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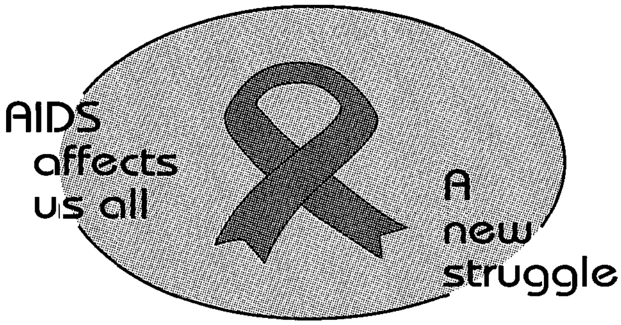

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LOCAL AUTHORITY NOTICE 224

CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY

(FORMER MIDRAND METROPOLITAN LOCAL COUNCIL)

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the City of Johannesburg, (former Northern Metropolitan Local Council) hereby declares Noordwyk Extension 59 Township to be an approved township subject to the conditions set out in the schedule hereto.

ANNEXURE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY BOUTRONIX (PROPRIETARY) LIMITED REGISTRATION NO. 2003/015546/07 (HEREIN AFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 98(1) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 910 (A PORTION OF PORTION 9) OF THE FARM RANDJESFONTEIN 405, REGISTRATION DIVISION J.R., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1 **Conditions of establishment**

1.1 **Name**

The name of the township shall be Noordwyk Extension 59.

1.2 **Design**

The township shall consist of erven and streets as indicated on General Plan S.G. No 9675/2003 .

1.3 **Engineering services**

1.3.1 The township owner shall be responsible for the installation and provision of engineering services including streets and storm-water drainage and a contribution towards bulk sewerage services; and

1.3.2 the local authority concerned shall be responsible for the installation and provision of external engineering services;

The township owner shall when he intends to provide the township with engineering and essential services:

1.3.3 by agreement with the local authority classify every engineering service to be provided for the township in terms of section 116 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as an internal or external engineering service and in accordance with the guidelines; and

1.3.4 install or provide all internal and essential services to the satisfaction of the local authority and for this purpose shall lodge reports, diagrams and specifications as the local authority may require.

1.4 Endowment

The township owner shall in terms of section 98(2) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) read with regulation 43 of the Town planning and Townships Regulations, 1986, pay the local authority a lump sum endowment for the provision of land for park (public open space). Such endowment shall be payable as determined by the local authority, in terms of section 81 of the said Ordinance.

1.5 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.

1.6 Demolition of buildings and structures

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

1.7 Removal of litter

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority when required by the local authority to do so.

1.8 Removal or 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.

1.9 Repositioning of circuits

If, by any reason of the establishment of the township, it should become necessary to reposition any existing circuits of ESKOM, the cost thereof shall be borne by the township owner.

1.10 Restriction on the transfer of erf 2222

Erf 2222 shall be transferred only to the Residents Association established in respect of the township, which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the essential services with the said erf.

1.11 Formation and duties of Resident's Association

1.11.1 The applicant shall properly and legally constitute a Resident's association to the satisfaction of the local authority prior to or simultaneous with the sale of the first erf in the township.

1.11.2 Erven 2220 - 2221 (Private Open Space) as well as erf 2222 (Access) shall be registered in the name of the Resident's Association.

1.11.3 Each and every owner of Erven 2149 - 2219 shall become a member of the Resident's Association upon transfer of the erf. Such Association shall have full responsibility for Erven 2220 - 2221 and in the case of Erf 2222 for the essential services (excluding services taken over by the local authority) contained herein.

1.11.4 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 by any member.

1.11.5 The local authority shall not be liable for the malfunction of the surfacing of the access way and/or any services with the exception of services taken over by the local authority.

1.11.6 A servitude for municipal services shall be registered over Erf 2222 in favour of, and to the satisfaction of the local authority.

1.11.7 Access from Erven 2149 - 2219 to a public road shall be across Erf 2222.

1.11.8 The local authority shall have unrestricted access to Erf 2222 at all times.

1.12 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, electricity and sanitary services as well as the construction of roads and storm water drainage and the installation of systems therefore as previously agreed upon between the township owner and the local authority. Erven shall not be alienated or be transferred into the name of a purchaser prior to the local authority verifying 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

2.1 Conditions imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

All erven except erf 2222 mentioned hereunder shall be subject to the conditions as indicated:

2.1.1 The erven are 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 and in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres wide across the access portion of the erf, if an when required by the local authority: Provided that the local authority may dispense with any such servitude.

2.1.2 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 (two) metres thereof.

2.1.3 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 work 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.

2.1.4 Erf 2222

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

2.1.5 Erf 2221

The erf is subject to a servitude for transformer/ substation purposes in favour of the local authority, as indicated on the general plan.

PLAASLIKE BESTUURSKENNISGEWING 224

PLAASLIKE BESTUURSKENNISGEWING 84 VAN 2004

JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT

(GEWESE MIDRAND METROPOLITAANSE PLAASLIKE RAAD)

VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Johannesburg Stad, (vroeër Noordelike Metropolitaanse Plaaslike Raad) hierby Noordwyk Uitbreiding 59 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR BOUTRONIX (EIENDOMS) BEPERK REGISTRASIE NR 2003/015546/07(HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN ARTIKEL 98(1) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 910 ('N GEDEELTE VAN GEDEELTE 9) VAN DIE PLAAS RANDJESFONTEIN 405, REGISTRASIE AFDELING J.R., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is Noordwyk Uitbreiding **59.**

1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 9675/2003.

1.3 Ingenieursdienste

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinering soewel as 'n bydra vir eksterne dienste; en

1.3.2 die plaaslike bestuur is verantwoordelik vir die installering en voorsiening van eksterne ingenieursdienste.

Die dorpseienaar sal, wanneer hy van voorneme is om die dorp van ingenieurs- en noodsaaklike dienste te voorsien:

1.3.3 elke ingenieursdiens wat vir die dorp voorsien moet word, ingevolge artikel 116 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) by ooreenkoms met die plaaslike bestuur klassifiseer as interne en eksterne ingenieursdienste; en

1.3.4 alle interne ingenieursdienste en noodsaaklike dienste installeer en voorsien tot bevrediging van die plaaslike bestuur en vir hierdie doel moet die verslae, planne en spesifikasies soos vereis deur die plaaslike owerheid ingedien word.

1.4 Begiftiging

Die dorpseienaar moet kragtens die bepalings van artikel 98(2) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 aan die plaaslike bestuur as begiftiging 'n globale bedrag vir parke (publieke oop ruimte) betaal. Hierdie bydra is betaalbaar soos bepaal deur die plaaslike bestuur, in terme van artikel 81 van die genoemde Ordonnansie.

1.5 Beskikking oor bestaande titel voorwaardes

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

1.6 Sloping van geboue en structure

Die dorpseienaar moet op eie koste all bestaande geboue en structure wat binne boulynreserwes, kant ruimtes en oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.7 Verwydering van rommel

Die dorpseienaar moet op eie koste all rommel binne die dorpsgebeid laat verwyder tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.8 Verskuiwing of 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 dorpseienaar gedra word.

1.9 Verskuiwing van kraglyne

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van ESKOM te verskuif, mnoet die koste daarvan deur die dorpseienaar gedra word.

1.10 Beperking op die vervreemding van erf 2222

Erf 2222 mag slegs aan die Huiseienaarsvereniging oorgedra word wat vir die dorp gestig word, en die huiseienaarsvereniging is verantwoordelik vir die funksionering en onderhoud van die genoemde erf en vir die noodsaaklike dienste wat op die erf geleë is.

1.11 Samestelling en pligte van die Huiseienaars Assosiasie

1.11.1 Die applikant sal 'n Huiseienaars Assosiasie, oordentelik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelyktydig met die verkoop van die eerste erf in die dorp.

1.11.2 Erwe 2220 – 2221 (privaat Oop Ruimste) sowel as erf 2222 (Toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.

1.11.3 Een en elk eienaar van erwe 2149 - 2219 moet lid word van die Huiseienaars Assosasie op oordrag van die erwe. Die Huiseienaars Assosiasie is ten volle verantwoordelik vir Erwe 2220 – 2221 rn in die geval van Erf 222 vir alle dienste (uitgesluit dienste wat deur die raad oorgeneem word) wat binne die erwe geleë is.

1.11.4 Die Huiseienaars Assosiasie sal volle wetlike mag hê om van een en elke lid die koste te verhaal wat nodig is om sy werk te verrig en sal wetlike regte hê om sodanige kostes van enige lid te verhaal indien die lid nie sy verantwoordelikhede nakom nie.

1.11.5 Die plaaslike bestuur kan nie verantwoordelik gehou word indien die oppervlakte van die

toegangs erf onklaar raak nie en/of enige ander dienste, met die uitsondering van dienste wat deur die Raad oorgeneem is..

1.11.6 'n Serwituut vir munisipale dienste moet oor Erf 2222 ten gusnte van, en tot bevrediging van die plaaslike bestuur geregistreer word.

1.11.7 Toegang van erwe 2149 - 2219 na 'n publiekse straat moet oor Erf 2222 wees.

1.11.8 Die plaaslike bestuur moet ten alle tye tot onbepertke toegang oor Erf 2222 beskik.

1.12 Verantwoordelikheid ten opsigte van dienste en beperking op die vervreemding van erwe.

Die dorpseienaar sal binne sodanige periode as wat die plaaslike bestuur mag bepaal, sy verantwoordelikheid nakom met betrekking tot die voorsiening van water en riooldienste sowel as vir die konstruksie van paaie en stormwater dreinering en die installering daarvan, soos wat daar vooraf tussen die eienaar en die plaaslike bestuur ooreengekom is. Erwe mag nie vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur gesertifiseer het dat voldoende waarborge/kontant bydraes aan die plaaslike bestuur betaal is in verband met die voorsiening van dienste aan die dorpseienaar.

2. TITELVOORWAARDES

2.1 Voorwaardes opgelê deur die Plaaslike Bestuur kragtens die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986)

Alle erwe behalwe erf 2222 is onderworpe aan die voorwaardes soos aangedui :

2.1.1 Die erwe is onderworpe aan 'n serwituut 2 meter breed vir riolerings- en ander munisipale doeleindes en 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 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur : Met dien verstande dat die plaaslike bestuur van sodanige serwituut mag afsien.

2.1.2 Geen geboue of ander strukture mag binne die voorgenoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 (two) meter daarvan geplant word nie.

2.1.3 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 voorgenoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voorgenoemde 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.

2.1.4 Erf 2222

Die erf is onderworpe aan 'n serwituut van reg van weg en munisipale doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

2.1.5 Erf 2221

Die erf is onderworpe aan 'n serwituut substasie doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 225

HALFWAY HOUSE AND CLAYVILLE TOWN PLANNING SCHEME, 1976, AMENDMENT SCHEME 07-2498

The City of Johannesburg, (former Northern Metropolitan Local Council), hereby declares that it has approved an amendment scheme, being an amendment of the Halfway House & Clayville Town Planning Scheme, 1976, comprising the same land as included in the township of Noordwyk Extension 59, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3 and scheme clauses of the amendment scheme are filed with the Deputy Director-General, Gauteng Provincial Government: Department Housing and Local Government, Marshalltown and the Assistant Director: Development Planning, Transportation and Environment, Johannesburg, Room 8100, 8th Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 12 February 2004.

This amendment is known as the Halfway House & Clayville Amendment Scheme 07-2498.

A NAIR: EXECUTIVE DIRECTOR, DEVELOPMENT PLANNING TRANSPORTATION AND ENVIRONMENT, CITY OF JOHANNESBURG, METROPOLITAN MINICIPALITY

PLAASLIKE BESTUURSKENNISGEWING 225

HALFWAY HOUSE EN CLAYVILLE DORPSBEPLANNINGSKEMA, 1976: WYSIGINGSKEMA 07-2498

Johannesburg Stad, (vroëer Midrand Metropolitaanse Plaalike Raad), verklaar hierby ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) dat hy 'n wysigingskema synde 'n wysiging van die Halfway House & Clayville Dorpsbeplanningskema, 1976, wat uit die selfde grond as die dorp Noordwyk Uitbreiding 59 bestaan, goedgekeur het.

Kaart 3 en skemaklousules van die wysigingskema word in bewaring gehou deur die Adjunk-Direkteur Generaal, Departement Behuising en Plaaslike Regering, Marshalltown en is by die Assistent Direkteur : Ontwikkelingsbeplanning, Vervoer en Omgewing, Johannesburg, Kamer 8100, 8 ste Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Die datum van die inwerkingtreding van die skema is 12 Februarie 2004.

Hierdie wysiging staan bekend as die Halfway House & Clayville Wysigingskema 07-2498.

A NAIR: UITVOERENDE DIREKTEUR, ONTWIKKELINGSBESTUUR, VERVOER EN OMGEWING JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT

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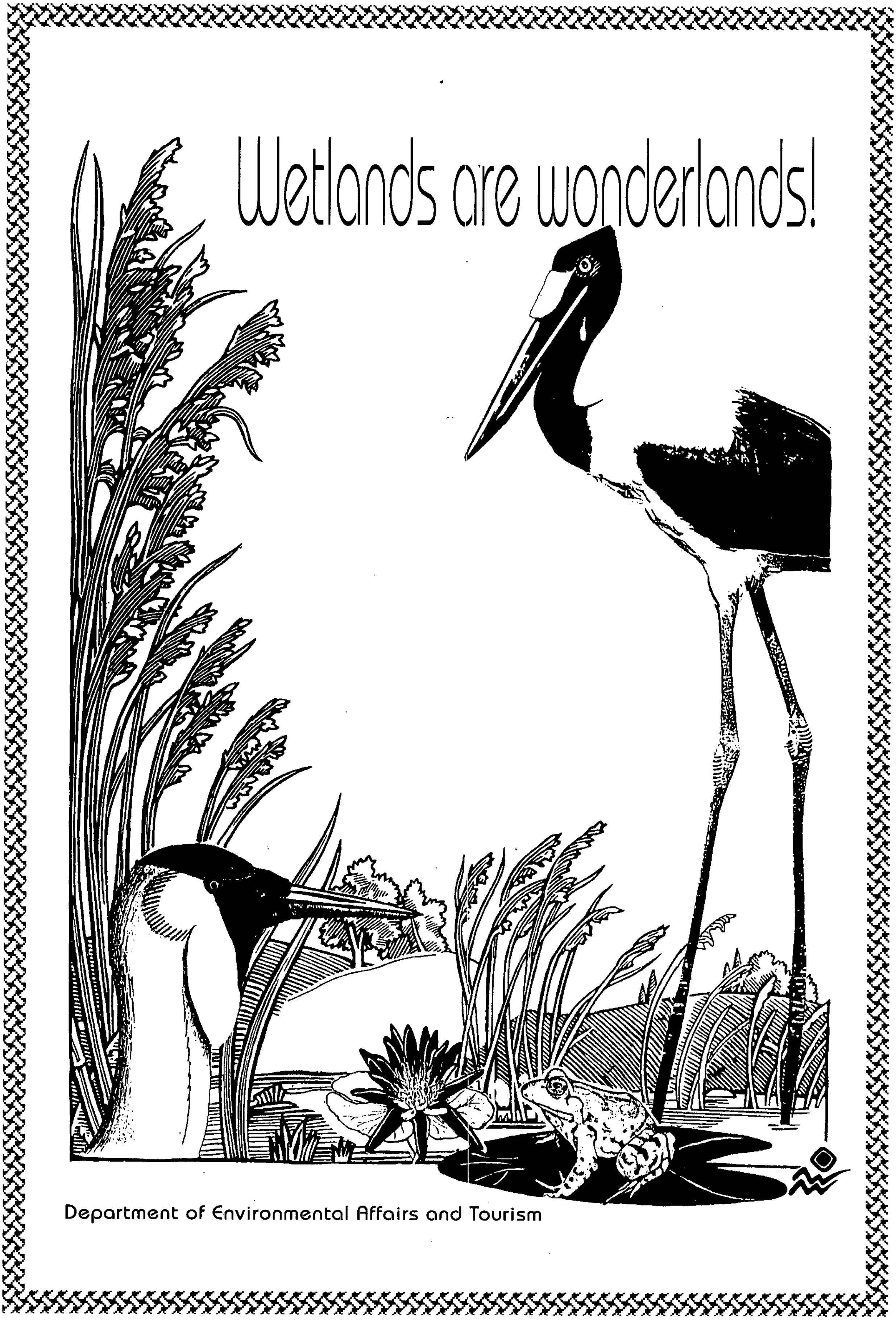
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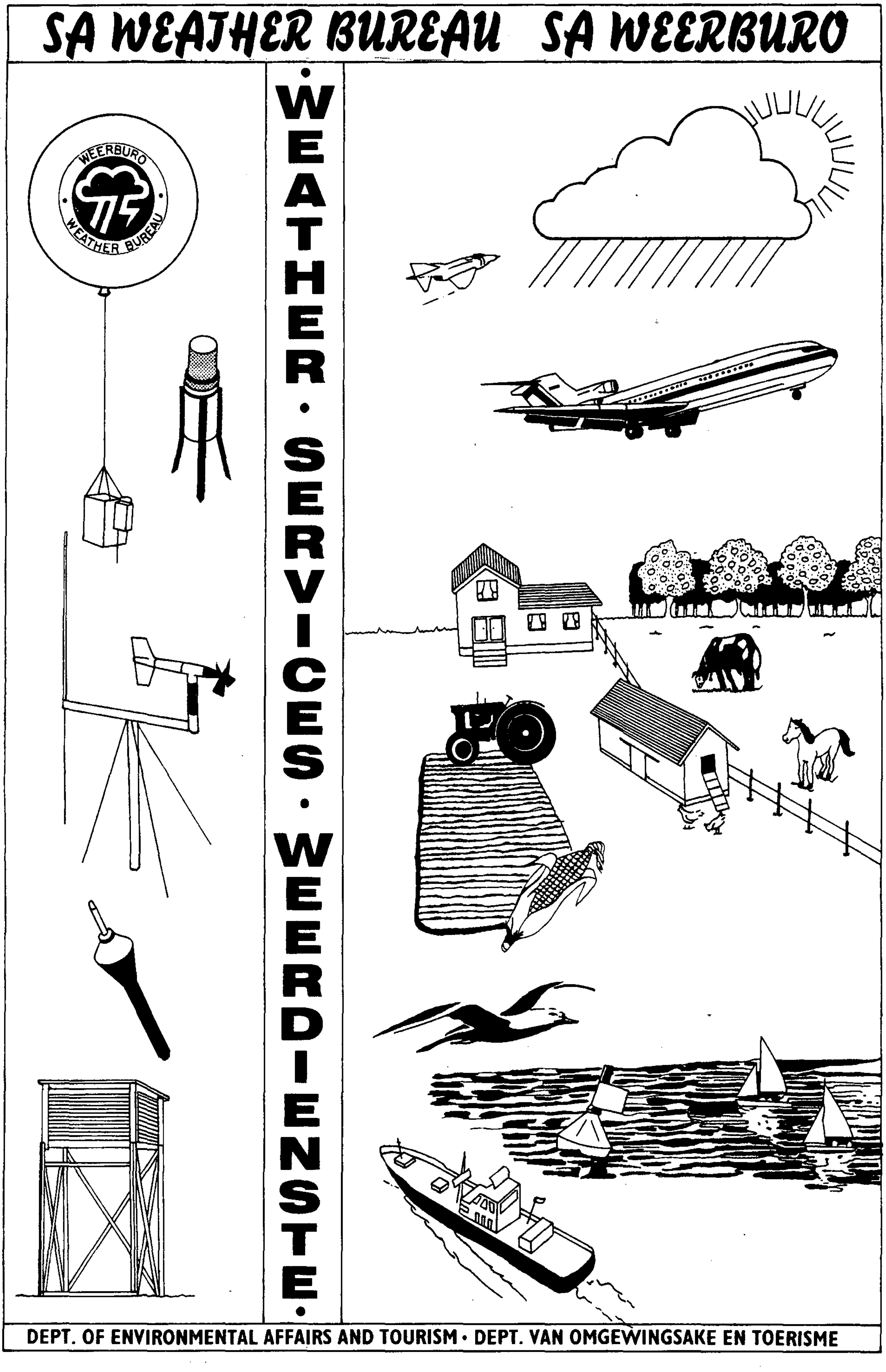
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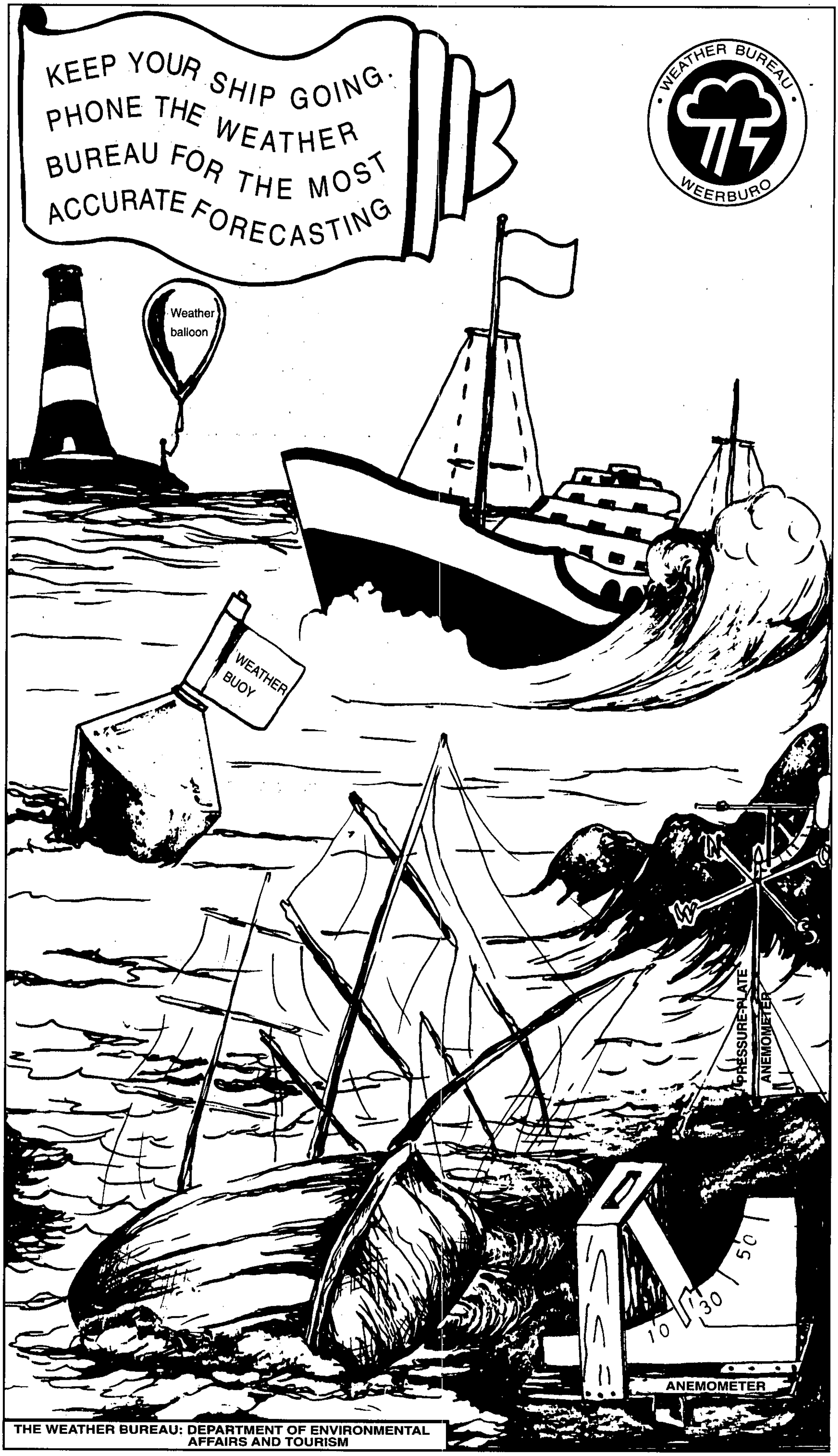

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