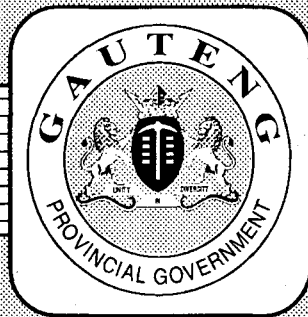


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**Vol. 9**

PRETORIA, 23 JUNE 2003  
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**No. 239**

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## LOCAL AUTHORITY NOTICES

### PLAASLIKE BESTUURSKENNISGEWING 1186

(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 Ruimsig Uitbreiding 34 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

#### BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR BOTHENBACH PROPERTY INVESTMENT PTY LIMITED (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 188 VAN DIE PLAAS RUIMSIG 265, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

#### 1. Stigtingsvoorwaardes

##### 1.1 Naam

Die naam van die dorp is Ruimsig Uitbreiding 34.

##### 1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 2097/2002.

##### 1.3 Ingenieursdienste

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van interne ingenieursdienste insluitende strate en stormwater dreinerings en 'n bydrae vir eksterne riooldienste betaal; 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 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 owerheid ingedien word.

##### 1.4 Begiftiging

Die dorpseienaar moet kragtens die bepalings van artikel 98(2) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 aan die plaaslike bestuur as begiftiging 'n globale bedrag van R10 000,00 vir parkedoeleindes betaal.

### 1.5 Beskikking oor bestaande titel voorwaardes

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die regte op minerale, maar uitgesluit:

- 1.5.1 die volgende voorwaarde wat nie aan die erwe in die dorp oorgedra moet word nie:

Titel Akte T 000006911/2001 voorwaarde:

- "A. Gedeelte 8 ('n gedeelte van gedeelte 5) van die plaas ROODEPKRANS 183, Registrasie Afdeling I.Q., Transvaal, (waarvan die eiendom hiermee getranspoteer 'n deel uitmaak) is onderhewig aan die volgende voorwaardes:

"The owner of the land hereby transferred is specially entitled to a right of way by the existing road over Portion "C" of the said farm in extent 386,0918 hectares as transferred to JOHANNES JACOBUS RABIE VAN DER LINDE by Partition Title No 4637/1911 to the remaining extent of a portion of the said farm, measuring as such 8,5596 hectares and held by ERASMUS ALBERTUS LABUSCHAGNE JOHANNES STEPHANUS MARAIS AND JOHANNES JACOBUS RABIE VAN DER LINDE under Deeds of Transfer No 1590/1903 dated the 18<sup>th</sup> February 1903. No 3549/1908 dated the 23<sup>rd</sup> June 1908 and No 2205/1906 dated the 17<sup>th</sup> March 1906 respectively and which road is shown on the diagram annexed to the said Partition Title No 4636/1911; the said right of way not to interfere with the right of the owner of the servient tenement to fence in his land provided gates are placed on the said road; Subject to a right of way by the existing road as shown on the diagram annexed to the said Partition Title No 4636/1911 in favour of the owner of Portion "A" of the said farm, in extent 386,0918 hectares transferred to ERASMUS ALBERTUS LABUSCHAGNE by Partition Title No 4635/1911, from his homestead to the aforesaid remaining extent, measuring as such 8,5596 hectares as more fully described in the Partition Title.

- 1.5.2 die volgende voorwaarde in Titel Akte T 000006911/2001 wat slegs erwe 126, 127 en 128 in die dorp raak:

- (a) Onderhewig aan 'n serwituit van 'n perderylaan 10 meter wyd aangetoom deur die figuur CDEFc op kaart SG Nr. A8836/1985 ten gunste van die WESTELIKE METROPOLITAANSE SUBSTRUKTUUR.
- (b) Sodanige serwituit sal deur die geregistreerde eienaar van die gedeelte omhein en Oonderhou word tot die bevrediging van die plaaslike owerheid."

### 1.6 Samestelling en pligte van die Huisseenaars Assosiasie

- 1.6.1 Die applikant sal 'n Huisseenaars Assosiasie, oordentelik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelyktydig met die verkoop van die eerste erf in die dorp.
- 1.6.2 Erf 132 (Toegang) moet in die naam van die Huisseenaars Assosiasie geregistreer word.
- 1.6.3 Een en elk eienaar van erwe 123 - 131 moet lid word van die Huisseenaars Assosiasie op oordrag van die erwe. Die Huisseenaars Assosiasie het volle verantwoordelikheid vir Erf 132 vir die essensiele dienste (uitgesluit dienste wat deur die plaaslike bestuur oorgeneem word) wat binne die erf lê.
- 1.6.4 Die Huisseenaars 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.

- 1.6.5 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.
- 1.6.6 A serwituut vir munisipale dienste moet oor erf 132, ten gunste van, en tot bevrediging van die plaaslike bestuur, geregistreer word.
- 1.6.7 Toegang van erwe 123 - 131 na 'n publieke straat moet oor Erf 132 wees.
- 1.6.8 Die plaaslike bestuur moet ten alle tye tot onbepertke toegang oor Erf 132 beskik.

## 1.7 Toegang

Geen ingang van Pad P126-1(K72) tot die dorp en uitgang tot Pad P126-1 (K72) uit die dorp sal toegelaat word nie.

## 1.8 Ontvangs en versorging van stormwater

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van Pad P126-1 (K72) en moet die stormwater wat van die pad afloop of afgelei word, ontvang en versorg.

## 1.9 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 Provinsiale 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

## 1.10 Verwydering van rommel

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

## 1.11 Verskuiwing 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.

## 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 is onderworpe aan die voorwaardes soos aangedui:

- 2.1.1 Die erwe is onderworpe aan 'n serwituut 2 meter breed vir riolerings- en ander munisipale doeleindes en ten gunste van die plaaslike bestuur 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 plaaslike bestuur : Met dien verstande dat die plaaslike bestuur van 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 van sodanige serwituut 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 rioolhoofpyleidings en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut 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 rioolhoofpyleidings en ander werke veroorsaak word.

## LOCAL AUTHORITY NOTICE 1186

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 Ruimsig Extension 34 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 BOTHENBACH PROPERTY INVESTMENT PTY LIMITED (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 188 OF THE FARM RUIMSIG 265, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.

#### 1 Conditions of establishment

##### 1.1 Name

The name of the township shall be Ruimsig Extension 34.

##### 1.2 Design

The township shall consist of erven as indicated on General Plan S.G.No.2097/2002.

##### 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) pay a lump sum endowment of R10 000,00 to the local authority for the provision of land for a park (public open space).

#### 1.5 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:

1.5.1 the following condition which shall not be passed on to the erven in the township:

Title Deed T 000006911/2001 condition:

"A. Gedeelte 8 ('n gedeelte van gedeelte 5) van die plaas ROODEPKRANS 183, Registrasie Afdeling I.Q., Transvaal, (waarvan die eiendom hiermee getransporeer 'n deel uitmaak) is onderhewig aan die volgende voorwaardes:

"The owner of the land hereby transferred is specially entitled to a right of way by the existing road over Portion "C" of the said farm in extent 386,0918 hectares as transferred to JOHANNES JACOBUS RABIE VAN DER LINDE by Partition Title No 4637/1911 to the remaining extent of a portion of the said farm, measuring as such 8,5596 hectares and held by ERASMUS ALBERTUS LABUSCHAGNE JOHANNES STEPHANUS MARAIS AND JOHANNES JACOBUS RABIE VAN DER LINDE under Deeds of Transfer No 1590/1903 dated the 18<sup>th</sup> February 1903. No 3549/1908 dated the 23<sup>rd</sup> June 1908 and No 2205/1906 dated the 17<sup>th</sup> March 1906 respectively and which road is shown on the diagram annexed to the said Partition Title No 4636/1911; the said right of way not to interfere with the right of the owner of the servient tenement to fence in his land provided gates are placed on the said road; Subject to a right of way by the existing road as shown on the diagram annexed to the said Partition Title No 4636/1911 in favour of the owner of Portion "A" of the said farm, in extent 386,0918 hectares transferred to ERASMUS ALBERTUS LABUSCHAGNE by Partition Title No 4635/1911, from his homestead to the aforesaid remaining extent, measuring as such 8,5596 hectares as more fully described in the Partition Title.

1.5.2 The following condition in Deed of Transfer T 000006911/2001 which condition affects erven 126, 127 and 128 in the township only:

"(a) Onderhewig aan 'n servituut van 'n perderylaan 10 meter wyd aangetoom deur die figuur CDEFK op kaart SG Nr. A8836/1985 ten gunste van die WESTELIKE METROPOLITAANSE SUBSTRUKTUUR.

(b) Sodanige servituut sal deur die geregistreerde eienar van die gedeelte omhein en Onderhou word tot die bevrediging van die plaaslike owerheid."

**1.6 Formation and duties of Resident's Association**

- 1.6.1 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.
- 1.6.2 Erf 132 (Access) shall be registered in the name of the Resident's Association.
- 1.6.3 Each and every owner of Erven 123 - 131 shall become a member of the Resident's Association upon transfer of the erf. Such Association shall have full responsibility for Erf 132 for the essential services (excluding services taken over by the local authority) contained herein.
- 1.6.4 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.
- 1.6.5 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.
- 1.6.6 A servitude for municipal services shall be registered over Erf 132 in favour of, and to the satisfaction of the local authority.
- 1.6.7 Access from Erven 123 - 131 to a public road shall be across Erf 132.
- 1.6.9 The local authority shall have unrestricted access to Erf 132 at all times.

**1.7 Access**

No ingress from Road P126-1 (K72) to the township and no egress to Road P126-1 (K72) from the township shall be allowed.

**1.8 Acceptance and disposal of storm water**

The township owner shall arrange for the drainage of the township to fit in with that of Road P126-1 (K72) and for all storm water running off or being diverted from the road to be received or disposed of.

**1.9 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 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.

**1.10 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.

**1.11 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)**

All erven mentioned hereunder 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.

**LOCAL AUTHORITY NOTICE 1187**

**ROODEPOORT TOWN PLANNING SCHEME, 1987: AMENDMENT SCHEME 05-0359**

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 Ruimsig Extension 34, 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, 8<sup>th</sup> Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 23 June 2003.

This amendment is known as the Roodepoort Amendment Scheme 05-0359.

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

**PLAASLIKE BESTUURSKENNISGEWING 1187**

**ROODEPOORT DORPSBEPLANNINGSKEMA, 1987: WYSIGINGSKEMA 05-0359**

Johannesburg Stad, (vroëer Westelike 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 Roodepoort Dorpsbeplanningskema, 1987, wat uit die selfde grond as die dorp Ruimsig Uitbreiding 34 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 23 June 2003.

Hierdie wysiging staan bekend as die Roodepoort Wysigingskema 05-0359.

**A NAIR: UITVOERENDE DIREKTEUR: ONTWIKKELINGS BEPLANNING, VERVOER EN OMGEWING  
STAD VAN JOHANNESBURG**

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**HENNIE MALAN**

Director: Financial Management  
 Office of the Premier (Gauteng)

