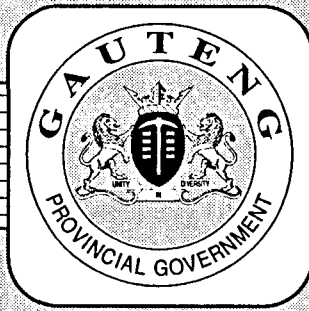


*THE PROVINCE OF
GAUTENG*



*DIE PROVINSIE
GAUTENG*

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

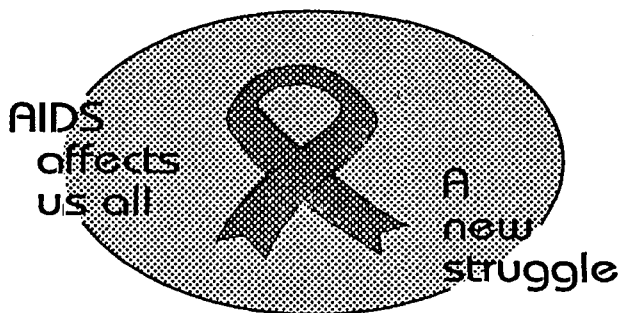
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Vol. 10

PRETORIA, 27 AUGUST
AUGUSTUS 2004

No. 349

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1777

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI SERVICE DELIVERY CENTRE)

DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the Ekurhuleni Metropolitan Municipality (Benoni Service Delivery Centre) hereby declares **Rynfield Extension 47** to be an approved township, subject to the conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY AVILION ESTATES CC (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 197 OF THE FARM VLAKFONTEIN 69 I.R., GAUTENG PROVINCE, HAS BEEN GRANTED

A. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be **Rynfield Extension 47**.

(2) DESIGN

The township shall consist of erven and streets as indicated on General Plan No. 6665/2002.

(3) 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.

(4) STORMWATER DRAINAGE AND STREET CONSTRUCTION

(a) The township owner shall, on request by the Executive Director: Roads, Transport and Civil Works, submit for his approval a detailed scheme complete with plans, sections and specifications, prepared by a professional Engineer, who shall be a member of the South African Association of Consulting Engineers or SABTACO, for the collection and disposal of stormwater throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Executive Director: Roads, Transport and Civil Works. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.

(b) The township owner shall, when required to do so by the Executive Director: Roads, Transport and Civil Works, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the Executive Director: Roads, Transport and Civil Works under the supervision of the appointed Professional Engineer and shall, for this purpose, provide financial guarantees to the Local Authority as determined by it.

(c) The township owner shall be responsible for the maintenance of the streets and stormwater drainage system to the satisfaction of the Executive Director: Roads, Transport and Civil Works until the streets and stormwater drainage system have been constructed as set out in sub-clause (b) above.

(d) Should the township owner fails to comply with the Local Authority provisions of (a), (b) and (c) hereof, the Local Authority shall be entitled to do the work at the cost of the township owner.

(5) ENDOWMENT

The township owner shall, in terms of section 98 (2) and (3) of the Town-planning and Townships Ordinance, 1986, pay an lump sum endowment to the Local Authority for the provision of land for a park (public open space).

(6) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the Local Authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefor, as previously agreed upon between the township owner and the Local Authority.

(7) SOIL CONDITIONS

(a) Proposals to overcome detrimental soil conditions to the satisfaction of the Local Authority shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

(b) If required, a soil report, drawn up by a qualified person acceptable to the Local Authority indicating the soil conditions of the erf and recommendations as to suitable founding methods and depths shall be submitted to the Local Authority simultaneously with the submission of building plans prior to the commencement of any building operations on the erf.

(8) SPECIAL CONDITIONS

(a) The township owner shall ensure that a legal body, "Home Owners Association", is established in terms of section 21 of the Companies Act, No. 61 of 1973.

(b) The said "Home Owners Association" shall be in addition to such other responsibilities as may be determined by the township owner, also be responsible for the maintenance of the intercom and access control on Erf 2907.

(c) The township owner shall ensure that a servitude of right of way, for municipal services, is registered over the whole of Erf 2907 in favour of the Local Authority.

B. CONDITIONS OF TITLE

(1) All 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, No. 15 of 1986.

(a) The erf is subject to a servitude, 2 m 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 m 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.

(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 2 m 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 purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains or other works being made good by the Local Authority.

(d) The registered owner of an erf shall, by virtue of such ownership, be a member of an Association, incorporated in terms of section 21 of the Companies Act, No. 61 of 1973, in accordance with the conditions of establishment for Raynfield Extension 45 Township.

(2) All erven shall be made subject to the existing conditions and servitudes including the rights to minerals.

(3) Erf 2907, shall be registered in the name of the Association mentioned in A (8) above, shall be subject to a servitude in favour of the Local Authority for any municipal services, as well as for emergency services.

(4) All erven shall be made subject to existing conditions and servitudes shown on the General Plan.

(5) Where, in the opinion of the Local Authority, it is impracticable for stormwater to be drained from higher-lying erven directly to a public street, the owner of the lower-lying erf shall be obliged to accept and/or permit the passage over the erf of such stormwater: Provided that the owners of any higher-lying erven, the stormwater from which is discharged over any lower-lying erf, shall be liable to pay an proportionate share of the cost of any pipeline or drain which the owner of such lower-lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.

P. I. MASEKO, City Manager

Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Private Bag X1069, Germiston, 1400.

27 August 2004

Notice No. 201/2004

**LOCAL AUTHORITY NOTICE 1778
GERMISTON AMENDMENT SCHEME 546**

The Administrator hereby, in terms of the provisions of Section 89(1) of the Town-planning and Townships Ordinance, 1965, declares that he approved an amendment scheme, being an amendment of Germiston Town-planning Scheme 1985, comprising the same land as included in the township of Wadeville Extension 34.

Map 3 and the scheme clauses of the amendment scheme are filed with the Gauteng Provincial Government, (Department of Development Planning and Local Government), Johannesburg, and the Town Clerk Germiston, and are open for inspection at all reasonable times

The amendment is known as Germiston Amendment Scheme 546.

GO 15/16/3/1H/546

**PLAASLIKE BESTUURSKENNISGEWING 1778
GERMISTON WYSIGINGSKEMA 546**

Die Administrateur verklaar hierby, ingevolge die bepalings van Artikel 89(1) van die Ordothansie op Dorpsbeplanning en Dorpe, 1965, dat hy 'n wysigingskema, synde 'n wysiging van Germiston Dorpsbeplanningskema 1985, wat uit dieselfde grond as die dorp Wadeville Uitbreiding 34 bestaan, goedgekeur het.

Kaart 3 en die skemaklausules van die wysigingskema word in bewaring gehou deur die Gauteng Provinsiale Regering, (Departement van Ontwikkelingsbeplanning en Plaaslike Regering), Johannesburg, en die Stadsklerk Germiston, en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Germiston Wysigingskema 546.

GO 15/16/3/1H/546

LOCAL AUTHORITY NOTICE 1779**DECLARATION AS APPROVED TOWNSHIP**

In terms of section 69 of the Town-planning and Townships Ordinance, 1965 (Ordinance 25 of 1965), the Administrator hereby declares Wadeville Extension 4 township to be an approved township subject to the conditions set out in the Schedule hereto.

GO 15/3/2/1/10

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MAXIMPROPS 26 (PROPRIETARY) LIMITED UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1965, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 75 OF THE FARM ROODEKOP NO. 139-I.R., PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**(1) NAME**

The name of the township shall be Wadeville Extension 34.

(2) DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No. A 1324/1994.

(3) STORMWATER DRAINAGE AND STREET CONSTRUCTION

- (a) The township owner shall on request by the local authority submit to such authority for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the local authority, for the collection and disposal of stormwater throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the local authority.

Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.

- (b) The township owner shall, when required by the local authority to do so, carry out the approved scheme at its own expense on behalf and to the satisfaction of the local authority under the supervision of a civil engineer approved by the local authority.
- (c) The township owner shall be responsible for the maintenance of the streets to the satisfaction of the local authority until the streets have been constructed as set out in subclause (b).
- (d) If the township owner fails to comply with the provisions of paragraphs (a), (b) and (c) hereof the local authority shall be entitled to do the work at the cost of the township owner.

(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-

- (a) the following servitude which affects Erf 730 and a street in the township only:

“Subject to the right in favour of the VICTORIA FALLS AND TRANSVAAL POWER COMPANY, LIMITED, to convey electricity over the property hereby transferred, together with ancillary rights, and subject to conditions as will more fully appear from Notarial Deed No. 377/43S registered on the 23rd day of July, 1943, the centre line of which servitude is represented by the figure a b c on Diagram S.G. No. A 8924/73, hereunto annexed.”

- (b) the following right which shall not be passed on to the erven in the township:

“The owner of this Holding shall be entitled to use any water on Holding No. 3 for drinking purposes or watering her stock.”

(5) PRECAUTIONARY MEASURES

The township owner shall at his own expense, make arrangements with the local authority in order to ensure that -

- (a) water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen; and
- (b) trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than

150 mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.

(6) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the local authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the local authority.

3. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions as indicated, imposed by the Administrator in terms of the provisions of the Town-planning and Townships Ordinance, 1965.

(1) ALL ERVEN

- (a) The erf is subject to a servitude, 2 m 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 pathhandle erf, an additional servitude for municipal purposes 2 m 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.
- (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 2 m 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 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) ERF 730

The erf is subject to a servitude for transformer / substation purposes in favour of the local authority, as indicated on the general plan.

(3) ERF 730

The erf is subject to a servitude for road purposes in favour of the local authority, as indicated on the general plan. On submission of a certificate from the local authority to the Registrar of Deeds stating that the servitude is no longer required, this condition shall lapse.

PLAASLIKE BESTUURSKENNISGEWING 1779**VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge Artikel 69 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965 (Ordonnansie 25 van 1965), verklaar die Administrateur hierby die dorp Wadeville Uitbreiding 34 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

GO 15/3/2/1/10

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR MAXIMPROPS 26 (PROPRIETARY) LIMITED INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1965, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 75 VAN DIE PLAAS ROODEKOP NO. 139-IR., PROVINSIE GAUTENG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is Wadeville Uitbreiding 34.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. A1324/1994.

(3) STORMWATERDREINERING EN STRAATBOU

- (a) Die dorpseienaar moet op versoek van die plaaslike bestuur aan sodanige bestuur 'n gedetailleerde skema, volledig met planne, deursnee en spesifikasies, opgestel deur 'n siviele ingenieur wat deur die plaaslike bestuur goedgekeur is, vir die opgaar en afvoer van stormwater deur die hele dorp deur middel van behoorlike aangelegde werke en vir die aanlê, teeracadamisering, beranding en kanalisering van die strate daarin, tesame met die verskaffing van sodanige keermure as wat die plaaslike bestuur nodig ag, vir goedkeuring voorlê.

Verder moet die skema die roete en helling aandui deur middel waarvan elke erf toegang tot die aangrensende straat verkry.

- (b) Die dorpsreienaar moet, wanneer die plaaslike bestuur dit vereis, die goedgekeurde skema op eie koste namens en tot bevrediging van die plaaslike bestuur, onder toesig van 'n siviele ingenieur deur die plaaslike bestuur goedgekeur, uitvoer.
- (c) Die dorpsreienaar is verantwoordelik vir die instandhouding van die strate tot bevrediging van die plaaslike bestuur totdat die strate ooreenkomstig subklousule (b) gebou is.
- (d) Indien die dorpsreienaar versuim om aan die bepalings van paragrafe (a), (b) en (c) hiervan te voldoen, is die plaaslike bestuur geregtig om die werk op koste van die dorpsreienaar te doen.

(4) 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, maar uitgesonderd -

- (a) die volgende servituut wat slegs Erf 730 en 'n straat in die dorp raak:

"Subject to the right in favour of the VICTORIA FALLS AND TRANSVAAL POWER COMPANY, LIMITED, to convey electricity over the property hereby transferred, together with ancillary rights, and subject to conditions as will more fully appear from Notarial Deed No. 377/43S registered on the 23rd day of July, 1943, the centre line of which servitude is represented by the figure a b c on Diagram S.G. No. A 8924/73, hereunto annexed:"

- (b) die volgende reg wat nie aan die erwe in die dorp oorgedra moet word nie:

"The owner of this Holding shall be entitled to use any water on Holding No. 3 for drinking purposes or watering het stock."

(5) VOORKOMENDE MAATREËLS

Die dorpsreienaar moet op eie koste reëlings met die plaaslike bestuur tref om te verseker dat -

- (a) water nie opdam nie, dat die hele oppervlakte van die dorpsgebied behoorlik gedreineer word en dat strate doeltreffend met teer, beton of bitumen geseël word; en
- (b) slote en uitgrawings vir fondamente, pype, kables of vir enige ander doeleindes behoorlik met klam grond in lae wat nie dikker as 150 mm is nie, opgevol word en gekompakteer word totdat dieselfde verdigingsgraad as wat die omliggende materiaal het, verkry is.

(6) VERPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE

Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water, elektrisiteit en sanitêre dienste en die installering van stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom.

2. TITELVOORWAARDES

Die erwe hieronder genoem is onderworpe aan die voorwaardes soos aangedui, opgelê deur die Administrateur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965.

(1) ALLE ERWE

- (a) Die erf is onderworpe aan 'n serwituut 2 m breed, vir riolerings- 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 voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 m 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 rioolhoofpypleidings en ander werke wat hy volgens goeie doelke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rioolhoofpypleidings en ander werke veroorsaak word.

(2) ERF 730

Die erf is onderworpe aan 'n serwituut vir transformator / substasie doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

(3) ERF 730

Die erf is onderworpe aan 'n serwituut vir paddoeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui. By die indiening van 'n

sertifikaat deur die plaaslike bestuur aan die Registrateur van Aktes waarin vermeld word dat sodanige serwituit nie meer benodig word nie, vervul die voorwaarde.

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Fax number: (012) 323-8805

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Mrs S. M. Milanzi Tel.: (012) 334-4734
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HENNIE MALAN

Director: Financial Management
Office of the Premier (Gauteng)

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