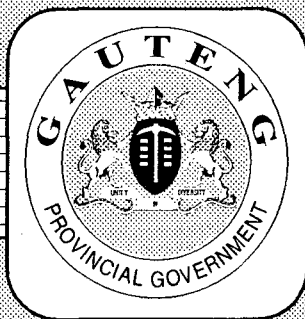


**THE PROVINCE OF  
GAUTENG**



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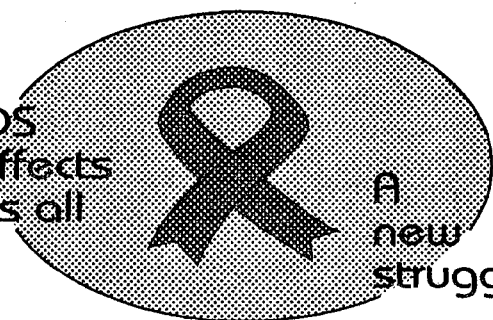
**Vol. 11**

**PRETORIA, 21 APRIL 2005**

**No. 171**

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## THE GOVERNMENT PRINTING WORKS

### PUBLICATIONS DIVISION



NB: The Publications Division of the Government Printing Works will be relocating to its new premises within the:

**MASADA BUILDING at 196 PROES STREET, PRETORIA  
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with effect from 3 May 2005.**

For enquiries and information:

**Mr M Z Montjane**  
**Tel: (012) 334-4653**  
**Cell: 083 640 6121**

## LOCAL AUTHORITY NOTICES

### PLAASLIKE BESTUURSKENNISGEWING 816

#### 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 Brakpan-Noord Uitbreiding 7 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

GO 15/3/2/9/37

#### BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ASSETGROW INVESTMENTS 10 (PROPRIETARY) LIMITED INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1965, OM TOESTEMMING OM 'N DORP TE STIG OP 'N GEDEELTE VAN GEDEELTE 51 VAN DIE PLAAS MODDERFONTEIN NO. 76-I.R., PROVINSIE GAUTENG, TOEGESTAAN IS

#### 1. STIGTINGSVOORWAARDES

(1) NAAM

Die naam van die dorp is Brakpan-Noord Uitbreiding 7.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 3473/2004.

(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, teermacadamisering, beranding en kanalisering van die strate daarin, tesame met die verskaffing van sodanige keermure as wat die plaaslike bestuur nodig ag, vir goedkeuring voorlê.

Die skema moet voorsiening maak vir die opvang van stormwater in opvangputte van waar dit weggevoer moet word in waterdigte pype van duursame materiaal, deur die plaaslike bestuur goedgekeur, op so 'n wyse dat die water op geen wyse sal opgaar of insypel op of naby die oppervlakte van die grond nie.

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

(b) Die dorpseienaar 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 dorpseienaar 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 dorpseienaar 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 dorpseienaar te doen.

(4) BESIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd -

(a) die volgende serwitute wat nie die dorp raak nie:

(i) "Subject to a servitude to construct, reconstruct, use, maintain, repair, lay, re-lay, alter, inspect and remove

- (a) certain water pipeline along the route indicated by the letters ABCDEFGHJK on Diagram SG No. A3878/72 annexed to the hereinafter mentioned Notarial Deed, being the northern side of the pipeline servitude 4 (four) metres wide, and
- (b) a swirl pool indicated by the figure KLMNPORK on the said Diagram SG No. A3370/72 together with ancillary rights and conditions in favour of GOVERNMENT GOLD MINING AREAS (MODDERFONTEIN) CONSOLIDATED LIMITED as will more fully appear from Notarial Deed of Servitude No. K2377/1976S dated the 5<sup>th</sup> July 1976 and registered the 5<sup>th</sup> November 1976."
- (ii) "Subject to a servitude to construct, reconstruct, use, maintain, relay, alter, inspect and remove certain Rising Main along the route internal to the figure abcdefa indicated on Diagram SG No. A328/73 annexed to the hereinafter mentioned Notarial Deed of Servitude being the servitude area 6 (six) metres wide, the north-western boundary whereof is 2 (two) metres north-west of the line ABC on the said Diagram SG No. A328/73 together with ancillary rights and conditions, in favour of GOVERNMENT GOLD MINING AREAS (MODDERFONTEIN) CONSOLIDATED LIMITED, as will more fully appear from Notarial Deed of Servitude No. K2379/1976S dated the 5<sup>th</sup> July, 1976 and registered on the 16<sup>th</sup> August 1976."
- (iii) "Portion 46 (a portion of portion 3) of the Farm Modderfontein 76, Registration Division I.R., Province of Gauteng (whereof the property held hereunder forms a portion) is subject to Notarial Deed of Servitude No. 293/1970S registered on 17 April 1970 whereby the rights in perpetuity are granted to Electricity Supply Commission to convey electricity across the property."
- (iv) "F. By Notarial Deed K840/89S dated 24 March 1987 the withinmentioned property is subject to a servitude in perpetuity to erect and maintain pump station and water pipelines, the exact route being:
- (i) figure ABCDEFG on Diagram S G No. A10606/85;
- (ii) figure ABCD on Diagram S G No. A10607/85;"
- in favour of Hippo Quarries (Proprietary) Limited.
- (b) die volgende servitute wat slegs 'n straat in die dorp raak:
- "E.(ii) Subject to a servitude in perpetuity to erect, re-erect, re-lay, use, maintain, repair, alter, inspect and remove any overhead electric power lines and/or any underground electric cables as shown by the figures ABCDA and ABCDEFGHA on Diagram S G No A3880/72 and A3881/72 respectively both annexed to the hereinafter mentioned Notarial Deed, together with ancillary rights and conditions, in favour of Electricity Supply Commission as will more fully appear from Notarial Deed of Servitude K2378/1976 S dated 5 July 1975 and registered on 16 August 1976, the latter of which aforementioned figures only is indicated by the figure abcdefDEa on the annexed Diagram S G No. A3882/72.
- F. By Notarial Deed K840/89S dated 24 March 1987 the withinmentioned property is subject to a servitude in perpetuity to erect and maintain pump station and water pipelines, the exact route being:
- (iii) figure ABCD on Diagram S G No. A10608/85; (also effects Erf 2220 in the township); and
- (iv) figure ABCDE on Diagram S G No. A10609/85, in favour of Hippo Quarries (Proprietary) Limited."

(5) GROND VIR MUNISIPALE DOELEINDES

Erf 2219 moet deur en op koste van die dorpseienaar aan die plaaslike bestuur as 'n park oorgedra word.

2. TITELVOORWAARDES

(1) VOORWAARDES OP GELê DEUR DIE STAATSPRESIDENT KRAGTENS DIE BEPALINGS VAN ARTIKEL 184(2) VAN DIE WET OP MYNREGTE NO. 20 VAN 1967

Alle erwe is onderworpe aan die volgende voorwaarde:

"Aangesien hierdie erf deel vorm van die grond wat ondermyn is of ondermyn mag word en onderhewig mag wees aan versakking, vassakking, skok en krake as gevolg van mynbedrywighede in die verlede, die hede en die toekoms aanvaar die eienaar daarvan alle verantwoordelikheid vir enige skade aan die grond of geboue daarop as gevolg van sodanige versakking, vassakking, skok of krake."

(2) VOORWAARDES OP GELê DEUR DIE ADMINISTRATEUR KRAGTENS DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE NO. 25 VAN 1965

Alle erwe met die uitsondering van Erf 2219 is onderworpe aan die volgende voorwaardes:

- (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 goeddunke 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.

**LOCAL AUTHORITY NOTICE 816**

**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 Brakpan-Noord Extension 7 township to be an approved township, subject to the conditions set out in the Schedule hereto.

GO 15/3/2/9/37

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ASSETGROW INVESTMENTS 10 (PROPRIETARY) LIMITED UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1965, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON A PORTION OF PORTION 51 OF THE FARM MODDERFONTEIN NO. 76-I.R., PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Brakpan-Noord Extension 7.

## (2) DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No. 3473/2004.

## (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.

The scheme shall provide for the catchment of stormwater in catch pits whence it shall be drained off in watertight pipes of durable material, approved by the local authority, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground.

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 servitudes which do not affect the township area:

- (i) "Subject to a servitude to construct, reconstruct, use, maintain, repair, lay, re-lay, alter, inspect and remove
- (a) certain water pipeline along the route indicated by the letters ABCDEFGHJK on Diagram SG No. A3878/72 annexed to the hereinafter mentioned Notarial Deed, being the northern side of the pipeline servitude 4 (four) metres wide, and
- (b) a swirl pool indicated by the figure KLMNPORK on the said Diagram SG No. A3370/72 together with ancillary rights and conditions in favour of GOVERNMENT GOLD MINING AREAS (MODDERFONTEIN) CONSOLIDATED LIMITED as will more fully appear from Notarial Deed of Servitude No. K2377/1976S dated the 5<sup>th</sup> July 1976 and registered the 5<sup>th</sup> November 1976."
- (ii) "Subject to a servitude to construct, reconstruct, use, maintain, relay, alter, inspect and remove certain Rising Main along the route internal to the figure abcdefa indicated on Diagram SG No. A328/73 annexed to the hereinafter mentioned Notarial Deed of Servitude being the servitude area 6 (six) metres wide, the north-western boundary whereof is 2 (two) metres north-west of the line ABC on the said Diagram SG No. A328/73 together with ancillary rights and conditions, in favour of GOVERNMENT GOLD MINING AREAS (MODDERFONTEIN) CONSOLIDATED LIMITED, as will more fully appear from Notarial Deed of Servitude No. K2379/1976S dated the 5<sup>th</sup> July, 1976 and registered on the 16<sup>th</sup> August 1976."

(iii) "Portion 46 (a portion of portion 3) of the Farm Modderfontein 76, Registration Division I.R., Province of Gauteng (whereof the property held hereunder forms a portion) is subject to Notarial Deed of Servitude No. 293/1970S registered on 17 April 1970 whereby the rights in perpetuity are granted to Electricity Supply Commission to convey electricity across the property."

(iv) "F. By Notarial Deed K840/89S dated 24 March 1987 the withinmentioned property is subject to a servitude in perpetuity to erect and maintain pump station and water pipelines, the exact route being:

(i) figure ABCDEFG on Diagram S G No. A10606/85;

(ii) figure ABCD on Diagram S G No. A10607/85;"

in favour of Hippo Quarries (Proprietary) Limited.

(b) the following servitude which affects a street in the township only:

"E.(ii) Subject to a servitude in perpetuity to erect, re-erect, re-lay, use, maintain, repair, alter, inspect and remove any overhead electric power lines and/or any underground electric cables as shown by the figures ABCDA and ABCDEFGHA on Diagram S G No A3880/72 and A3881/72 respectively both annexed to the hereinafter mentioned Notarial Deed, together with ancillary rights and conditions, in favour of Electricity Supply Commission as will more fully appear from Notarial Deed of Servitude K2378/1976 S dated 5 July 1975 and registered on 16 August 1976, the latter of which aforementioned figures only is indicated by the figure abcdefDEa on the annexed Diagram S G No. A3882/72.

F. By Notarial Deed K840/89S dated 24 March 1987 the withinmentioned property is subject to a servitude in perpetuity to erect and maintain pump station and water pipelines, the exact route being:

(iii) figure ABCD on Diagram S G No. A10608/85; (also effects Erf 2220 in the township); and

(iv) figure ABCDE on Diagram S G No. A10609/85, in favour of Hippo Quarries (Proprietary) Limited."

(5) LAND FOR MUNICIPAL PURPOSES

Erf 2219 shall be transferred to the local authority by and at the expense of the township owner as a park.

CONDITIONS OF TITLE

(1) CONDITIONS IMPOSED BY THE STATE PRESIDENT IN TERMS OF THE SECTION 184(2) OF THE MINING RIGHTS ACT NO. 20 OF 1967

All erven shall be subject to the following condition:

"As this erf forms part of land which is or may be undermined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking."

(2) CONDITIONS IMPOSED BY THE ADMINISTRATOR IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE NO. 25 OF 1965

All erven with the exception of Erf 2219 shall be subject to the following conditions:

(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 and other works being made good by the local authority.

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### LOCAL AUTHORITY NOTICE 817

#### BRAKPAN AMENDMENT SCHEME 427

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 Brakpan Town-planning Scheme 1980, comprising the same land as included in the township of Brakpan-Noord Extension 7.

Map 3 and the scheme clauses of the amendment scheme are filed with the Gauteng Provincial Government, (Department of Finance and Economic Affairs), Johannesburg, and the Town Clerk Brakpan, and are open for inspection at all reasonable times

The amendment is known as Brakpan Amendment Scheme 427.

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### PLAASLIKE BESTUURSKENNISGEWING 817

#### BRAKPAN WYSIGINGSKEMA 427

Die Administrateur verklaar hierby, ingevolge die bepalings van Artikel 89(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965, dat hy 'n wysigingskema, synde 'n wysiging van Brakpan Dorpsbeplanningskema 1980, wat uit dieselfde grond as die dorp Brakpan-Noord Uitbreiding 7 bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Gauteng Provinsiale Regering, (Departement van Finansies en Ekonomiese Sake), Johannesburg, en die Stadsklerk Brakpan, en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Brakpan Wysigingskema 427.

DPLG 11/3/14/B/24(427)

ID2853