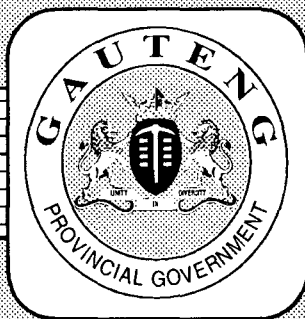


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Vol. 9

PRETORIA, 24 NOVEMBER 2003

No. 508

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2463

EKURHULENI METROPOLITAN MUNICIPALITY PROPOSED HUGHES EXTENSION 53 TOWNSHIP:

DECLARATION AS AN APPROVED TOWNSHIP AND AMENDMENT OF THE BOKSBURG TOWN PLANNING SCHEME, 1991

In terms of the provisions of section 103(1) of the Town-planning and Townships Ordinance, 1986 the Ekurhuleni Metropolitan Municipality hereby declares Hughes Extension 53 township, situated on Portion 153 (a portion of Portion 5) of the farm Driefontein 85 IR, to be an approved township, subject to the conditions as set out in the schedule hereto.

SCHEDULE

Conditions under which the application made by PARKFAIR CENTRE (ATHLONE) (PROPRIETARY) LIMITED in terms of the provisions of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) for permission to establish a township on Portion 153 (a portion of Portion 5) of the farm Driefontein 85 IR, has been approved.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Hughes Extension 53.

1.2 DESIGN

The township shall consist of the erven and the streets as indicated on General Plan S.G. No. 9909/2000.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be subject to existing conditions of title and servitudes, if any, including the reservation of rights to minerals, but excluding the following servitudes, which affect a street in the township only:-

- (i) a public right-of-way servitude, 12,59 metres wide, along the side CD as indicated on diagram S.G. No. A3102/21 annexed to Deed of Grant 158/1934;
- (ii) a right-of-way servitude for purposes of laying and maintaining a pipeline in favour of Rand Mines Limited as indicated on diagram S.G. No. A3102/21 and Notarial Deed of Agreement No. 29/1922S as amended by Notarial Deed of Agreement No. 820/26S (see diagram S.G. No. A3603/1926); and
- (iii) a perpetual servitude of right-of-way, 9,45 metres wide, in favour of the Government as more fully set out in Notarial Deed of Servitude No. 674/1943S (and also vide diagram S.G. No. A2736/1942).

1.4 ENDOWMENTS

The township owner shall, in terms of the provisions of section 98(2) and (3) of the Town-planning and Townships Ordinance, 1986 pay to the local authority in cash a lump sum endowment of R591 621,73 (VAT inclusive) which amount shall be used by the local authority for the provision of roads and/or storm-water drainage systems in or for the township and pay to the local authority in cash a lump sum endowment of R25 000,00 which amount shall be used for the provision of a traffic light for the township.

Such endowments are payable in accordance with the provisions of section 81 read with section 95 of the said ordinance.

1.5 OBLIGATIONS IN REGARD TO ENGINEERING SERVICES

The township owner shall within such period as the local authority may determine, fulfill its obligations in respect of the provision and the installation of engineering services as previously agreed upon between the township owner and the local authority.

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall, at its own expense, cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the

satisfaction of the local authority, within a period of six (6) months from the date of publication of this notice.

1.7 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

1.8 ACCESS

No ingress from North Rand Road to Erf 312 in the township and no egress from Erf 312 in the township to North Rand Road shall be allowed.

No ingress from North Rand Road or Herman Pieters Street to Erf 313 in the township and no egress from Erf 313 in the township shall be allowed to North Rand Road or over the splay-corner of the said erf.

For a distance of 50m measured in a northerly direction from the northern point of the splay-corner of Erf 313 in the township:-

- (1) no ingress to Erf 313 in the township from Herman Pieters Street; and
- (2) no egress from Erf 313 in the township to Herman Pieters Street shall be allowed.

2. CONDITIONS OF TITLE

The erven in the township shall be subject to the following conditions imposed by the local authority in terms of the provisions of the Town-planning and Townships Ordinance, 1986:-

2.1 ALL ERVEN

- (a) The erf is subject to a servitude, 2m 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, 2m wide, across the access portion of the erf when required by the local authority: Provided that the local authority 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 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 works as it, in its discretion, may deem necessary, and shall further be entitled to reasonable access to the said land for the aforesaid purposes, 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.

The Ekurhuleni Metropolitan Municipality hereby in terms of the provisions of section 125(1) of the Town-planning and Townships Ordinance, 1986, declares that it has adopted an amendment scheme being an amendment to the Boksburg Town Planning Scheme, 1991 relating to the land included in Hughes Extension 53 township. A copy of the said town-planning scheme as adopted is open for inspection at all reasonable times at the office of the Executive Director: Development Planning: Civic Centre, Boksburg and the office of the Head of Department, Department Development Planning and Local Government, Gauteng Provincial Government, Johannesburg. The said amendment scheme is known as Boksburg Amendment Scheme 1029.

PAUL MAVI MASEKO
CITY MANAGER
CIVIC CENTRE
BOKSBURG
NOTICE NO. 163/2003
24 NOVEMBER 2003
14/21/1/1029
14/19/3/H1/53 (TN)

PLAASLIKE BESTUURSKENNISGEWING 2463

EKURHULENI METROPOLITAANSE MUNISIPALITEIT
VOORGESTELDE DORP HUGHES UITBREIDING 53:
VERKLARING TOT GOEDGEKEURDE DORP EN WYSIGING VAN DIE BOKSBURG
DORPSBEPLANNINGSKEMA, 1991

Ingevolge die bepalings van artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 verklaar die Ekurhuleni Metropolitaanse Munisipaliteit hierby die dorp Hughes Uitbreiding 53, geleë op Gedeelte 153 ('n gedeelte van Gedeelte 5) van die plaas Driefontein 85 IR, tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

Voorwaardes waarop die aansoek gedoen deur PARKFAIR CENTRE (ATHLONE) (PROPRIETARY) LIMITED ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) om toestemming om 'n dorp op Gedeelte 153 ('n gedeelte van Gedeelte 5) van die plaas Driefontein 85 IR, te stig, toegestaan is.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Hughes Uitbreiding 53.

1.2 ONTWERP

Die dorp bestaan uit die erwe en die strate soos aangedui op Algemene Plan L.G. nr 9909/2000.

1.3 BESIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe sal onderworpe gemaak word aan bestaande titelvoorwaardes en serwitute, indien enige, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd, die volgende serwitute wat 'n straat in die dorp raak:-

- (i) 'n openbare reg-van-weg, 12,59 meters wyd, langs die sy CD soos aangedui op diagram S.G. nr. A3102/21 aangeheg by Grondbrief 158/1934;
- (ii) 'n reg-van-weg serwituit vir doeleindes van die lê en instandhouding van 'n pyplyn, ten gunste van Rand Mines Limited soos aangedui op diagram S.G. nr. A3102/21 en Notariële Akte van Ooreenkoms nr. 29/1922S, soos gewysig deur Notariële Akte van Ooreenkoms nr. 820/1926S (kyk diagram S.G. nr. A3603/1926); en
- (iii) 'n ewigdurende serwituit van reg-van-weg, 9,45 meters wyd, ten gunste van die Regering soos meer volledig sal blyk uit Notariële Akte van Serwituit nr. 674/1943S en diagram S.G. nr. A2736/1942.

1.4 BEGIFTIGINGS

Die dorpseienaar moet ingevolge die bepalings van artikel 92(2) en (3) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 aan die plaaslike bestuur as begiftiging 'n globale bedrag van R591 621,73 (BTW ingesluit) in kontant betaal welke bedrag deur die plaaslike bestuur aangewend moet word vir die bou van strate en/of stormwaterdreineringsstelsels in of vir die dorp en aan die plaaslike bestuur as begiftiging 'n globale bedrag van R25 000,00 in kontant betaal welke bedrag deur die plaaslike bestuur aangewend moet word vir die voorsiening van 'n verkeerslig vir die dorp.

Sodanige begiftigings is betaalbaar kragtens die bepalings van artikel 81 gelees met artikel 95 van die gemelde ordonnansie.

1.5 VERPLIGTINGE MET BETREKKING TOT INGENIEURSDIENSTE

Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening en installering van ingenieursdienste soos reeds ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom.

1.6 SLOPING VAN GEBOUE OF STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne die boulynreserwes, kantruimtes, of oor gemeenskaplike grense geleë is, tot bevrediging van die plaaslike bestuur sloop, binne 'n tydperk van ses (6) maande vanaf die datum van publikasie van hierdie kennisgewing.

1.7 VERWYDERING OF VERVANGING VAN MUNISIPALE DIENSTE

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 dorpseienaar gedra word.

1.8 TOEGANG

Geen toegang vanaf Noordrandweg na Erf 312 in die dorp en geen uitgang vanaf Erf 312 in die dorp na Noordrandweg word toegelaat nie.

Geen toegang vanaf Noordrandweg of Herman Pietersstraat na Erf 313 in die dorp en geen uitgang vanaf Erf 313 in die dorp word na Noordrandweg of oor die afskuinsing van die erf toegelaat nie.

Vir 'n afstand van 50m gemeet in 'n noordelike rigting vanaf die noordelike punt van die afskuinsing van Erf 313 in die dorp:-

- (1) word geen toegang na Erf 313 in die dorp vanaf Herman Pietersstraat; en
- (2) word geen uitgang vanaf Erf 313 in die dorp na Herman Pietersstraat toegelaat nie.

2. TITELVOORWAARDES

2.1 ALLE ERWE

- (a) Die erf is onderworpe aan 'n serwituut, 2 m breed, vir riolering en ander munisipale doeleindes, 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 m breed, oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- (b) Geen gebou of ander struktuur mag binne die voormelde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.
- (c) 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 goeiddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voormelde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot gemelde grond vir die voormelde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke veroorsaak word.

Die Ekurhuleni Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysiging van die Boksburg Dorpsbeplanningskema, 1991 wat betrekking het op die grond ingesluit in die dorp Hughes Uitbreiding 53 aanvaar het. 'n Afskrif van die gemelde dorpsbeplanningskema soos aanvaar, lê te alle redelike tye ter insae in die kantoor van die Uitvoerende Direkteur: Stedelike Beplanning, Burgersentrum, Boksburg en die kantoor van die Hoof van Departement, Departement Ontwikkelingsbeplanning en Plaaslike Regering, Gauteng Provinsiale Regering, Johannesburg. Die gemelde wysigingskema staan bekend as Boksburg wysigingskema 1029.

PAUL MAVI MASEKO
STADSBESTUURDER
 BURGERSENTRUM
 BOKSBURG
 KENNISGEWING NR. 163/2003
 24 NOVEMBER 2003
 14/21/1/1029
 14/19/3/H1/53 (TN)

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HENNIE MALAN

Director: Financial Management
 Office of the Premier (Gauteng)

