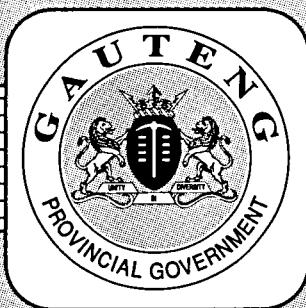


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
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Provincial Gazette Extraordinary Buitengewone Provinciale Koerant

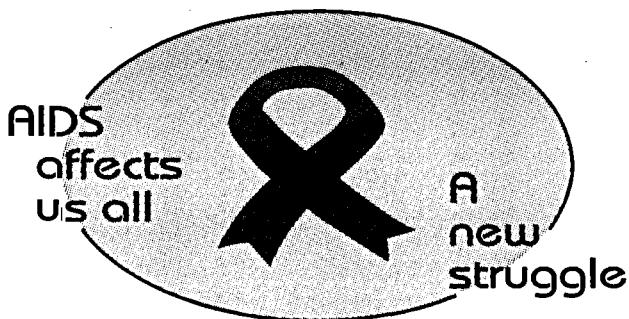
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PRETORIA, 5 MAY 2004

No. 163

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 756

EKURHULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 15 of 1986, the Ekurhuleni Metropolitan Municipality hereby declares Bardene Extension 45 Township to be an approved township subject to the conditions set out in the schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY FREDERICK JOHANNES DE JAGER (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 738 OF THE FARM KLIPFONTEIN 83 IR HAS BEEN GRANTED:

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be "Bardene Extension 45".

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No. 9539/2002.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be subject to existing conditions and servitudes, if any, including the reservation of rights to minerals.

1.4 ENDOWMENT

The township owner shall, in terms of Section 98(2) and (3) of the Town Planning and Townships Ordinance, 1986, pay to the local authority an amount of R20 160,00, which amount shall be used by the local authority for the provision of parks and / or open spaces.

Such endowment is payable in terms of the provisions of Section 81 of the said ordinance, read with Section 95 thereof.

1.5 ACCESS

Access to and exit from Erven 1146, 1148, 1149 and 1162 shall be to the satisfaction of the City Engineer.

Ingress to the remainder of the township and egress from the remainder of the township shall be restricted to three ingress and egress points along Sabie Road, via Erven 1163, 1164 and 1165 respectively.

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated in the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

1.7 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

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

1.8 OBLIGATIONS WITH REGARD TO ESSENTIAL ENGINEERING SERVICES

The township owner shall within such period as the local authority may determine, fulfil his obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as well as

the construction of the roads and stormwater drainage system as previously agreed upon between the township owner and the local authority.

1.9 LAND FOR MUNICIPAL PURPOSES

Erf 1147 shall be transferred to the local authority by and at the cost of the township owner within a period of six (6) months from the date of declaration of this township as an approved township.

2. CONDITIONS OF TITLE

The erven 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 EXCEPT ERVEN 1163, 1164 AND 1165 (PRIVATE ROADS) AND ERF 1147 (MUNICIPAL ERF)

- 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 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.
- d. As the erf forms part of land which may be subjected to noise pollution and noise related to airport activities, present or future, in the vicinity thereof, the owner thereof accepts all liabilities for any inconvenience which may be experienced as a result of such airport related activities and / or noise.
- e. As the erf forms part of land which may be subjected to flooding and associated damage, the owner thereof accepts all liability for any such damage which may arise as a result of such flooding.

2.2 ALL ERVEN EXCEPT ERVEN 1146, 1148, 1149 AND 1162 TO 1165 (PRIVATE ROADS) AND ERF 1147 (MUNICIPAL ERF)

The erf may not be transferred without the prior written consent of the Section 21 company, or the universitas personarum (Home Owner's Association).

2.3 ERVEN 1150, 1151, 1152 AND 1153

The erf is entitled to a right-of-way servitude over Erf 1165 (Private Road) in the township.

2.4 ERVEN 1154, 1155, 1156 AND 1157

The erf is entitled to a right-of-way servitude over Erf 1164 (Private Road) in the township.

2.5 ERVEN 1158, 1159, 1160 AND 1161

The erf is entitled to a right-of-way servitude over 1163 (Private Road) in the township.

2.6 ERVEN 1163, 1164, AND 1165

(a) Erf 1163

The erf is subject to a right-of-way servitude in favour of 1158, 1159, 1160 and 1161.

(b) ERF 1164

The erf is subject to a right-of-way servitude in favour of 1154, 1155, 1156 and 1157.

(c) ERF 1165

The erf is subject to a right-of-way servitude in favour of 1150, 1151, 1152 and 1153.

2.7 ERVEN 1163, 1164 AND 1165 (PRIVATE ROADS)

The entire erf is subject to a servitude for sewerage, water reticulation, electrical purposes (excluding street lights) and other municipal purposes in favour of the local authority.

2.8 ERVEN 1164 AND 1156

The erf is subject to a servitude 2 metres wide all along and parallel to the northern boundary of Erf 1164 and all along and parallel to the southern boundary of Erf 1156, for stormwater drainage purposes in favour of the local authority as indicated on the General Plan.

PLAASLIKE BESTUURSKENNISGEWING 756**EKURHULENI METROPOLITAANSE MUNISIPALITEIT****VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986, verklaar die Ekurhuleni Metropolitaanse Munisipaliteit dat die dorp Bardene Uitbreiding 45 tot 'n goedgekeurde dorp verklaar onderworpe aan die voorwaardes soos in die bygaande Bylae uiteengesit.

BYLAE

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEEN DEUR FREDERICK JOHANNES DE JAGER (HIERNA DIE AANSOEKDOENER) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 15 VAN 1986, OM TOESTEMMING OM 'N DORP OP GEDEELTE 738 VAN DIE PLAAS KLIPPONTEIN 83 IR TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is "Bardene Uitbreiding 45".

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No. 9539/2002.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale.

1.4 BEGIFTIGING

Die dorpseienaar sal, in terme van Artikel 98(2) en (3) van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986, 'n bedrag van R20160.00 aan die plaaslike owerheid betaal, welke bedrag deur die plaaslike owerheid aangewend sal word vir die voorsiening van of parke en/of oop ruimte.

Sodanige begiftiging is betaalbaar in terme van die voorskrifte van Artikel 81 van gesegde Ordonnansie, gelees tesame met Artikel 95 daarvan.

1.5 TOEGANG

Toegang tot en uitgang van Erwe 1146, 1148, 1149 en 1162 moet tot bevrediging van die Stadsingenieur geskied.

Ingang tot die restant van die dorp en uitgang van die restant van die dorp, sal beperk word tot drie ingang en uitgangs punte langs Sabie weg, via Erwe 1163, 1164 en 1165 respektiewelik.

1.6 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar sal op eie koste alle bestaande geboue en strukture geleë in die boulyn beperkingsgebied, sy-spasies of oor gemeenskaplike grense, sloop tot die bevrediging van die plaaslike owerheid, wanneer versoek word deur die plaaslike owerheid.

1.7 VERSKUIWING OF DIE VERVANGING VAN MUNISIPALE DIENSTE

Indien dit vir enige rede, as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of vervang, moet die koste daarvan deur die dorpseienaar gedra word.

1.8 VERPLIGTINGE VAN TOEPASSING OP NOODSAAKLIKE INGENIEURSDIENSTE

Die dorpseienaar sal, binne die periode soos bepaal deur die plaaslike owerheid, sy verpligting nakom ten opsigte van die voorsiening van water, elektrisiteit, en sanitere dienste en die installasie van stelsels daarvan, sowel as die konstruksie van die paaie en stormwaterdreinering stelsel, soos ooreengekom tussen die dorpseienaar en die plaaslike owerheid.

1.9 GROND VIR MUNISIPALE DOELEINDES

Erf 1147 sal aan die plaaslike owerheid oorgedra word op die koste van die dorpseienaar binne 'n tydperk van ses (6) maande vanaf datum van verklaring van huidige dorp as 'n goedgekeurde dorp.

2. TITELVOORWAARDES

Die erwe sal onderhewig wees aan die volgende voorwaardes opgehef deur die plaaslike owerheid in terme van die voorskrifte van die Ordonnansie op Dorpsbelanning en Dorpe, 15 van 1986.

2.1 ALLE ERWE, BEHALWE ERWE 1163, 1164 EN 1165 (PRIVATE PAAIE) EN ERF 1147 (MUNISIPALE ERF)

- a. Die erf is onderworpe aan 'n serwituit 2 m breed, vir riool – en ander munisipale doeleinades, ten gunste van die Raad, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituit vir munisipale doeleinades 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 serwituit mag afsien.
- b. Geen geboue of ander struktuur mag binne die voorgenomeerde serwituitgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituit 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 rioolhoofpypleidings en ander werke wat hy volgens goeddunke noodsaklik ag, tydelik te plaas op die grond wat aan die voornoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rioolhoofpypleidings en ander werke veroorsaak word.
- d. Aangesien die erf deel vorm van grond wat onderhewig mag wees aan geraas besoedeling en geraas as gevolg van lughawe bedrywighede, huidiglik of in die toekoms, in die omgewing daarvan, aanvaar die eienaar daarvan alle aanspreeklikheid vir enige ongerief wat ondervind mag word as gevolg van sodanige lughawe aanverwante bedrywighede en/of geraas.

- e. Aangesien die erf deel is van grond wat onderhewig mag wees aan vloede en aanverwante skade, aanvaar die eienaar alle aanspreeklikheid vir enige sodanige skade wat mag voortvloeи as gevolg van sodanige vloede.

2.2 ALLE ERWE BEHALWE ERWE 1146, 1148 EN 1162 TOT 1165 (PRIVAAT PAAIE) EN ERF 1147 (MUNISIPALE ERF)

Die erf mag nie oorgedra word sonder die voorafverkreeи toestemming van die Artikel 21 maatskappy, of die universitas personarum (Home Owners' Association).

2.3 ERWE 1150, 1151, 1152 & 1153

Die erf is geregtig tot 'n reg-van-weg serwituit oor Erf 1165 (privaatpad) in die dorp.

2.4 ERWE 1154, 1155, 1156 EN 1157

Die erf is geregtig tot 'n reg-van-weg serwituit oor Erf 1164 (privaatpad) in die dorp.

2.5 ERWE 1158, 1159, 1160 EN 1161

Die erf is geregtig tot 'n reg-van-weg serwituit oor Erf 1163 (privaatpad) in die dorp.

2.6 ERWE 1163, 1164 EN 1165

(a) ERF 1163

Die erf is onderworpe aan 'n reg-van-weg serwituit ten gunste van 1158, 1159, 1160 en 1161.

(b) ERF 1164

Die erf is onderworpe aan 'n reg-van-weg serwituit ten gunste van 1154, 1155, 1156 en 1157.

(c) ERF 1165

Die erf is onderworpe aan 'n reg-van-weg serwituit ten gunste van 1150, 1151, 1152 en 1153.

2.7 ERWE 1163, 1164 EN 1165 (PRIVATE PAAIE)

Die hele erf is onderhewig aan 'n serwituit vir riool, water verspreiding netwerk, elektriese doeleindestes (uitgesluit straatligte) en ander munisipale doeleindestes ten gunste van die Raad.

2.8 ERWE 1164 EN 1156

Die erf is onderhewig aan 'n serwituit 2 meter wyd langs en parallel met die noordelike grens van Erf 1164 en al langs en parallel met die suidelike grens van Erf 1165, vir stormwaterreinigerings doeleindestes ten gunste van die Raad, soos aangedui op die Algemene Plan.

LOCAL AUTHORITY NOTICE 757**EKURHULENI METROPOLITAN MUNICIPALITY****BOKSBURG AMENDMENT SCHEME 1102**

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 of the Boksburg Town Planning Scheme, 1991, comprising the same land as included in the township of Bardene Extension 45.

Map 3 and the Scheme Clauses of the Amendment Scheme are filed with the Executive Director: Development Planning, fifth floor, Boksburg Civic Centre, c/o Trichardts and Commissioner Streets, Boksburg, and are open for inspection at all reasonable times.

This amendment is known as Boksburg Amendment Scheme 1102.

Paul Maseko
City Manager
Civic Centre, Cross Street, Germiston
Date:
Notice Number:

PLAASLIKE BESTUURSKENNISGEWING 757**EKURHULENI METROPOLITAANSE MUNISPALETEIT****BOKSBURG WYSIGINGSKEMA 1102**

Die Ekurhuleni Metropolitaanse Munisipaleiteit 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 Boksburg Dorpsbeplanningskema, 1991, wat uit dieselfde grond as die dorp Bardene Uitbreiding 45 bestaan, goedkeur het.

Kaart 3 en die Skemaklousules van die Wysigingskema wordvir bewaring gehou by die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Vyfde vloer, h/v Trichardtstraat en Commissionerstraat, Boksburg, en is te alle redelike tye ter insae beskikbaar.

Hierdie wysiging staan bekend as Boksburg Wysigingskema 1102.

Paul Maseko
Stadsbestuurder
Burgersentrum, Crossstraat, Germiston
Datum:
Kennisgewingnommer:
