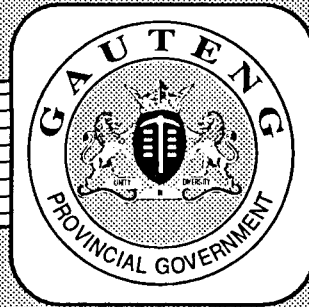


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

**Provincial Gazette Extraordinary  
Buitengewone Provinsiale Koerant**

Selling price • Verkoopprys: **R2,50**  
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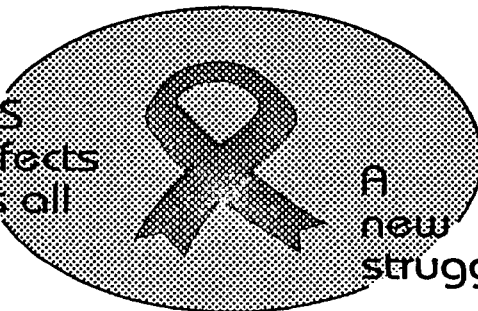
**Vol. 10**

**PRETORIA, 30 AUGUST  
AUGUSTUS 2004**

**No. 353**

**We all have the power to prevent AIDS**

**AIDS  
affects  
us all**



**A  
new  
struggle**

**Prevention is the cure**

**AIDS  
HELPLINE**

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 1822

#### CITY OF JOHANNESBURG AMENDMENT SCHEME 01-2827

The Council hereby in terms of provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that it has approved the amendment scheme, being an amendment of the Johannesburg Town-planning Scheme 1979, comprising the same land, as included in the Township of **MULBARTON EXTENSION 9**

Map 3, Annexure and scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Transportation and Environment: City of Johannesburg and are open for inspection at all reasonable times.

The amendment scheme is known as Amendment Scheme 01-2827

**Executive Director: Development Planning  
Transportation and Environment**  
Notice No. 487/2004

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### PLAASLIKE BESTUURSKENNISGEWING 1822

#### STAD VAN JOHANNESBURG WYSIGINGSKEMA 01-2827

Die Stadraad verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van Johannesburgse - dorpsbeplanningskema, 1979, wat uit dieselfde grond as die dorp **MULBARTON UITBREIDING 9** bestaan, goedgekeur het.

Kaart 3, Bylae en die skemaklousules van die wysigingskema word in bewaring gehou deur Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing, Stad van Johannesburg en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as wysigingskema 01-2827

**Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing**  
Notice No. 487/2004

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### LOCAL AUTHORITY NOTICE 1823

#### CITY OF JOHANNESBURG DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY declares **MULBARTON EXTENSION 9** to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY SINAI MARKETING (PROPRIETARY) LIMITED (HEREIN AFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE NO 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 40 OF THE FARM LIEFDE EN VREDE 104 IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.**

#### 1. CONDITIONS OF ESTABLISHMENT

1. **Name**  
The name of the township shall be **MULBARTON EXTENSION 9**

**2. Design**

The township shall consist of erven as indicated on **General Plan S.G. 9912/2003**

**3. Provision and installation of engineering services**

The township owner shall provide engineering services in the township, subject to the approval of the Council and/or City Power / Eskom.

**4. Obligations in respect of services and limitations in respect of the alienation or erven**

- (a) The Township owners shall, in terms of a prior agreement with the Council, fulfil their obligations with the regard to the provision of engineering services in and for the township in terms of Chapter 5 of the Ordinance.
- (b) Contributions towards the provisions of external engineering services, bulk sewer and endowment in lieu of parkland shall be payable in terms of the Ordinance.
- (c) No erven may be alienated or be transferred into the name of a buyer prior to the Council having confirmed that sufficient guarantees / cash contributions / endowments in respect of the supply of services by the township owner has been made to the said Council.

**5. FORMATION AND DUTIES OF SECTION 21 COMPANIES OR OTHER SIMILAR LEGAL ENTITIES**

- (a) The applicant shall properly and legally constitute a Residents Association to the satisfaction of the Council before the sale of the first erf, which association shall not be de-registered without the consent of the Council.
- (b) The Park Erf (Erf 1321) and Access Erf (Erf 1322) shall be registered in the name of the Resident's Association, and said road portion may not be sold or in any way disposed of without prior written consent of the Council.
- (c) Each and every owner of Erven 1254 to 1320 shall become a member of the Residents Association upon transfer of the erf, Such Association shall have full responsibility for the Park (Erf 1321) and Access Erf (Erf 1322).
- (d) 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 in payments by any member.
- (e) The Council shall not be liable for the malfunction of the surfacing of the access way and/or the stormwater drainage system, and/or any essential services, with the exception of the sewerage system.
- (f) A servitude for municipal purposes shall be registered over Erf 1322 in favour of, and to the satisfaction of, the Council.
- (g) Access from Erven 1254 to 1320 to a public road shall be across Erf 1322.
- (h) The Council shall have unrestricted access to Erf 1322 at all times.

**6. Removal and 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.

**7. 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 the following conditions which will not affect the erven in the township:

- (A) (i) Condition A(d) in the Title Deed which refers to a electricity servitude by virtue of Notarial Deed of Servitude K1060/1953 S;

- (ii) Condition A(e) in the Title Deed which refers to a servitude in favour of Rand Water by virtue of Notarial Deed of Servitude K428A/1958 S;
  - (iii) Condition A(f) in the Title Deed which refers to a servitude in favour of Rand Water by virtue of Notarial Deed of Servitude K530/1943 S;
  - (iv) Condition B in the Title Deed which refers to a servitude in favour of Rand Water by virtue of Notarial Deed of Servitude K143/1907 S;
- (B) Including the following servitudes that affect the Township:
- (i) Condition A(a) a servitude for mineral rights.
  - (ii) Condition A(b) a general servitude relating to waterflow more fully described in Notarial Deed of Servitude No. 6175/1914.
  - (iii) Condition A(c) in the Title Deed which refers to a right-of-way by virtue of Notarial Deed of Servitude K428/1958;
  - (iv) Condition D in the title deed in favour of Johannesburg City Council vide Deed of servitude K 793/1979s;
- (8) **ACCEPTANCE AND DISPOSAL OF STORMWATER**  
The township owner shall make the necessary arrangements with the Council for the preparation and submission for approval of a stormwater management plan, for acceptance and disposal thereof.
- (9) **DEMOLITION OF BUILDINGS AND STRUCTURES**  
The township owner at its own expense cause all existing buildings and structures situated within the building line reserves, or over common boundaries to be demolished to the satisfaction of the Council, when required by the Council to do so.
- (10) **CONSOLIDATION OR NOTARIAL TYING OF ERVEN**  
Erf 1322 shall be notorially tied with Erf 1251 Mulbarton Extension 6 and Erf 215 Mulbarton township.

**2. CONDITIONS OF TITLE**

The erven mentioned hereunder shall be subject to the conditions, as indicated, imposed by the Council in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

(1) **ALL ERVEN**

- (a) The erf is subject to a servitude, 2m wide, in favour of the Council 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, if and when required by the Council : Provided that the Council 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 Council 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

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made good by the Council.

(2) **ERVEN 1285 to 1302 AND 1321**

The erven are subject to a sewer servitude in favour of the Council as indicated on the General Plan.

(3) **ERF 1322**

The erf is subject to a servitude for municipal purposes in favour of the Council as indicated on the General Plan.

(4) **ERF 1323**

The erf is subject to a right of way servitude in favour of proposed Mulbarton Extension 12.

**Executive Director: Development Planning  
Transportation and Environment  
Notice No. 488/2004**

**PLAASLIKE BESTUURSKENNISGEWING 1823  
STAD VAN JOHANNESBURG  
VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp **MULBARTON UITBREIDING 9** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

**VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SINAI MARKETING (PTY) LTD. (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 40 VAN DIE PLAAS LIEFDE-EN-VREDE 104 IR, PROVINSIE GAUTENG, TOEGESTAAN IS.**

**1. STIGTINGSVOORWAARDES**

**1. NAAM**

Die naam van die dorp is **MULBARTON UITBREIDING 9**

**2. ONTWERP**

Die dorp bestaan uit erwe soos aangedui op **Algemene Plan SG No. 9912/2003**

**3. VOORSIENING EN INSTALLERING VAN DIENSTE**

Die dorpseienaars moet die nodige reëlings met die Raad tref vir die voorsiening en instalering van water en sanitere dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot bevrediging van die Raad.

**4. VERPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE ASOOK DIE BEPERKING TEN OPSIGTE VAN VERVREMING OF OORDRAGTE**

(a) Die dorpseienaars sal, in terme van 'n vooraf gereelde ooreenkoms met die Raad, sy verpligtinge rakende tot die voorsiening van ingenieursdienste in en vir die dorp, in terme van Hoofstuk 5 van die Ordonnansie.

(b) 'n Bydrae tot die voorsiening van ingenieursdienste en begiftiging ten opsigte van parkegrond sal betaalbaar wees.

(b) Geen erwe mag vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die

voorsiening van dienste deur die dorpseienaar aan die Stadsraad gelewer is nie.

**5. STIGTING EN VERPLIGTING VAN ARTIKEL 21 MAATSKAPPY OF SOORTGELYKE REGS ENTITEITE**

- (a) Die aansoekers moet wetiglik en volgens voorskrif die Inwoners-vereniging tot goedkeuring van die Stadraad saamstel, voor met die verkoop van die eerste erf in die dorp, (waarvan vereniging nie mag de-registreer sonder die toestemming van die Raad).
- (b) Die Park Erf (Erf 1321) en Toegangserf (Erf 1322) sal in die naam van die Inwoners-Vereniging geregistreer word, waarvan die genoemde pad gedeelte nie mag verkoop of vervreem word, sonder vooraf geskrewe toestemming van die Raad.
- (c) Iedere en elke eienaar van Erwe 1254 tot 1320 sal 'n lid van die Inwoners-vereniging word met oordrag van die erf. Sodanige Vereniging sal volle verantwoordelikheid neem oor Erf 1321 (Privaat Oop Ruimte) en Erf 1322 (Toegangserf).
- (d) Die Inwoners-vereniging sal die wettige reg hê om die kostes aangegaan ter vervulling van sy doel van ieder en elke lid te hef en sal toegang he tot regshulp ter verhaling van sodanige fooi in die geval van die wanbetaling deur enige lid.
- (e) Die Stadsraad sal nie aanspreeklik wees vir die gebrekkigheid van die oppervlak van die toegangsweg en of die vloedwater dreineringsstelsel en of enige noodsaaklike dienste, met die uitsondering van die rioleringstelsel.
- (f) 'n Serwituut vir munisipaliteit doeleindes sal geregistreer word oor Erf 1322 ten gunste van die Raad
- (g) Toegang van Erwe 1254 tot 1320 tot 'n openbare pad sal oor die toegangserf 1322 wees.
- (h) Die Raad sal onbeperkte toegang tot Erf 1322 te alle tye, verkry.

**6. VERSKUIWING OF DIE VERVANGING VAN MUNISIPALE 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 dorpseienaars gedra word.

**7. BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderhewig gemaak word aan bestaande titelvoorwaardes en serwitute, indien enige, insluitende die reservering van die mineraleregte, maar uitsluitend die volgende voorwaardes wat slegs nie die erwe in die dorp affekteer nie;

- (A)
  - (i) Condition A(d) in the Title Deed which refers to a electricity servitude by virtue of Notarial Deed of Servitude K1060/1953 S;
  - (ii) Condition A(e) in the Title Deed which refers to a servitude in favour of Rand Water by virtue of Notarial Deed of Servitude K428A/1958 S;
  - (iii) Condition A(f) in the Title Deed which refers to a servitude in favour of Rand Water by virtue of Notarial Deed of Servitude K530/1943 S;
  - (iv) Condition B in the Title Deed which refers to a servitude in favour of Rand Water by virtue of Notarial Deed of Servitude K143/1907 S;
- (B) Including the following servitudes that affect the Township:
  - (i) Condition A(a) a servitude for mineral rights.
  - (j) Condition A(b) a general servitude relating to waterflow more fully described in Notarial Deed of Servitude No. 6175/1914.
  - (iii) Condition A(c) in the Title Deed which refers to a right-of-way by virtue of Notarial Deed of Servitude K428/1958;
  - (iv) Condition D in the title deed in favour of Johannesburg City Council

vide Deed of servitude K 793/1979s;

- (8) **ONTVANGS EN VERSORGING VAN STORMWATER**  
Die dorpseienaar moet die nodige reëling tref met die Raad vir die voorbereiding en indiening van 'n stormwaterdreinerings bestuursbeplanning verslag, die ontvangs en versorging daarvan.
- (9) **SLOPING VAN GEBOUE EN STRUKTURE**  
Die dorpseienaar moet op eie koste alle bestaande geboue en structure wat binne boulynreserwes, kant ruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.
- (10) **KONSOLIDASIE OF NOTARIELE VERBINDING VAN ERWE**  
Erf 1322 sal notarieël verbind word met Erf 1251 Mulbarton Uitbreiding 6 en Erf 215 Mulbarton Dorp.

## 2. TITELVOORWAARDES

Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes soos aangedui, opgele deur die Raad ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

### (1) ALLE ERWE

- (a) Die erf is geregtig op 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad 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 Raad : Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
- (b) Geen geboue 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 meter 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 goedgekeurde noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak word.

### (2) ERWE 1285 tot 1302 en 1321

Die erwe is onderworpe aan n riool serwituut ten gunste van die Raad, soos aangedui op die Algemene Plan.

### (3) ERF 1322

Die Erf is onderworpe aan n serwituut vir munisipale doeleindes ten gunste van die Raad, soos aangedui op die Algemene Plan.

### (4) ERF 1323

Die erf is onderworpe aan n Reg-van-weg serwituut ten gunste van voorgestelde Mulbarton Uitbreiding 12.

**Uitvoerende Direkteur: Ontwikkelings, Beplanning, Vervoer en Omgewing**

Notice No. 488/2004