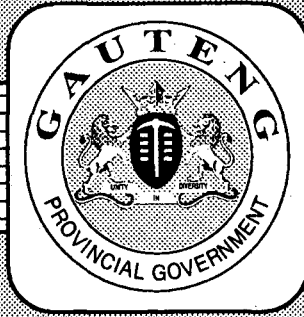


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GAUTENG**



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**Provincial Gazette Extraordinary
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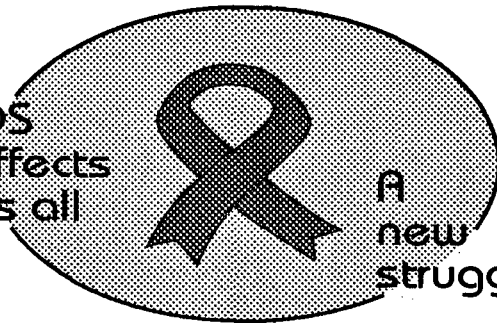
Vol. 9

PRETORIA, 15 APRIL 2003

No. 139

We all have the power to prevent AIDS

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 671

EKURHULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality, Germiston Service Delivery Centre, hereby declares the township of Bedfordview, Extension 523 to be an approved township, subject to the conditions as set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY MASSICETI CONSTRUCTION CC REGISTRATION NUMBER CK2000/0013674/23 (HEREINAFTER REFERRED TO AS THE OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 1228 (A PORTION OF PORTION 36) OF THE FARM ELANDSFONTEIN 90 I.R., PROVINCE GAUTENG, HAS BEEN GRANTED:

1. CONDITIONS OF ESTABLISHMENT

1.1 Name

The name of the township shall be "Bedfordview Extension 523".

1.2 Design

The township shall consist of erven as indicated on General Plan No. S.G. 9454/2002.

1.3 Endowment

The township owner shall, in terms of the provisions of Section 63 and Regulation 43 of the Town Planning and Townships Ordinance, 15 of 1986 (as amended), pay a contribution to the City Council for the provision of land for a park (Public Open Space). Such amount shall be determined as prescribed in the above-mentioned regulations.

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 mineral rights with the exception of condition 9 in Deed of Transfer T134293/2001 which will constitute a public street on promulgation of this township.

1.5 Access

Access to the erven in the township shall be from the servitude area as reflected on General Plan SG No 9454/2002.

1.6 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 City Council.

1.7 Acceptance and disposal of stormwater

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

1.8 Removal or replacement of municipal services

1.8.1 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.

1.8.2 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 City Council.

1.9 Engineering services

- 1.9.1 The township owner is responsible for making the necessary arrangements for the provision of all engineering services and payment of external contributions in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).
- 1.9.2 All existing municipal services on the erven within the township shall be protected by means of suitable servitudes to the satisfaction of the Council, registered in favour of the Council, as and when required by the Council, by the owner at his own expense.

1.10 Demolition of buildings or structures

- 1.10.1 The township owner shall at his own expense draw up and submit acceptable building plans to the City Council, for approval in terms of the provisions of the National Building Regulations, for all buildings on the erf for which no building plans have been approved by the City Council. The township owner shall at his own expense alter the buildings to comply with the approved building plans to the satisfaction of the City Council.

1.11 Transfer of servitude area (road portion) after proclamation of the township

Upon proclamation of the township, the servitude area shall, as soon as the roadway has been constructed by the township owner to the satisfaction of the City Council, be transferred free of any costs and considerations, by the township owner to the Homeowners Association contemplated in (1.12) below.

1.12 Formation of the Homeowners Association to be Constituted Upon Proclamation of the Township.

- 1.12.1 Upon proclamation of the township, the township owner shall at his own expense, properly and legally constitute a Homeowners Association for the subdivided portions (association incorporated under Section 21 of Act 61 of 1973), prior to, or simultaneously with the sale of the first subdivided portion.
- 1.12.2 The construction and the maintenance of the servitude area (road portion) within the township shall be the responsibility of the township owner until such time that the servitude area is transferred to the Homeowners Association.

2. CONDITIONS OF TITLE

2.1 Servitudes

- 2.1.1 All erven are subject to a servitude, 2 metres wide, in favour of the City Council, for sewerage and other municipal purposes along any two boundaries of the erf other than the 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 City Council: Provided that the City Council may dispense with any such servitudes.
- 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 metres therefrom.
- 2.1.3 The City Council 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 City Council.
- 2.1.4 Each and every owner of the subdivided residential portions (Erven 2524 to 2530) shall become a member of the Homeowners Association contemplated in (1.12) upon transfer of the erf.
- 2.1.5 The Homeowners Association shall be fully responsible for the functioning and proper maintenance of the servitude area, as well as the essential services (excluding the sewerage reticulation), contained therein, to the satisfaction of the Council.

- 2.1.6 The Homeowners Association shall have the legal power to levy from each and every member of the Homeowners Association, the costs incurred in fulfilling its functions, and shall have legal resources to recover such fees in the event of a default in payment by any member.
- 2.1.7 Each owner of the subdivided portion (Erven 2524 to 2530) is subject to a Servitude of Right of Way for access purposes over other portions as reflected on General Plan SG No 9454/2002 which shall be transferred to the Homeowners Association.

LOCAL AUTHORITY NOTICE 672

NOTICE OF APPROVAL

BEDFORDVIEW AMENDMENT SCHEME 1116

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance 15 of 1986, declares that it has approved an amendment scheme being an amendment to the Bedfordview Town Planning Scheme 1995, comprising the same land as included in the township of Bedfordview Extension 523 Township.

Map 3 and the Scheme Clauses of the Amendment Scheme are filed with the Executive Director: Development Planning, 2nd Floor, Planning and Development Service Centre, 15 Queen Street, Germiston and are open for inspection at all reasonable times.

This amendment is known as Bedfordview Amendment Scheme 1116

PAUL MASEKO, City Manager
Development Planning, P O Box 145, Germiston, 1400

PLAASLIKE BESTUURSKENNISGEWING 671**EKURHULENI METROPOLITAANSE MUNISIPALITEIT****VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge Artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Ekurhuleni Metropolitaanse Munisipaliteit, Germiston Diensleweringssentrum, hiermee die dorp Bedfordview, Uitbreiding 523 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR MASSICETI CONSTRUCTION CC REGISTRASIENOMMER CK2000/0013674/23 (HIERNA DIE DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 15 VAN 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 1228 ('N GEDEELTE VAN GEDEELTE 36) VAN DIE PLAAS ELANDSFONTEIN 90 I.R., PROVINSIE VAN GAUTENG, TOEGESTAAN IS:

1. STIGTINGSVOORWAARDES**1.1 Naam**

Die naam van die dorp is "Bedfordview Uitbreiding 523".

1.2 Ontwerp

Die dorp bestaan uit erwe soos aangedui op Algemene Plan No. L.G. 9454/2002.

1.3 Begiftiging

Die dorpsseienaars moet kragtens die bepalings van Artikel 63 en Regulasie 43 van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986 (soos gewysig), 'n bydrae betaal aan die Stadsraad vir die voorsiening van grond vir parke (Publieke Oopruimte). Hierdie bedrag sal bepaal word soos voorgeskryf in die bogenoemde regulasies.

1.4 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, maar met die uitsluiting van voorwaarde 9 in Titelakte T 134293/2001 wat 'n publieke pad sal wees na die proklamasie van hierdie dorp.

1.5 Toegang

Toegang tot die erwe in die dorp sal verkry word van die serwitutarea soos aangetoon op Algemene Plan SG No 9454/2002.

1.6 Verwydering van rommel

Die dorpsseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot bevrediging van die Stadsraad.

1.7 Ontvangs en versorging van stormwater

Die dorpsseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van die omringende dorpe en moet die stormwater wat van die toegangspad afloop of afgelei word, ontvang en versorg.

1.8 Verwydering of vervanging van munisipale dienste**1.8.1 Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verwyder of te vervang, moet die koste daarvan deur die dorpsseienaar gedra word.**

1.8.2 Alle munisipale dienste wat oor gemeenskaplike grense van erwe geleë is, moet verwyder en hervestig word deur die dorpseienaar, op eie koste, wanneer die Stadsraad dit vereis.

1.9 Ingenieursdienste

1.9.1 Die dorpseienaar is verantwoordelik vir die voorsiening van alle ingenieursdienste en betaling van eksteme bydraes ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

1.9.2 Alle bestaande munisipale dienste op die erwe in die dorp sal beskerm word deur serwitute, tot bevrediging van die Stadsraad, geregistreer ten gunste van die Stadsraad, wanneer die Stadsraad dit vereis, deur die dorpseienaar, op eie koste.

1.10 Sloping van geboue en strukture

1.10.1 Die dorpseienaar moet op eie koste aanvaarbare bouplanne optrek en indien by die Stadsraad, vir goedkeuring ingevolge die bepalings van die Nasionale Bouregulasies, vir alle geboue op die erf waarvoor geen bouplanne goedgekeur is deur die Stadsraad nie. Die dorpseienaar sal op eie koste die geboue verander om te voldoen aan die goedgekeurde bouplanne, tot bevrediging van die Stadsraad.

1.11 Oordrag van serwituutarea (padgedeelte) na die proklamasie van die dorp

Die serwituutarea (padgedeelte) sal op proklamasie van die dorp en sodra die toegangspad tot bevrediging van die Stadsraad, deur die dorpseienaar gebou is, oorgedra word deur die dorpseienaar, op eie koste, na die Huseienaars Vereniging, soos in (1.12) hieronder voorgestel.

1.12 Stigting van die Huseienaars Vereniging op proklamasie van die dorp

1.12.1 Op proklamasie van die dorp, sal die dorpseienaar op eie koste, 'n Huseienaars Vereniging stig vir die onderverdeelde gedeeltes (assosiasie geïnkorporeer onder Artikel 21 van Wet 61 van 1973), voordat, of gelyktydig met die verkoop van die eerste onderverdeelde gedeelte.

1.12.2 Die konstruksie en onderhoud van die toegangspad binne die dorpsgebied (serwituutarea) sal die verantwoordelikheid van die dorpseienaar wees, totdat die toegangspadgedeelte oorgedra word aan die Huseienaars Vereniging.

2. TITELVOORWAARDES

2.1 Serwitute

2.1.1 Alle erwe is onderworpe aan 'n serwituut, 2 meter breed, ten gunste van die Stadsraad, 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, 2 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Stadsraad: Met dien verstande dat die Stadsraad van enige sodanige serwituut mag afsien.

2.1.2 Geen geboue of ander strukture mag binne die voorgenoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied of binne 'n afstand van 2 meter daarvan geplant word nie.

2.1.3 Die Stadsraad is geregtig om enige material wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts is die Stadsraad geregtig tot redelike toegang tot genoemde grond vir die voorgenoemde doel, onderworpe daaraan dat die Stadsraad enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke veroorsaak word.

2.1.4 Elke eienaar van die onderverdeelde gedeeltes (Erwe 2524 tot 2530) sal 'n lid van die Huseienaars Vereniging soos voorgestel in (1.12) word op oordrag van die erf.

2.1.5 Die Huseienaars Vereniging sal verantwoordelik wees vir die werking en onderhoud van die toegangspadgedeelte, asook die dienste (uitgesluit riool dienste), wat in die padreserwe voorkom, tot bevrediging van die Stadsraad.

- 2.1.6 Die Huielenaars Vereniging sal die reg hê om van elke lid van die Huielenaars Vereniging, geld te hef om die kostes te dek wat aangegaan word om die funksies van die Huielenaars Vereniging te vervul, en sal geregtelik die fooie mag terugeis indien enige lid nie sy heffing betaal nie.
- 2.1.7 Elke eenaar van die onderverdeelde gedeeltes (Erwen 2524 tot 2530) is onderworpe aan 'n Reg van Weg Serwituut vir toegangsdoeleindes ten gunste van die ander gedeeltes soos aangetoon op Algemene Plan SG No 9454/2002 wat aan die Huielenaars Vereniging oorgedra sal word.

PLAASLIKE BESTUURSKENNISGEWING 672

KENNIS VAN GOEDKEURING

BEDFORDVIEW WYSIGINGSKEMA 1116

Die Ekurhuleni Metropolitaanse Munisipaliteit verklaar hierby, ingevolge die bepalings van Artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe 15 van 1986, dat dit 'n wysigingskema, synde 'n wysiging van die Bedfordview Dorpsbeplanningskema 1995, wat uit dieselfde grond as die dorp Bedfordview Uitbreiding 523 Dorp bestaan, goedgekeur het.

Kaart 3 en die Skemaklousules van die Wysigingskema word in bewaring gehou by die Uitvoerende Direkteur : Ontwikkelingsbeplanning, 2de Vloer, Planning and Development Service Centre, Queenstraat 15, Germiston en is te alle redelike tye ter insae beskikbaar.

Hierdie wysiging staan bekend as Bedfordview Wysigingskema 1116

PAUL MASEKO, Stadsbestuurder
Development Planning, Posbus 145, Germiston, 1400