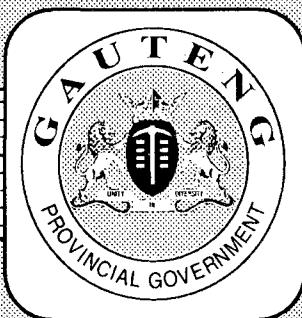


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THE PROVINCE OF
GAUTENG



DIE PROVINSIE
GAUTENG

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

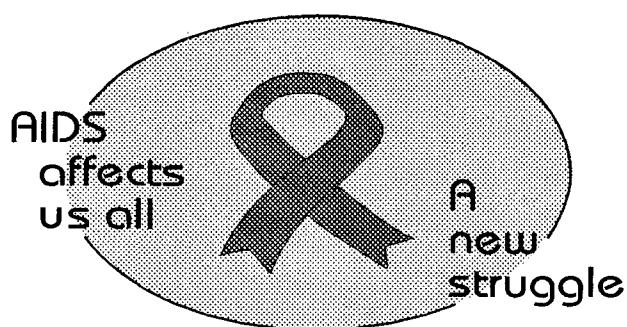
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Vol. 9

PRETORIA, 11 AUGUST
AUGUSTUS 2003

No. 327

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1570

CITY OF JOHANNESBURG

DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the City of Johannesburg hereby declares BEVERLEY EXTENSION 44 to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY CORPCLO 839 CC UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 394 (A PORTION OF PORTION 75) OF THE FARM ZEVENFONTEIN 407 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be BEVERLEY EXTENSION 44.

(2) DESIGN

The township shall consist of erven and streets, as indicated on General Plan SG No. 4289/2003.

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall provide engineering services in the township, subject to the approval of the Council and Eskom.

(4) OBLIGATIONS IN RESPECT OF SERVICES AND LIMITATIONS IN RESPECT OF THE ALIENATION OF ERVEN

The township owner shall, in terms of a prior agreement with the Council, fulfil its obligations with regard to the provision of engineering services in and for the township in terms of Chapter 5 of the Ordinance.

In terms of the Town Planning and Townships Ordinance, 15 of 1986, a contribution towards the provision of external engineering services, bulk sewer and endowment in lieu of parkland shall be payable.

No erven may be alienated or transferred in the name of a purchaser prior to the Council having confirmed that sufficient guarantees/cash contributions have been furnished in respect of the provision of services by the township owners to the Council.

(5) 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.

(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.

7) FORMATION AND DUTIES OF RESIDENTS' ASSOCIATION

The applicant shall properly and legally constitute a Residents' Association to the satisfaction of the Council before the sale of the first erf which association shall not be deregistered without the consent of the Council.

- (a) The access erf (Erf 858) shall be registered in the name of the Residents' Association and the said road portion shall not be sold or in any way disposed of without prior consent of the Council.
- (b) Each and every owner of Erven 833 to 857 shall become a member of the Residents' Association upon transfer of the erf.
- (c) The Residents' 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 in payment by any member.
- (d) The Council shall not be liable for the malfunction of the surfacing of the access way and/or the stormwater drainage system, and/or any essential services, with the exception of the sewerage system.
- (e) A servitude for municipal purposes shall be registered over Erf 858 in favour, and to the satisfaction of, the Council.
- (f) Access from Erven 833 to 857 to a public road shall be across Erf 858.
- (g) The Council shall have unrestricted access to Erf 858 at all times.

2. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions as indicated imposed by the Council in terms of the provisions of the Town-planning and Townships Ordinance, 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 Council: Provided that the Council 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 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) ERF 857

The erf is subject to a right of way servitude for electrical purposes in favour of Eskom as indicated on the General Plan.

(3) Even 842 to 844 and 850 to 857 Inclusive

The even are subject to a 2m wide servitude for sewerage purposes in favour of the Council as indicated on the General Plan.

4) Erf 858

The erf is subject to a servitude in favour of the Council for municipal purposes as indicated on the General Plan.

5) Erf 858

The erf is subject to a servitude of right of way in favour of all the even in the township, the Council, Eskom and Telkom as indicated on the General Plan.

Executive Director: Development Planning, Transportation and Environment

____ August 2003

PLAASLIKE BESTUURSKENNISGEWING 1570**STAD VAN JOHANNESBURG****VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verdaar die Stad van Johannesburg hierby die dorp BEVERLEY UITBREIDING 44 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR CORPCLO 839 CC INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 394 ('N GEDEELTE VAN GEDEELTE 75) VAN DIE PLAAS ZEVENFONTEIN 407 JR, PROVINSIE GAUTENG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is BEVERLEY UITBREIDING 44.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No. 4289/2003.

(3) VOORSIENING EN INSTALLERING VAN NOODSAAKLIKE DIENSTE

Die applikant moet ingenieurs dienste in die dorp installeer en voorsien, onderworpe aan die goedkeuring van die Stadsraad en Eskom.

(4) VERPLIGTINGE TEN OPSIGTE VAN DIENSTE EN BEPERKINGS TEN OPSIGTE VAN DIE VERVREEMDING VAN ERWE

Die dorpseienaar moet, soos vooraf ooreengekom met die Raad, verpligtinge met betrekking tot die voorsiening van ingenieursdiente in en vir die dorp nakom in terme van Hoofstuk 5 van die Ordonansie.

In terme van die Ordonansie op Dorpsbeplanning en Dorpe, 15 van 1986, is 'n bydrae betaalbaar ten opsigte van die voorsiening van eksterne ingenieursdienste, grootmaat riel en parkebegiftiging.

Geen erwe mag vervreem word of oorgedra word in die naam van 'n koper voordat die Raad bevestig het dat voldoende waarborg/ kontant bydrae gelewer is ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die Raad.

(5) VERSKUIWING OF DIE 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 dorpseienaar gedra word.

(6) BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige, met inbegrip van die voorbehoud van die regte op minerale.

(7) STIGTING EN PLIGTE VAN DIE INWONERSVERENIGING

- (a) Die applicant moet behoorlik en wettiglik 'n inwonersvereniging stig tot bevrediging van die Raad alvorens die verkoop van die eerste erf.

- (b) Die toegangserf (Erf 858) moet geregistreer word in die naam die Inwonersvereniging en die genoemde pad gedeelte mag geensins verkoop of vervaar word sonder die vooraf goedkeuring van die Raad.
- (c) Ieder en elke eienaar van Erwe 833 tot 857 moet by die oordrag van die erf lid word van die Inwonersvereniging.
- (d) Die Raad moet geensins aanspreeklik gehou word vir die foutwerk of die oppervlakte van die toegangsweg en/of die stormwater dreineringstelsel, en/of enige noodsaaklike dienste, met uitsondering van die riel stelsel.
- (e) Die Inwonersvereniging moet volle wetlike mag hê om van ieder en elke lid die kostes aangegaan deur die voltooiing van sy funksies in te vorder en moetregs toevalg hê om sodanige geldie in te vorder indien 'n lid betaling versuim.
- (f) 'n Sewituut vir municipale doeleindes moet geregistreer word oor Erf 858 ten gunste en tot bevrediging van die Raad.
- (g) Toegang vanaf Erwe 833 tot 857 tot 'n openbare straat moet oor Erf 858 wees.
- (h) Die Raad moet ten alle tye onbeperkte toegang hê tot Erf 858.

2. TITELVOORWAARDES

Die erwe hieronder genoem is onderworpe aan die voorwaardes soos aangedui, opgelê deur die Raad ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

(1) ALLE ERWE

- (a) Die erf is onderworpe aan 'n servituit, 2 meter breed, vir rielings- en ander municipale doeleindes, ten gunste van die Raad, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele servituit vir municipale doeleindes 2 m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad: Met dien verstande dat die Raad van enige sodanige servituit mag afsien.
- (b) Geen gebou of ander struktuur mag binne die voornoemde servituitgebied opgerig word nie en geen grootworpelbome mag binne die gebied van sodanige servituit of binne 'n afstand van 2 m daarvan geplant word nie.
- (c) Die Raad is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rielhoofpyleidings en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde servituit grens en voorts is die Raad geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rielhoofpyleidings en ander werke veroorsaak word.

(2) ERF 857

Die erf is onderworpe aan 'n reg van weg servituit vir elektriese doelendes ten gunste van Evkom soos aangedui op die Algemene Plan.

(3) ERWE 842 TOT 844 EN 850 TOT 857 INGESLUIT

Die erwe is onderworpe aan 'n 2 meter riel servituit soos aangedui op die Algemene Plan.

(4) ERF 858

Die erf is onderworpe aan 'n servituit van reg van weg ten gunste van al die erwe in die dorp, die Raad, Evkom en Telkom soos aangedui op die Algemene Plan.

(5) ERF 858

Die erf is onderworpe aan 'n servituit ten gunste van die Raad vir municipale doeleindes soos aangedui op die Algemene Plan.

Uitvoerende Direkteur: Ontwikkelingsbeplanning, Vervoer en Omgewing

LOCAL AUTHORITY NOTICE 1571**CITY OF JOHANNESBURG****AMENDMENT SCHEME 02-1833**

The Council hereby in terms of provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that it has approved the amendment scheme, being an amendment of the Johannesburg Town-planning Scheme 1979, comprising the same land, as included in the Township of BEVERLEY EXTENSION 44.

Map 3, Annexure and scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Transportation and Environment, 8th Floor, Metropolitan Centre, 158 Loveday Street, Braamfontein and are open for inspection at all reasonable times.

The amendment scheme is known as Johannesburg Amendment Scheme 02-1833

Executive Director: Development Planning, Transportation and Environment

____ August 2003

PLAASLIKE BESTUURSKENNISGEWING 1571**STAD VAN JOHANNESBURG****WYSIGINGSKEMA 02-1833**

Die Stadsraad verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van Johannesburg Dorpsbeplanningskema, 1979, wat uit dieselfde grond as die dorp BEVERLEY UITBREIDING 44 bestaan, goedgekeur het.

Kaart 3, Bylae en die skemaklousules van die wysigingskema word in bewaring gebou deur die Uitvoerende Direkteur Ontwikkelingsbeplanning, Vervoer en Omgewing, 8ste Vloer, Metropolitaanse Sentrum, Lovedaystraat 158, Braamfontein en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Johannesburg-wysigingskema 02-1833

Uitvoerende Direkteur: Ontwikkelingsbeplanning, Vervoer en Omgewing

____ August 2003
