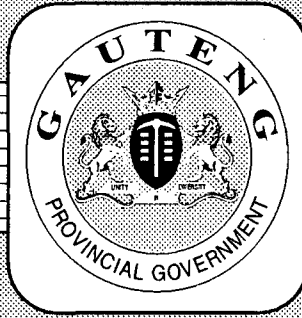


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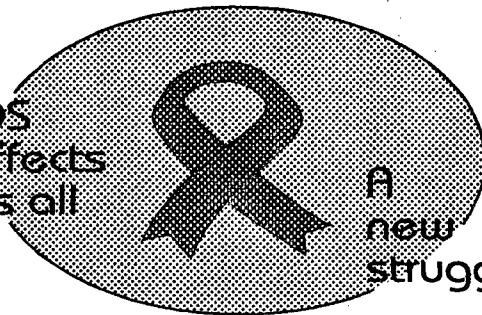
Vol. 11

**PRETORIA, 1 FEBRUARY 2005
FEBRUARIE**

No. 36

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 176

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 **Erand Gardens Extension 92** 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 PROSPECT SA INVESTMENTS 5 (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 940 OF THE FARM RANDJESFONTEIN 405 JR HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) Name

The name of the township shall be Erand Gardens Extension 92.

(2) Design

The township shall consist of erven as indicated on General Plan S.G. No. 9442/2004.

(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, electricity and sanitation as well as the construction of roads and stormwater drainage in the township, to the satisfaction of the local authority.

(4) Provincial Government

(a) Should the township not been completed before October 2013 the application shall be resubmitted to the Department of Public Transport, Roads and Works (Gauteng Provincial Government) for reconsideration.

(b) If however, before the expiry date of the mentioned period, circumstances change in such a way that roads and/or PWV routes under the control of the said Department are affected by the proposed layout of the township, the applicant shall resubmit the application for the purpose of fulfilment of the requirements of the controlling authority in terms of the provisions of Section 11 of Act 21 of 1940, as amended.

(5) Access

(a) No access to or egress from the township shall be permitted along the lines of no access as indicated on layout plan 07/1311/X.

(b) Access to or egress from the township shall be provided to the satisfaction of the local authority.

(6) Removal or replacement of existing services

Should it, as a result of the establishment of the township, be necessary to remove or replace any existing municipal, ESKOM and/or TELKOM services, such removal or replacement shall be done at the costs of the township owner.

(7) Acceptance and disposal of stormwater

The township owner shall arrange the stormwater drainage of the township to fit in with that of the adjacent roads and all stormwater running off or being diverted from the road, must be received and disposed of.

(8) Demolition of buildings and structures

The township owner shall at his own cost 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.

(9) Disposal of existing Conditions of Title

All erven shall be made subject to existing conditions and servitudes, if any.

(10) Restriction on the transfer of erven

Erf 582 and Erf 583 shall be transferred only to Sumatra Home Owners 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.

(11) 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 provisions of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefore, 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 582)

(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 process 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) Erven 495 to 505 and 510 to 523

(a) The registered owner of each erf shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the Department of Public Transport, Roads and Works (Gauteng Provincial Government) along the boundaries abutting on the proposed Road K73 and/or Road K56. The erection of such fence shall be done to the satisfaction of the local authority and such fence shall be maintained by the owner, to the satisfaction of the local authority.

(b) Except for the physical barrier referred to in clause (a) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 10 m from the boundary of the erf abutting on proposed Road K73 and/or Road K56. No alteration or addition to any existing structure or building situated within such distance of the said boundary shall be made except with the consent in writing of the the Department of Public Transport, Roads and Works (Gauteng Provincial Government).

(3) Erf 508

The erf is subject to a 3m wide servitude of right of way in favour of Sumatra Home Owners Association as well as the local authority, as indicated on the General Plan: Provided that the servitude shall be maintained by Sumatra Home Owners Association.

(4) Erf 511

The erf is subject to the following servitudes in favour of the local authority as indicated on the General Plan:

- (i) a 2,5m X 5m servitude for electrical sub-station purposes; and
- (ii) a 2m wide servitude for electrical purposes.

(5) Erven 561 and 562

The erven are each subject to a 2,5m X 2,5m servitude for electrical sub-station purposes in favour of the local authority as indicated on the General Plan.

(6) Erf 582

(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 Sumatra Home Owners Association without the written consent of the local authority first having been obtained.

(7) Erf 583

(a) The erf shall not be alienated or transferred into the name of any purchaser, other than Sumatra Home Owners Association without the written consent of the local authority first having been obtained.

(b) The registered owner of the erf shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the the Department of Public Transport, Roads and Works (Gauteng Provincial Government) along the boundary thereof abutting on the proposed Road K56. The erection of such fence shall be done to the satisfaction of the local authority and such fence shall be maintained by the owner, to the satisfaction of the local authority.

(c) Except for the physical barrier referred to in clause (b) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 10 m from the boundary of the erf abutting on proposed Road K56. No alteration or addition to any existing structure or building situated within such distance of the said boundary shall be made except with the consent in writing of the the Department of Public Transport, Roads and Works (Gauteng Provincial Government).

P. Moloi, City Manager

(Notice No.128/2005)

January 2005

PLAASLIKE BESTUURSKENNISGEWING 176

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 **Erand Gardens Uitbreiding 92** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR PROSPECT SA INVESTMENTS 5 (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 940 VAN DIE PLAAS RANDJESFONTEIN 405 JR TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

(1) Naam

Die naam van die dorp is Erand Gardens Uitbreiding 92.

(2) Ontwerp

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 9442/2004.

(3) Voorsiening en installering van dienste

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

(4) Provinsiale Regering

(a) Indien die ontwikkeling van die dorp nie voor Oktober 2013 voltooi word nie, moet die aansoek heringedien word by die Departement van Vervoer en Publieke Werke (Gauteng Provinsiale Regering) vir heroorweging.

(b) Indien omstandighede egter, voor die verstryking van die gemelde periode, tot so 'n mate verander dat paaie en/of PWV roetes onder die beheer van die betrokke Departement deur die beoogde uitleg van die dorp geraak word, moet die applikant die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beherende liggaam in gevolge die bepalings van Artikel 11 van Wet 21 van 1940, soos gewysig.

(5) Toegang

(a) Geen toegang tot of uitgang vanuit die dorp, word toegelaat langs die lyne van geen toegang, soos aangedui op uitlegplan van 07/1311/X.

(b) Toegang tot of uitgang vanuit die dorp moet tot tevredenheid van die plaaslike bestuur voorsien word.

(6) Verwydering of vervanging van bestaande dienste

Indien dit as gevolg van die dorpsstigting, nodig is om enige bestaande munisipale, ESKOM en/of TELKOM dienste te verwyder of te vervang, moet die koste daarvan deur die dorpsseienaar gedra word.

(7) Ontvangs en versorging van stormwater

Die dorpsseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by dië van die aangrensende strate en alle stormwater wat van die pad afloop of afgelei word, moet ontvang en versorg word.

(8) Sloping van geboue en strukture

Die dorpsseienaar 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.

(9) Beskikking oor bestaande Titelvoorwaardes

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige.

(10) Beperking op die oordrag van erwe

Erf 582 en Erf 583 mag slegs aan Sumatra Huiseienaarsvereniging oorgedra word, welke Vereniging volle verantwoordelikheid sal dra vir die funksionering en behoorlike instandhouding van die gemelde erwe en die noodsaaklike dienste binne of op die gemelde erwe.

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

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

2. TITELVOORWAARDES

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

(1) Alle erwe (behalwe Erf 582)

(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 goeiddunke 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) Erwe 495 tot 505 en 510 tot 523

(a) Die geregistreerde eienaar van elke erf moet, voor of gedurende die ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die Departement van Publieke Vervoer, Paaie en Werke (Gauteng Provinsiale Regering), langs die grense aangrensend aan die voorgestelde Pad K73 en/of Pad K56, oprig. Die oprigting van sodanige heining moet tot tevredenheid van die plaaslike bestuur gedoen word en sodanige heining moet deur die geregistreerde eienaar, tot tevredenheid van die plaaslike bestuur onderhou word.

(b) Behalwe vir die fisiese versperring waarna in klousule (a) verwys word, 'n swembad of enige noodsaaklike stormwaterdreineringsstruktuur, mag geen gebou, struktuur of ander ding wat aan die grond geheg is, selfs al vorm dit nie deel van die grond nie, opgerig word nie of sal niks gekonstrueer word op of geleë word binne of onder die oppervlakte van die erf binne 'n afstand van minder as 10m vanaf die grens van die erf aangrensend aan Pad K73 en/of Pad K56 nie. Geen veranderings of aanbouings mag aan enige bestaande struktuur of gebou geleë binne die vermelde afstand, gedoen word nie, behalwe met die skriftelike toestemming van die Departement van Publieke Vervoer, Paaie en Werke (Gauteng Provinsiale Regering) nie.

(3) Erf 508

Die erf is onderworpe aan 'n 3m breë serwituut van reg-van-weg ten gunste van Sumatra Huiseienaarsvereniging asook die plaaslike bestuur, soos aangedui op die Algemene Plan: Met dien verstande dat die serwituut deur Sumatra Huiseienaarsvereniging onderhou moet word.

(4) Erf 511

Die erf is onderworpe aan die volgende serwitute ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan:

- (i) 'n 2,5m X 5m serwituut vir elektriese sub-stasie doeleindes; en
- (ii) 'n 2m breë serwituut vir elektriese doeleindes.

(5) Erwe 561 en 562

Die erwe is elk onderworpe aan 'n 2,5m X 2,5m serwituut vir elektriese sub-stasie doeleindes ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(6) Erf 582

(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 naam van enige koper behalwe Sumatra Huiseienaarsvereniging, sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie.

(7) Erf 583

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

(b) Die geregistreerde eienaar van die erf moet, voor of gedurende die ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die Departement van Publieke Vervoer, Paaie en Werke (Gauteng Provinsiale Regering), langs die grens aangrensend aan die voorgestelde Pad K56, oprig. Die oprigting van sodanige heining moet tot tevredenheid van die plaaslike bestuur gedoen word en sodanige heining moet deur die geregistreerde eienaar, tot tevredenheid van die plaaslike bestuur onderhou word.

(c) Behalwe vir die fisiese versperring waarna in klousule (b) verwys word, 'n swembad of enige noodsaaklike stormwaterdreineringsstruktuur, mag geen gebou, struktuur of ander ding wat aan die grond geheg is, selfs al vorm dit nie deel van die grond nie, opgerig word nie of sal niks gekonstrueer word op of gelê word binne of onder die oppervlakte van die erf binne 'n afstand van minder as 10m vanaf die grens van die erf aangrensend aan Pad K56 nie. Geen veranderings of aanbouings mag aan enige bestaande struktuur of gebou geleë binne die vermelde afstand, gedoen word nie, behalwe met die skriftelike toestemming van die Departement van Publieke Vervoer, Paaie en Werke (Gauteng Provinsiale Regering) nie.

P. Moloi, Stadsbestuurder
(Kennisgewing 128/2005)
Januarie 2005.

LOCAL AUTHORITY NOTICE 177

AMENDMENT SCHEME 07-1311

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 Halfway House and Clayville Town Planning Scheme, 1976, comprising the same land as included in the township of **Erand Gardens Extension 92**. 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 07-1311.

P. Moloi, City Manager
(Notice 129/2005)
January 2005

PLAASLIKE BESTUURSKENNISGEWING 177

WYSIGINGSKEMA 07-1311

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 Halfway House en Clayville Dorpsbeplanningskema, 1976, wat uit dieselfde grond as die dorp **Erand Gardens Uitbreiding 92** 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 07-1311.

P. Moloi, Stadsbestuurder
(Kennisgewing 129/2005)
Januarie 2005