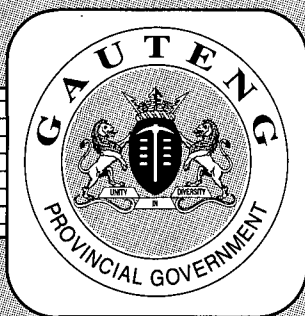


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Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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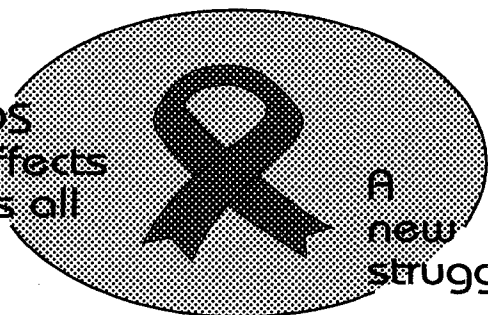
Vol. 10

PRETORIA, 19 OCTOBER
OKTOBER 2004

No. 446

We all have the power to prevent AIDS

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affects
us all



A
new
struggle

Prevention is the cure

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2242

DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Maroeladal Extension 36** 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 JUKSKEI PROPERTY INVESTMENTS (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 510 OF THE FARM WITKOPPEN 194 IQ HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) Name

The name of the township shall be Maroeladal Extension 36.

(2) Design

The township shall consist of erven as indicated on General Plan S.G. No. 9028/2003.

(3) Provision and installation of services

The township owner shall make the necessary arrangements with the local authority for the provision and installation of water and sanitation as well as the construction of roads and stormwater drainage in the township, to the satisfaction of the local authority.

(4) Electricity

(a) The local authority is not the bulk supplier of electricity in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make arrangements in this regard with ESKOM, the licensed supplier of electricity in the township.

(b) The local authority shall be notified in writing that satisfactory arrangements have been made in respect of the supply of electricity to the township and in this connection, the township owner shall submit the following to the local authority:

- (1) A certified copy of the agreement in respect of the supply of electricity entered into with ESKOM; and/or
- (2) A certificate by the licensed supplier of electricity that acceptable financial arrangements with regard to (1) above have been made by the township owner.

(5) Access

Access to or egress from the township shall be to the satisfaction of the local authority and shall only be obtained via Erven 992 and 1040 Maroeladal Extension 14.

(6) Demolition of buildings and structures

The township owner shall at his own costs 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 when required by the local authority to do so.

(7) Disposal of existing Conditions of Title

All erven shall be made subject to existing conditions and servitudes, if any, save for the following conditions which do not affect the township:

- (i) *SUBJECT to a right of way in favour of Portion of Portion of the said Farm WITKOPPEN, measuring 25,6960 hectares, originally transferred by Deed of Transfer No. 1021/1905, with a further proviso that if the old appearing on the diagram of portion of the said farm, originally transferred by Deed of Transfer No. 25/1905 is a public road then such road shall be located on and pass over the said remaining extent measuring as such 58,6168 hectares, and not over portion, measuring 25,6960 hectares originally transferred by Deed of Transfer No. 1021/1905;*

- (ii) *ENTITLED to all surplus water from certain water furrow, known as the Eastern Water Furrow, coming from certain dam in the Klein Jukskei River on portion measuring 119,5276 hectares of the herein mentioned farm and flowing over that portion of the remaining extent of portion of the said farm, measuring 94,2185 hectares, as will more fully appear from Notarial Deed No. 278/1911-S, registered on the 17th day of November 1911.*

(8) Notarial tie of Erven

The township owner shall, at his own costs, after proclamation of the township but prior to the transfer of any erf in the township, notarially tie Erf 1231 with Erven 992 and 1040 Maroeladal Extension 14 as well as with Erven 1151 and 1154 Maroeladal Extension 12, to the satisfaction of the local authority.

(9) Restriction on the transfer of erven

Erven 1229, 1230 and 1231 shall, prior to or simultaneously with registration of the first transfer of an erf in the township and at the cost of the township owner, be transferred only to Fernbrook Estate Homeowners Association, which Association shall have full responsibility for the functioning and proper maintenance of the said erven and the essential services within the said erven.

(10) Obligations with regard to services and restriction regarding the alienation of erven

The township owner shall within such period as the local authority may determine, fulfil his obligations in respect of the provision of water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or be transferred into the name of a purchaser prior to the local authority certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said local authority.

2. CONDITIONS OF TITLE

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

(1) All erven (except Erf 1231)

(a) Each 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 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) All erven (except Erven 1229, 1230 and 1231)

Each and every owner of an erf in the township shall on transfer automatically become a member of Fernbrook Estate Homeowners Association (hereinafter referred to as the "Association") and the township owner shall procure that each erf be made subject to the following conditions in favour of the Association:

- (1) Every owner of an erf or owner of any sub-divided portion of an erf or owner of any unit thereon, shall on transfer automatically become and shall remain a member of the Association and shall be subject to its Constitution until he/she ceases to be an owner as aforesaid.
- (2) The owner of any erf or owner of any sub-divided portion thereof or any unit thereon, shall not be entitled to transfer the erf or any sub-divided portion thereof or any interest therein or any unit thereon, without a clearance certificate from the Association certifying that the provisions of the Constitution of the Association have been complied with.

(3) Erven 1174 and 1175

The erven are each subject to a servitude for electrical sub-station purposes in favour of the local authority as indicated on the General Plan.

(4) Erf 1181

The erf is subject to a 2m wide servitude for electrical sub-station purposes in favour of the local authority as indicated on the General Plan.

(5) Erf 1229

(a) The erf is subject to a sewer servitude in favour of the local authority as indicated on the General Plan.

(b) The erf shall not be alienated or transferred into the name of any purchaser other than Fernbrook Estate Homeowners Association without the written consent of the local authority first having been obtained.

(6) Erf 1230

The erf shall not be alienated or transferred into the name of any purchaser other than Fernbrook Estate Homeowners Association, without the written consent of the local authority first having been obtained.

(7) Erf 1231

(a) The entire erf as indicated on the General Plan is subject to a servitude for municipal purposes and right of way in favour of the local authority.

(b) The erf shall not be alienated or transferred into the name of any purchaser other than Fernbrook Estate Homeowners Association, without the written consent of the local authority first having been obtained.

P. Moloi, City Manager

(Notice No. 1004/2004)

October 2004

PLAASLIKE BESTUURSKENNISGEWING 2242

VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad van Johannesburg Metropolitaanse Munisipaliteit hiermee die dorp **Maroeladal Uitbreiding 36** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR JUJSKEI PROPERTY INVESTMENTS (EDMS) BPK (HIERNA DIE AANSOEKDOENER/ DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 510 VAN DIE PLAAS WITKOPPEN 194 IQ TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

(1) Naam

Die naam van die dorp is Maroeladal Uitbreiding 36.

(2) Ontwerp

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 9028/2003.

(3) Voorsiening en installering van dienste

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van water en sanitêre dienste asook die konstruksie van strate en stormwaterdreinerig in die dorp, tot tevredenheid van die plaaslike bestuur.

(4) Elektrisiteit

(a) Die plaaslike bestuur is nie die grootmaatverskaffer van elektrisiteit aan die dorp nie. Die dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, die nodige reëlings tref met ESKOM, die gelisensieerde verskaffer van elektrisiteit in die dorp.

(b) Die plaaslike bestuur moet skriftelik verwittig word dat bevredigende reëlings met betrekking tot die voorsiening van elektrisiteit aan die dorp, getref is en in die verband moet die dorpseienaar die volgende aan die plaaslike bestuur verskaf:

- (1) 'n Gesertifiseerde afskrif van die ooreenkoms aangegaan met ESKOM rakende die voorsiening van elektrisiteit;
- (2) 'n Sertifikaat van ESKOM dat aanvaarbare finansiële reëlings met betrekking tot (1) hierbo, deur die dorpsdigter getref is.

(5) Toegang

Toegang tot of uitgang vanuit die dorp moet tot tevredenheid van die plaaslike bestuur wees en sal slegs verkry word oor Erwe 992 en 1040 Maroeladal Uitbreiding 14.

(6) Sloping van geboue en strukture

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

(7) Beskikking oor bestaande Titelvoorwaardes

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige, uitgesonderd die volgende voorwaardes wat nie die dorp raak nie:

- (i) *SUBJECT to a right of way in favour of Portion of Portion of the said Farm WITKOPPEN, measuring 25,6960 hectares, originally transferred by Deed of Transfer No. 1021/1905, with a further proviso that if the old appearing on the diagram of portion of the said farm, originally transferred by Deed of Transfer No. 25/1905 is a public road then such road shall be located on and pass over the said remaining extent measuring as such 58,6168 hectares, and not over portion, measuring 25,6960 hectares originally transferred by Deed of Transfer No. 1021/1905;*
- (ii) *ENTITLED to all surplus water from certain water furrow, known as the Eastern Water Furrow, coming from certain dam in the Klein Jukskei River on portion measuring 119,5276 hectares of the herein mentioned farm and flowing over that portion of the remaining extent of portion of the said farm, measuring 94,2185 hectares, as will more fully appear from Notarial Deed No. 278/1911-S, registered on the 17th day of November 1911.*

(8) Notariële verbinding van erwe

Die dorpseienaar moet op sy eie koste, na proklamasie van die dorp maar voor die oordrag van enige erf in dorp, Erf 1231 notarieël verbind met Erwe 992 en 1040 Maroeladal Uitbreiding 14 asook met Erwe 1151 en 1154 Maroeladal Uitbreiding 12, tot tevredenheid van die plaaslike bestuur.

(9) Beperking op die oordrag van erwe

Erwe 1129, 1230 en 1231 moet voor of gelyktydig met registrasie van die eerste oordrag van 'n erf in die dorp en op koste van die dorpseienaar, aan Fernbrook Estate Huiseienaarsvereniging oorgedra word, welke Vereniging volle verantwoordelikheid sal dra vir die funksionering en behoorlike instandhouding van die erwe en die noodsaaklike dienste binne die gemelde erwe.

(10) Verpligtinge ten opsigte van dienste en beperking betreffende die vervreemding van erwe

Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom. Erwe mag nie 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 plaaslike bestuur gelewer of betaal is.

2. TITELVOORWAARDES

Die erwe hieronder genoem is onderworpe aan die voorwaardes soos aangedui deur die plaaslike bestuur ingevolge die bepalinge van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

(1) Alle erwe (behalwe Erf 1231)

(a) Elke erf is onderworpe aan 'n serwituut 2 m breed, ten gunste van die plaaslike bestuur, vir riolerings-en ander munisipale doeleindes, 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 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 rioolhoofpyleidings, en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees 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 verwydering van sodanige rioolhoofpyleiding en ander werke veroorsaak word.

(2) Alle erwe (behalwe Erwe 1229, 1230 en 1231)

Iedere en elke eienaar van 'n erf in die dorp, sal tydens registrasie van oordrag, outomaties 'n lid van Fernbrook Estate Huiseienaarsvereniging word (hierna genoem die "Vereniging") en die dorpseienaar sal verseker dat elke erf onderworpe gestel sal word aan die volgende voorwaardes ten gunste van die Vereniging:

- (1) Elke eienaar van 'n erf of eienaar van enige onderverdeelde gedeelte van 'n erf of eienaar van 'n eenheid daarop, sal tydens registrasie outomaties 'n lid van die Vereniging word en moet 'n lid bly en sal onderworpe wees aan sy Konstitusie totdat hy/sy ophou om 'n eienaar te wees soos hierbo beoog.
- (2) Die eienaar van enige erf of enige onderverdeelde gedeelte daarvan of enige eenheid daarop, sal nie daarop geregtig wees om die erf of enige onderverdeelde gedeelte daarvan of enige belang daarin of enige eenheid daarop, oor te dra sonder 'n uitklaringsertifikaat van die Vereniging, waarin gesertifiseer word dat die bepalinge van die Konstitusie van die Vereniging nagekom is.

(3) Erwe 1174 en 1175

Die erwe is elkeen onderworpe aan 'n serwituut vir elektriese substasiedoeleindes ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

(4) Erf 1181

Die erf is onderworpe aan 'n 2m breë serwituut vir elektriese substasiedoeleindes ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

(5) Erf 1229

(a) Die erf is onderworpe aan 'n rioolserwituut ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

(b) Die erf mag nie vervreem of oorgedra word in die naam van enige koper behalwe aan Fernbrook Estate Huiseienaarsvereniging sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie.

(6) Erf 1230

Die erf mag nie vervreem of oorgedra word in die naam van enige koper behalwe aan Fernbrook Estate Huiseienaarsvereniging sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie.

(7) Erf 1231

(a) Die hele erf soos aangedui op die Algemene Plan is onderworpe aan 'n serwituut vir munisipale doeleindes en reg-van-weg ten gunste van die plaaslike bestuur.

(b) Die erf mag nie vervreem of oorgedra word in die naam van enige koper behalwe aan Fernbrook Estate Huiseienaarsvereniging sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie.

P. Moloi, Stadsbestuurder
(Kennisgewing 1004/2004)
Oktober 2004.

LOCAL AUTHORITY NOTICE 2243
AMENDMENT SCHEME 04-1286

The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Randburg Town Planning Scheme, 1976, comprising the same land as included in the township of **Maroeladal Extension 36. Map 3** and the 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.

This amendment is known as Amendment Scheme 04-1286.

P. Moloï, City Manager
(Notice No 1005/2004.)
October 2004.

PLAASLIKE BESTUURSKENNISGEWING 2243
WYSIGINGSKEMA 04-1286

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Randburg Dorpsbeplanningskema, 1976, wat uit dieselfde grond as die dorp **Maroeladal Uitbreiding 36** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Vervoer en Omgewing: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 04-1286.

P. Moloï, Stadsbestuurder
(Kennisgewing Nr 1005/2004.)
Oktober 2004.