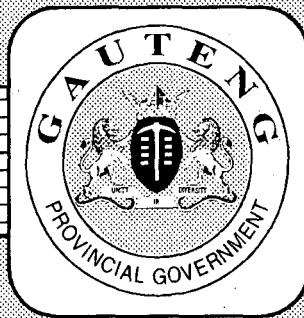


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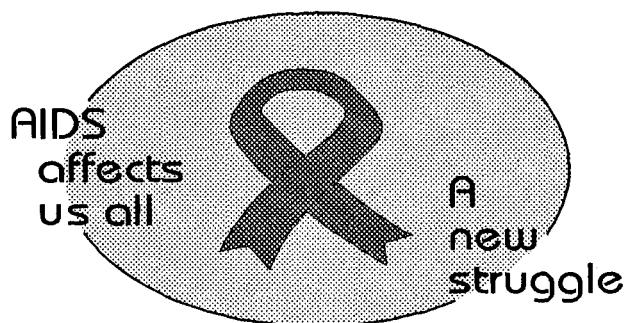
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Vol. 9

PRETORIA, 29 OCTOBER
OKTOBER 2003

No. 461

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PLAASLIKE BESTUURSKENNISGEWING 2210 VAN 2003

JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT

(GEWESE WESTELIKE 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 Westelike Metropolitaanse Plaaslike Raad) hierby Allen's Nek Uitbreiding 21 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR DANWET D183 (EIENDOMS) BEPERK NO. 2002/017795/07 (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 DORP TE STIG OP GEDEELTE 463 ('N GEDEELTE VAN GEDEELTE 252) VAN DIE PLAAS WILGESPRUIT NO 190, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is Allen's Nek Uitbreiding 21.

1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 5638/2003.

1.3 Ingenieursdienste

- 1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van interne ingenieursdienste sowel as verbinding eksterne ingenieursdienste en 'n bydrae vir eksterne dienste; en
- 1.3.2 die plaaslike bestuur is verantwoordelik vir die installering en voorsiening van eksterne ingenieursdienste.

Die dorpseienaar sal, wanneer hy van voorneme is om die dorp van ingenieurs- en noodsaklike 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 noodsaklike 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 owerheid ingedien word.

1.4 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, maar uitgesluit:

- 1.4.1 die volgende servitute wat nie aan die erwe in die dorp oorgedra moet word nie:

Titel Akte T 046656/03:

"B. The remaining Extent of the aforesaid South-Eastern portion, measuring as such 222,5105 (TWO HUNDRED AND TWENTY TWO COMMA FIVE ONE NOUGHT FIVE) Hectares (of which the property hereby transferred forms a portion), is entitled to a servitude over portion 237 (a portion of portion 182) of the farm Wilgespruit No 190 I.Q. aforesaid, held under Deed of Transfer No. 3525/1954 to the effect that the Owners of the aforesaid portion 237 and their successors in title shall not have the right to make bricks or erect kilns thereon."

C Die Resterende Gedeelte van die suid-oostelike gedeelte van die plaas Wilgespruit Nr. 190, I.Q. voormeld, groot as sodanige 259,5273 (TWEE HONDERD NEGE EN VYFTIG KOMMA VYF TWEE SEWE DRIE) Hektaar (waarvan die eiendom herimee getransporteer deel uitmaak) is geregtig op 'n servituut oor Gedeelte 166 ('n gedeelte van die suir-oostelike gedeelte van die plaas Wilgespruit Nr. 190 I.Q. voormeld, gehou kragtens Akte van Transport Nr. 17883/1946, tot dien effekte dat die eienaars van die voormalde Gedeelte 166 en hulle opvolgers in title nie die reg sal he om stene daarop te maak of steenoonde daarop op te rig nie."

2.4.2 die servituut vir oorskryding van Hoewe 1 StrubenRidge Landbouhoeves gehou deur Akte T 20579/80 geregistreer in terms van Notariële Akte van Servitut No.K2479/1982 en aangedui deur die figuur ABC op SG diagram SG No. A. 8112/1981 ten gunste van erf 707 in die dorp alleen.

1.5 Toegang

Ingang van Pad K60 (Christiaan de Wetweg) tot die dorp en uitgang tot Pad K60 (Christiaan de Wetweg) uit die dorp sal nie toegelaat word nie.

1.6 Ontvangs en versorging van stormwater

Die dorpseienaar moet die stormwaterdreinering van die dorp so reël dat dit inpas by die van Pad K60(Christiaan de Wetweg) en moet die stormwater wat van die pad afloop of afgelei word, ontvang en versorg.

1.7 Oprigting van heining of ander fisiese versperring

Die dorpseienaar moet op eie koste 'n heining of ander fisiese versperring oprig tot bevrediging van die Gauteng Provinciale Regering: Departement van Vervoer en Publieke Werke soos en wanneer deur hom verlang word om dit te doen, en die versperring in 'n goeie toestand hou tot tyd en wyl hierdie verantwoordelikheid deur die plaaslike bestuur oorgeneem word: met dien verstande dat die dorpseienaar se verantwoordelikheid vir die instandhouding van die strate in die dorp oorgeneem word

1.8 Verwydering van rommel

Die dorpseienaar moet op eie koste al rommel binne die dorpsgebeid laat verwijder tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.9 Verskuwing of vervanging van minisipale 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.

1.10 Samestelling en pligte van die Huiseienaars Assosiasie

- 1.10.1 Die applikant sal 'n Huiseienaars Assosiasie, oordentelik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelyktydig met die verkoop van die eerste erf in die dorp.
- 1.10.2 Erf 727 (Toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.
- 1.10.3 Een en elk eienaar van erwe 685 - 725 moet lid word van die Huiseienaars Assosiasie op oordrag van die erwe. Die Huiseienaars Assosiasie is ten volle verantwoordelik vir Erf 727 vir alle dienste (uitgesluit dienste wat deur die raad oorgeneem word) wat binne die erwe geleë is.
- 1.10.4 Die Huiseienaars 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.
- 1.10.5 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.
- 1.10.6 Toegang van erwe 685 - 725 na 'n publiekse straat moet oor Erf 727 wees.
- 1.10.7 Die plaaslike bestuur moet ten alle tye tot onbeperkte toegang oor Erf 727 beskik.
- 1.10.8 Erf 727 mag nie oorgedra of vervoer word in die naam van enige koper behalwe die huiseienaarsvereniging , alvorens die skriftelike goedkeuring van die plaaslike bestuur verkry is nie.

1.11 Beperking op die vervreemding van erf 727

Erf 727 mag slegs aan die huiseienaarsvereniging van die dorp oorgedra word en die huiseienaarsvereniging sal volle verantwoordelikheid neem vir die funksionering en onderhoud van die genoemde erf en vir die noodsaklike dienste op die erf.

1.12 Verantwoordelikheid ten opsigte van dienste en beperking op die vervreemding van erwe.

Die dorpseienaar sal binne sodanige periode as wat die plaaslike bestuur mag bepaal, sy verantwoordelikheid nakom met betrekking tot die voorsiening van water en rioldienste sowel as vir die konstruksie van paaie en stormwater dreinering en die installering daarvan, soos wat daar vooraf tussen die eienaar en die plaaslike bestuur ooreengekom is. Erwe mag nie vervoer of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur gesertifiseer het dat voldoende waarborg/kontant bydraes aan die plaaslike bestuur betaal is in verband met die voorsiening van dienste aan die dorpseienaar.

1.13 Grond vir munisipale doeleinades

Erf 726 moet deur en op koste van die dorpseienaar aan die plaaslike bestuur as 'n openbare oop ruimte oorgedra word.

2. TITELVOORWAARDES**2.1 Voorwaardes opgelê deur die Plaaslike Bestuur kragtens die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986)**

Alle erwe behalwe erf 727 is onderworpe aan die voorwaardes soos aangedui :

- 2.1.1 Die erwe is onderworpe aan 'n serwituit 2 meter breed vir riolerings- en ander munisipale doeleinades en ten gunste van die plaaslike bestuur langs enige twee grense, uitgesonderd 'n straatgrens en in die geval van 'n pypsteelerf, 'n addisionele serwituit vir munisipale doeleinades 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur : Met dien verstande dat die plaaslike bestuur van sodanige serwituit mag afsien.
- 2.1.2 Geen geboue of ander strukture mag binne die voorgenoomde serwituitgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituit 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 rieloophoofpypleidings en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoomde serwituit grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voorgenoomde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rieloophoofpypleidings en ander werke veroorsaak word.
- 2.1.4 Erf 727
- Die erf is onderworpe aan 'n serwituit van reg van weg en munisipale doeleinades ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 2210 OF 2003

CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY (FORMER WESTERN 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 Western Metropolitan Local Council) hereby declares Allen's Nek Extension 21 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 DANWET D183 (PROPRIETARY) LIMITED NO. 2002/017795/07(HEREIN AFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 98(1) OF THE TOWN PLANNING AND TOWNSHPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON, PORTION 463 (A PORTION OF PORTION 252) OF THE FARM WILGESPRUIT NO 190, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1. Conditions of establishment

1.1 Name

The name of the township shall be Allen's Nek Extension 21.

1.2 Design

The township shall consist of erven and streets as indicated on General Plan S.G. No. 5638/2003.

1.3 Engineering services

1.3.1 The township owner shall be responsible for the installation and provision of internal and linking engineering services and a contribution for external services;

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 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, but excluding the following:

1.4.1 the following servitudes which shall not be passed on to the erven in the township:

Title Deed T 046656/03

"B. The remaining Extent of the aforesaid South-Eastern portion, measuring as such 222,5105 (TWO HUNDRED AND TWENTY TWO COMMA FIVE ONE NOUGHT FIVE) Hectares (of which the property hereby transferred forms a portion), is entitled to a servitude over portion 237 (a portion of portion 182) of the farm Wilgespruit No 190 I.Q. aforesaid, held under Deed of Transfer No. 3525/1954 to the effect that the Owners of the aforesaid portion 237 and their successors in title shall not have the right to make bricks or erect kilns thereon."

C Die Resterende Gedeelte van die suid-oostelike gedeelte van die plaas Wilgespruit Nr. 190, I.Q. voormeld, groot as sodanige 259,5273 (TWEE HONDERD NEGE EN VYFTIG KOMMA VYF TWEE SEWE DRIE) Hektaar (waarvan die eiendom herimee getransporteer deel uitmaak) is geregtig op 'n serwituut oor Gedeelte 166 ('n gedeelte van die suir-oostelike gedeelte van die plaas Wilgespruit Nr.190 I.Q. voormeld, gehou kragtens Akte van Transport Nr. 17883/1946, tot dien effekte dat die eienaars van die voormalde Gedeelte 166 en hulle opvolgers in title nie die reg sal he om stene daarop te maak of steenoonde daarop op te rig nie."

1.4.2 the Servitude for transgression of Holding 1 StrubenRidge Agricultural Holdings held by Deed T 20579/80 registered in terms of Notarial Deed of Servitude No.K2479/1982 and indicated by the figure ABC on SG diagram SG No. A. 8112/1981 in favour of erf 707 in the township only.

1.5 Access

No ingress from Road K60 (Christiaan de Wet Road) to the township and no egress to Road K60 (Christiaan de Wet Road) from the township shall be allowed.

1.6 Acceptance and disposal of storm-water

The township owner shall arrange for the drainage of the township to fit in with that of Road K60 (Chritiaan de Wet Road) and for all storm-water running off or being diverted from the road to be received or disposed of.

1.7 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 Gauteng Provincial Government: Department of Transport and Public Works 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 as this responsibility is taken over by the local authority: Provided that the township owner responsibility for the maintenance thereof shall cease when the local authority takes over responsibility for the maintenance of the street in the township.

1.8 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.

1.9 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.

1.10 Formation and duties of Resident's Association

- 1.10.1 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.
- 1.10.2 Erf 727 (Access) shall be registered in the name of the Resident's Association.
- 1.10.3 Each and every owner of Erven 685 -725 shall become a member of the Resident's Association upon transfer of the erf. Such Association shall have full responsibility for Erf 727 and for the essential services (excluding services taken over by the local authority) contained herein.
- 1.10.4 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.
- 1.10.5 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.
- 1.10.6 Access from Erven 685 - 725 to a public road shall be across Erf 727.
- 1.10.7 The local authority shall have unrestricted access to Erf 727 at all times.

1.10.8 Erf 727 shall not be alienated or transferred into the name of any purchaser other than the home owners association, without the written consent of the local authority first having been obtained.

1.11 Restriction on the transfer of an erf.

Erf 727 shall be transferred only to the Residents Association established in respect of the township, which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the essential services within the said erf.

1.12 Obligations with regard to services and restriction regarding the alienation of erven.

The township owner shall within such period as the local authority may determine, fulfil his obligations in respect of the provisions of water and sanitary services as well as the construction of roads and storm-water drainage and the installation of systems therefore, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or be transferred into the name of a purchaser prior to the local authority certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said local authority.

1.13 Land for municipal purposes

Erf 726 shall be passed on to the local authority by and at the expense of the township owner as Park (Public Open Space).

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)

All erven except erf 727 shall be subject to the conditions as indicated:

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 Erf 727

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

0203000000

LOCAL AUTHORITY NOTICE 2211 OF 2003**ROODEPOORT TOWN PLANNING SCHEME, 1987: AMENDMENT SCHEME 05-1910**

The City of Johannesburg, (former Western Metropolitan Local Council), hereby declares that it has approved an amendment scheme, being an amendment of the Roodepoort Town Planning Scheme, 1987, comprising the same land as included in the township of Allen's Nek Extension 21, 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 28 October 2003.

This amendment is known as the Roodepoort Amendment Scheme 05-1910.

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

PLAASLIKE BESTUURSKENNISGEWING 2211 VAN 2003**ROODEPOORT DORPSBEPLANNINGSKEMA, 1987: WYSIGINGSKEMA 05-1910**

Johannesburg Stad, (vroeger Westelike Metropolitaanse Plaalklike 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 Roodepoort Dorpsbeplanningskema, 1987, wat uit die selfde grond as die dorp Allen's Nek Uitbreiding 21 bestaan, goedgekeur het.

Kaart 3 en skemaklousules van die wysigingskema word in bewaring gehou deur die Adjunk-Direkteur Generaal, Departement Behuising en Plaaslike Regering, Marshalltown en is by die Assistent 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 inwerkingtreding van die skema is 28 Oktober 2003.

Hierdie wysiging staan bekend as die Roodepoort Wysigingskema 05-1910.

**A NAIR: UITVOERENDE DIREKTEUR, ONTWIKELINGSBESTUUR, VERVOER EN OMGEWING
JOHANNESBURG STAD**

IMPORTANT NOTICE

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Private Bag X85
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New contact persons: Awie van Zyl Tel.: (012) 334-4523
Mrs H. Wolmarans Tel.: (012) 334-4591

Fax number: (012) 323-8805

E-mail address: awvanzyl@print.pvv.gov.za

Contact persons for subscribers:

Mrs S. M. Milanzi Tel.: (012) 334-4734
Mrs J. Wehmeyer Tel.: (012) 334-4753
Fax.: (012) 323-9574

This phase-in period is to commence from November 2001 (suggest date of advert) and notice comes into operation as from 2 January 2002.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, two weeks before the 2nd January 2002.

*In future, adverts have to be paid in advance
before being published in the Gazette.*

HENNIE MALAN

Director: Financial Management
Office of the Premier (Gauteng)

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