and 461 for the essential services (excluding services taken over by the local authority) contained herein.
- 1.5.4 The Resident's Association shall have full legal power to levy from each and every member the costs incurred in fulfilling its function and shall have legal recourse to recover such fees in the event of a default by any member.
- 1.5.5 The local authority shall not be liable for the malfunction of the surfacing of the access way and/or any services with the exception of services taken over by the local authority.
- 1.5.6 Access from Erven 422 to 460 to a public road shall be across Erven 461 and 462.
- 1.5.7 The local authority shall have unrestricted access to Erven 461 and 462 at all times.

1.6 Disposal of existing conditions of title

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals

1.7 Removal of litter

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 when required by the local authority to do so.

1.8 Removal or replacement of municipal services

If, by reason of 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.

2 Conditions of title**2.1 Conditions imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)**

The erven mentioned hereunder shall be subject to the conditions as indicated:

All erven except Erven 461 and 462

- 2.1.1 The erven are subject to a servitude, 2 metres 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 2 metres 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.
- 2.1.2 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 2 (two) metres thereof.
- 2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other work 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.

2.1.4 Erven 461 and 462

The entire erven are subject to a servitude of right of way and municipal purposes in favour of the local authority as indicated on the General Plan.

LOCAL AUTHORITY NOTICE 1524

RANDBURG TOWN PLANNING SCHEME, 1976: AMENDMENT SCHEME 04-1514

The City of Johannesburg, (former Northern Metropolitan Local Council), hereby declares that it has approved an amendment scheme, being an amendment of the Randburg Town Planning Scheme, 1976, comprising the same land as included in the township of Noordhang Extension 44, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3 and scheme clauses of the amendment scheme are filed with the Deputy Director-General, Gauteng Provincial Government Department Housing and Local Government, Marshalltown and the Assistant Director: Development Planning, Transportation and Environment, Johannesburg, Room 8100, 8th Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 31 July 2003.

This amendment is known as the Randburg Amendment Scheme 04-1514.

A NAIR: EXECUTIVE DIRECTOR, DEVELOPMENT PLANNING TRANSPORTATION AND ENVIRONMENT, CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY

PLAASLIKE BESTUURSKENNISGEWING 1524

RANDBURG DORPSBEPLANNINGSKEMA, 1976: WYSIGINGSKEMA 04-1514

Johannesburg Stad, (vroeger Noordelike Metropolitaanse Plaaslike Raad), verklaar hierby ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) dat hy 'n wysigingskema synde 'n wysiging van die Randburg Dorpsbeplanningskema, 1976, wat uit die selfde grond as die dorp Noordhang Uitbreiding 44 bestaan, goedgskur het.

Kaart 3 en skemaklusules van die wysigingskema word in bewaring gehou deur die Adjunk-Direkteur Generaal, Departement Behuisiging en Plaaslike Regering, Marshalltown en is by die Assistant Direkteur: Ontwikkelingsbeplanning, Vervoer en Omgewing, Johannesburg, Kamer 8100, 8 ste Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Die datum van die inwerkintreding van die skema is 31 Julie 2003.

Hierdie wysiging staan bekend as die Randburg Wysigingskema 04-1514.

**A NAIR: UITVOERENDE DIREKTEUR, ONTWIKKELINGSBESTUUR, VEROER EN OMGEWING
JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT**