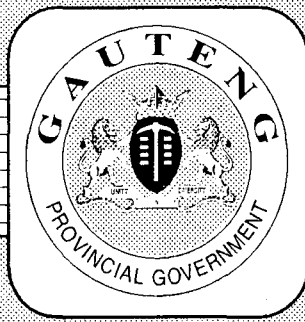


**THE PROVINCE OF
GAUTENG**



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GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

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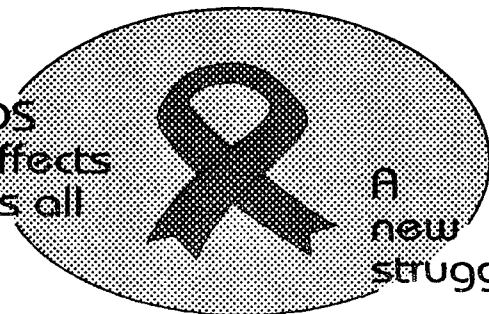
Vol. 11

PRETORIA, 21 JUNE
JUNIE 2005

No. 262

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

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DEPARTMENT OF HEALTH



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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
(i.e. CORNER OF PAUL KRUGER AND PROES STREETS)**
with effect from **3 May 2005**.

For enquiries and information:

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

GENERAL NOTICES

NOTICE 2289 OF 2005

EKURHULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

Proposed Township Sunward Park Extension 20

In terms of the provision of section 103(1) of the Town-planning and Townships Ordinance, 15 of 1986, the Ekurhuleni Metropolitan Municipality hereby declares **Sunward Park Extension 20 Township**, situated on Portion 123 of the Farm Leeuwpoot 113 - IR, to be an approved township, subject to the conditions set out in the Schedule hereto:

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SURF-BREEZE CO LIMITED (INCORPORATED IN MAURITIUS) (HEREIN REFERRED TO AS THE TOWNSHIP OWNER) IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 123 OF THE FARM LEEUWPOORT 113 IR, GAUTENG, HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be "**Sunward Park Extension 20 Township**".

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No. 148/2005

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing Conditions of Title and Servitudes, if any, including the reservation of rights to minerals:

1.4 DEMOLITION OF BUILDINGS AND STRUCTURES.

The township owner shall at its expense 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, within a period of 6 (six) months from the date of publication of this notice.

1.5 ENDOWMENT

The township owner shall, in terms of the provisions of Section 98(2) and (3) of the Town Planning and Townships Ordinance, 1986, pay to a lump sum endowment of R 200 120.04 to the Local Authority which amount shall be used by the local authority for the provision of land, for parks and / or open spaces in or for the Township. Such endowments shall be payable in terms of the provisions of Section 81 of the said Ordinance read with Section 95 thereof.

1.6 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES.

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

1.7 OBLIGATIONS IN REGARD TO ENGINEERING SERVICES

The Township owner shall within such period as the Local Authority may determine, fulfill its obligations in respect of the provision and installation of engineering services as previously agreed upon between the Township owner and the Local Authority.

1.8 ACCESS.

Ingress to and egress from the Township shall be from the proposed access point along Kingfisher Avenue, via Erf 3751 (internal private road) and such access shall be to the satisfaction of the Roads, Transport and Civil Works Department.

A line of no access shall be applicable all along the western boundary of the Township abutting onto Trichardt's Road (including splays) and all along the southern boundary of the Township abutting onto Kingfisher Avenue (including the splays), except for the single access point via Erf 3751 (internal private road).

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 Township Ordinances 1986.

2.1 All erven excluding erf 3751 (private road).

- (a) The servitude is subject to a servitude, 2 metres wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary, 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 metres 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) Every owner of the erf, or of any sub-divided portion thereof, or any person who has an interest therein shall become and shall remain a member of the Homeowners Association and be subject to its constitution until he/she ceases to be an owner of the aforesaid.
- (e) The erf may not be transferred without the prior written consent of the Section 21 Company, or the universitas personarum (Homeowners Association).
- (f) The term "Homeowners Association" in the aforementioned conditions of Title shall mean the Ville d' Fleur Homeowners Association an association incorporated in terms of section 21 of the company's act, 1973 (Act 61 of 1973) as amended or a universitas personarum.
- (g) The erf is entitled to a right of way Servitude over erf 3751 (private road) in the Township.
- (h) As this Erf forms part of land which is undermined and which is liable to subsidence, settlement, shock and cracking, due to mining operations past, present or future, whereby damage may be caused to the surface, buildings or structures erected thereon, the surface owner thereof accepts all liability for damage thereto or to any structure thereon, the surface owner thereof shall not at any time be entitled to require from the mining title holder, or from the inspector of Mines that any provision for the protection of the surface of the property or to any buildings or structures thereon shall be made in respect of damage to the surface, buildings or structures which may be caused by such subsidence, settlement, shock or cracking or mining operations or by any operations of whatsoever nature incidental thereto, past, present or future either underneath the property or elsewhere.
- (i) As this erf forms part of an area which may be subject to dust pollution and noise as a result of the presence of an operational mine shaft past, present or future, in the vicinity thereof, the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result thereof, may be experienced.
- (j) The surface owner shall also accept every risk which may arise or result from the occupation or use by it of the surface of the property whether to its employees or others, property, or other assets of every nature and the surface owner indemnifies and holds the mining title holder harmless against any claim for damages by employees or other persons going onto the surface of the property, for any loss or damage which they may sustain either to themselves, their property or assets, as a result of mining operations carried on, or to be under the property or in, on or under any adjoining property.
- (k) The Surface owner shall not directly or indirectly interfere with or in anyway seek to restrain or prevent mining operations being carried out beneath the surface of the property by the mining title holder, whether the surface be occupied by buildings, roads or otherwise.

2.2 Erven 3680, 3679, 3675 and 3671.

The erf is subject to a servitude 2 metres wide for storm water and other municipal purposes, in favour of the local authority, as indicated on the general plan.

2.3 Erven 3669 and 3661

The erf is subject to servitude 3 metres wide for storm water and other municipal purposes, in favour of the local authority, as indicated on the general plan.

2.4 Erf 3751 (private road)

- (a) the erf is subject to a right-of-way servitude in favour of erven 3641 up to and including erf 3750 and erf 3752 in the township.
- (b) the entire erf is subject to servitude for sewerage, water reticulation, electrical purposes (excluding street lights) and other municipal purposes in favour of the local authority.

2.5 Erven 3661 up to and including 3682.

The erf is subject to a 2 metre wide servitude for sewerage purposes in favour of the local authority, as indicated on the general plan, and as will more fully appear from Notarial Deed of Servitude K 2887/2005 S.

NOTICE 2290 OF 2005**NOTICE OF APPROVAL****EKURHULENI METROPOLITAN
MUNICIPALITY BOKSBURG
AMENDMENT SCHEME 1194**

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of section 125 (1) of the Town-planning and Townships Ordinance, 1986, declares that it has adopted an amendment scheme being an amendment of the Boksburg Town planning Scheme, 1991, relating to the land included in **Sunward Park Extension 20 Township**.

A copy of the said town-planning scheme as adopted is open for inspection at all reasonable times at the office of the Area Manager: Development Planning, Civic Centre, Boksburg, and the office of the Head of Development Planning and Local Government, Gauteng Provincial Government, Johannesburg.

The said amendment scheme is known as Boksburg Amendment Scheme 1194

PAUL MAVI MASEKO, City Manager

Civic Centre, Boksburg

Notice No.

PLAASLIKE BESTUURSKENNISGEWING 2289**EKURHULENI METROPOLITAANSE MUNISIPALITEIT****VOORGESTELDE DORP SUNWARD PARK UITBREIDING 20
VERKLARING TOT GOEDGEKEURDEDORP**

Ingevolge die bepalings van artikel 103 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, verklaar die Ekurhuleni Metropolitaanse Munisipaliteit hierby dat die **Dorp Sunward Park Uitbreiding 20**, gelee op Gedeelte 123 van die Plaas LEEUWPOORT 113 IR, tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SURF-BREEZE CO LIMITED (INGELYF IN MAURITIUS) (HIERNA DIE DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 123 VAN DIE PLAAS LEEUWPOORT 113 IR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is "**Sunward Park Uitbreiding 20**".

1.2 ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan SG Nr. 148/2005.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe sal onderworpe gemaak word aan bestaande titelvoorwaardes en serwitute, indien enige, met inbegrip van die voorbehoud van die regte op minerale.

1.4 SLOPING VAN GEBOUE OF STRUKTURE

Die dorpsenienaar moet op eie koste alle bestaande geboue en strukture wat binne die boulyn reserves, syspasies of oor gemeenskaaplike grense is laat sloop tot bevrediging van die plaaslike bestuur, binne 'n periode van ses maande vanaf datum van publikasie van hierdie kennisgewing.

1.5 BEGIFTIGING

Die dorpseienaar moet in terme van artikel 98(2) en (3) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, 'n bedrag van R 200 120.04 aan die plaaslike bestuur betaal wat deur die plaaslike bestuur aangewend sal word vir die voorsiening van grond vir parke en/of openbare ruimtes in of vir die dorpsgebied. Sodanige giftiging is betaalbaar in terme van artikel 81 van die genoemde Ordonnansie gelees met artikel 95 daarvan.

1.6 VERWYDERING OF VERVANGING VAN MUNISIPALE DIENSTE

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

1.7 VERPLIGTING MET BETREKKING TOT INGENIEURSDIENSTE

Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening en installering van ingenieurs dienste soos voorheen ooreengekom tussen die Dorps eienaar en die plaaslike bestuur, nakom.

1.8 TOEGANG

Toegang na en uitgaan vanaf die Dorpsgebied sal vanaf die voorgestelde toegangs punt in Kingfisherlaan, via erf 3751 (interne privaat pad) wees en sodanige toegang sal tot die bevrediging van die Paaie, Vervoer en Siviele werke Department wees.

Geen toegang langs die westlike grens van die dorpsgebied wat grens aan Trichardts Weg (insluitende (n hoekafstomping) en al langs die suidelike grens van die dorps gebied wat grens aan Kingfisherlaan (insluitende die hoekafstomping), uitgesluit die enkele toegangspunt via erf 3751 (interne privaat pad) sal toegelaat word nie.

2. TITELVOORWAARDES

Die erwe is onderworpe aan die volgende voorwaardes, opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986:

2.1 Alle erwe met uitsluiting van erf 3751 (privaat pad)

- (a) Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir rioolerings - en ander munisipale doeleindes, ten gunste van die plaaslike bestuur, langs enige twee grense, met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- (b) Geen geboue of ander strukture mag binne die voorgemelde 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 plaaslike bestuur is geregtig om enige materiaal wat deur horn 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 voormelde serwituut grens; en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voormelde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak mag word.
- (d) Elke eienaar van 'n erf, of enige onderverdeelde gedeelte daarvan, of enige persoon wie 'n belang daarin het sal 'n lid word en bly van die huiseienaarsvereniging en sal ook onderhewig wees aan die konstitusie daarvan tot dat hy/sy nie meer 'n eienaar van voorgenoemde is nie.
- (e) Die erf mag nie getransporeer word sonder die voorafverkree skryflike toestemming van die artikel 21 maatskaapy, of die universitas personarum (Huiseienaarsvereniging).
- (f) Die term "huiseienaarsvereniging" in voormelde titel voorwaardes beteken die Ville d' Fleur huis eienaarsvereniging (n vereniging wat ingelyf is Kragtens artikel 21 van die Maatskaapy Wet, 1973 (wet 61 van 1973) soos gewysig of n universitas personarum.
- (g) Die erf is geregtig op 'n reg van weg serwituut oor erf 3751 (privaat pad) in die Dorpsgebied.
- (h) Aangesien die erf deel vorm van 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, hede en in die toekoms, aanvaar die eienaar daarvan alle verantwoordlikheid vir enige skade daaraan of aan enige struktuur daarop; die eienaar van die oppervlakte daarvan sal op geen stadium geregtig wees om van die houer van die myntitel of van die Inspekteer van Myne verwag dat enige voorsorg getref word vir die beskerming van die oppervlakte van die eiendom of van enige geboue of strukture daarop tenopsigte van

skade aan die oppervlakte, geboue of strukture as gevolg van sodanige versakking, vassakking, skok of krake of myn bedrywighede of as gevolg van enige bedrywighede van watter aard ook al voortvloeiend uitsodanige bedrywighede, in die verlede, hede, of in die toekoms of benede die eiendom of elders.

- (i) Aangesien die erf deel vorm van 'n gebied wat onderhewig mag wees aan stof besoedeling en geraas as gevolg van die teenwoordigheid van 'n werkende mynskag in die verlede, hede of in die toekoms, in die nabyheid daarvan, aanvaar die eienaar daarvan die ongerief as gevolg van die stof besoedeling en geraas as gevolg daarvan, wat ondervind mag word.
- (j) Die eienaar van die oppervlakte sal ook alle risiko wat mag voorspruit of 'n gevolg wees van die okkupasie of gebruik deur die eienaar van die oppervlakte van die eiendom hetsy aan die se werknemers of ander persone, eiendom, of ander bates van watter aard ook al en die eienaar van die oppervlakte vrywaar die houër van die myntitel teen enige eis vir skade deur werknemers of ander persone wat op die oppervlakte van die eiendom gaan, ten opsigte van enige verlies of skade wat hulle self of hulle eiendom of bates mag ly, as gevolg van mynbedrywighede op of benede die eiendom of binne, op of benede enige aangrensende eiendom.
- (k) Die eienaar van die oppervlakte sal nie direk of indirek inmeng met mynbedrywighede of dit beperk of verhoed nie benede die oppervlakte van die eiendom deur die houër van die myntitel nie, teenstande dat die oppervlakte benut word deur geboue, paaie of andersins.

2.2 Erwe 3680, 3679, 3675 en 3671

Die erf is onderhewig aan 'n serwituut 2 m wyd vir stormwater en ander munisipale dienste, tengerunste van die plaaslik bestuur, soos aangedui op die algemene plan.

2.3 Erwe 3669 en 3661

Die erf is onderhewig aan 'n serwituut 3m wyd vir stormwater en ander munisipale dienste, teengerunste van die plaaslike bestuur, soos aangedui op die algemene plan.

2.4 Erwe 3751 (privaat pad)

- (a) Die erf is onderhewig op 'n reg-van-weg serwituut tengerunste van Erwe 3641 tot en insluitende erf 3750 en erf 3752 in die dorpsgebied.
- (b) Die erf is onderhewig aan 'n serwituut vir riool, water retikulasie, elektriese doeleindes (straatligte uitgesluit) en ander munisipale dienste tengerunste van die plaaslike bestuur.

2.5 Erwe 3661 tot en insluitende 3682

Die erf is onderworpe aan 'n 2 m wyd serwituut vir riool doeleindes ten gunste van die plaaslike bestuur, soos aangedui op die algemene plan, en soos meer volledig sal blyk uit Notariele Serwituut Akte K 2887/2005 S.

PLAASLIKE BESTUURSKENNISGEWING 2290

KENNISGEWING VAN GOEDKEURING. EKURHULENI METROPOLITAANSE MUNISIPALITEIT BOKSBURG-WYSIGINGSKEMA 1194

Die Ekurhuleni Metropolitaanse Munisipaliteit verklaar hiermee, ingevolge die bepalings van artikel 125 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema van die Boksburg Dorpsbeplanningskema 1991, wat betrekking het op die grond ingesluit in die **Dorp Sunward Park Uitbreiding 20** aanvaar het.

'n Afskrif van die gemelde dorpsbeplanningskema soos aanvaar, le te alle redelike tye ter insae in die kantoor van die Area Bestuurder: Ontwikkelingsbeplanning, Burgersentrum, Boksburg, en die kantoor van die Hoof van Departement, Departement Ontwikkelingsbeplanning en Plaaslike Regering, Gauteng Provinsiale Regering, Johannesburg. .

Die gemelde wysigingskema staan bekend as Boksburg-wysigingskema 1194

PAUL MAVI MASEKO, Stadsbestuurder

Burgersentrum, Boksburg

Kennisgewing No.

