

THE PROVINCE OF
GAUTENG



DIE PROVINSIE
GAUTENG

Provincial Gazette Extraordinary Buitengewone Proviniale Koerant

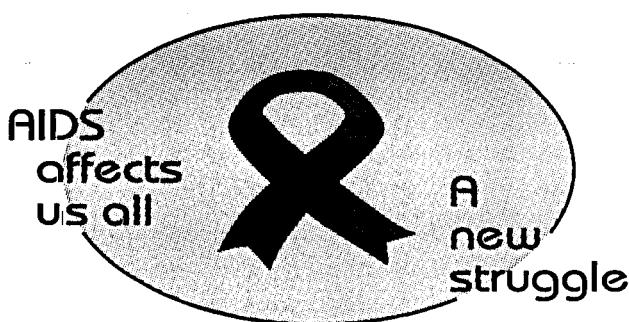
Selling price • Verkoopprys: R2,50
Other countries • Buitelands: R3,25

Vol. 10

PRETORIA, 6 MAY
MEI 2004

No. 162

We all have the power to prevent AIDS



AIDS
HELPUNE

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure



04162

9771682452005

CONTENTS

No.		Page No.	Gazette No.
LOCAL AUTHORITY NOTICE			
754	Town-planning and Townships Ordinance (15/1986): Ekurhuleni Metropolitan Municipality: Declaration as an approved township: Dayanglen Extension 3	3	162

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 754

EKURHULENI METROPOLITAN MUNICIPALITY:
PROPOSED DAYANGLEN EXTENSION 3 TOWNSHIP
DECLARATION AS AN APPROVED TOWNSHIP AND AMENDMENT OF THE BOKSBURG TOWN-
PLANNING SCHEME, 1991

In terms of the provisions of section 103 (1) of the Town-planning and Townships Ordinance, 1986, the Ekurhuleni Metropolitan Municipality hereby declares Dayanglen Extension 3 township, situated on Portion 392 (a portion of Portion 181) of the farm Driefontein 85 IR, to be an approved township, subject to the conditions set out in the schedule hereto.

SCHEDULE

Conditions under which the application made by MAJESTIC STUD (PTY) LTD in terms of the provisions of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) for permission to establish a township on Portion 392 (a portion of Portion 181) of the farm Driefontein 85 IR, Gauteng, has been approved.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Dayanglen Extension 3.

1.2 DESIGN

The township shall consist of the erven and the street as indicated on General Plan S.G. No. 8477/2003.

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 ENDOWMENT

The township owner shall, in terms of section 98(2) and (3) of the Town-planning and Townships Ordinance, 1986, pay to the local authority in cash a lump sum endowment of R40 000,00 – which amount shall be used by the local authority for the provision of land for parks and/or public open spaces in or for the township.

Such endowment shall be payable in terms of the provisions of section 81 read with section 95 of the said ordinance.

1.5 OBLIGATIONS IN REGARD TO ENGINEERING SERVICES

The township owner shall within such period as the local authority may determine, fulfil its obligations in respect of the provision and the installation of engineering services as previously agreed upon between the township owner and the local authority.

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 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the proposed road K-94 and for storm-water running off or being diverted from the said road to be received and disposed of to the satisfaction of the local authority.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.9 ACCESS

No ingress from the proposed road K-94 to Erven 83 up to and including Erf 88 in the township and no egress from Erven 83 up to and including Erf 88 in the township to the proposed road K-94 shall be allowed.

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 Townships Ordinance, 1986:-

2.1 ALL ERVEN EXCEPT ERF 100 (PRIVATE ROAD)

- (a) The erf is subject to a servitude, 2m 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 2m wide across the access portion of the erf, 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 2m 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 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.

2.2 ERVEN 76 TO 99

- (a) The erf may not be transferred without the prior written consent of La Roche Homeowners Association (universitas personarum).
- (b) The erf is entitled to a right-of-way servitude over Erf 100 (private road) in the township.
- (c) As the erf forms part of land which is presently or in the future may be subject to noise pollution (inclusive of aircraft noise) the owner and all parties having an interest in the erf, as well as all occupants of the erf, accept full liability for any and all inconvenience as may be experienced or losses or damage that may be caused as a result of such noise or vibration and furthermore shall have no claim in respect of such convenience, losses or damage against the Airports Company of South Africa Ltd (ACSA) or the local authority.

2.3 ERF 100 (PRIVATE ROAD)

- (a) The erf is subject to a right-of-way servitude in favour of Erven 76 up to and Including Erf 99 in the township.
- (b) The erf is subject to a servitude for sewerage, water reticulation, electrical services (excluding street lights) and other municipal purposes in favour of the local authority.
- (c) The erf shall within six (6) months from the date of publication of this notice be registered in the name of the Home Owners Association referred to in condition 2.2 (a) above.

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 Dayanglen Extension 3 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 Department, Department Development Planning and Local Government, Gauteng Provincial Government, Johannesburg. The said amendment scheme is known as Boksburg Amendment Scheme 1099.

PAUL MAVI MASEKO
CITY MANAGER
CIVIC CENTRE
BOKSBURG
30 APRIL 2004
NOTICE NO. 52/2004
14/19/3/D1/3 (TN)
14/21/1/1099 (TN)

PLAASLIKE BESTUURSKENNISGEWING 754

EKURHULENI METROPOLITAANSE MUNISIPALITEIT
VOORGESTELDE DORP DAYANGLEN UITBREIDING 3:
VERKLARING TOT GOEDGEKEURDE DORP EN WYSIGING VAN DIE BOKSBURG
DORPSBEPLANNINGSKEMA, 1991

Ingevolge die bepalings van artikel 103 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, verklaar die Ekurhuleni Metropolitaanse Munisipaliteit, hierby die dorp Dayanglen Uitbreiding 3 gelee op Gedeelte 392 ('n gedeelte van Gedeelte 181) van die plaas Driefontein 85 IR, tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

Voorwaardes waarop die aansoek gedoen deur MAJESTIC STUD (EDMS) BPK ingevalg van die bepaling van die Ordonnansie op Dorpsbeplanning en Dorpe 1986 (Ordonnansie no 15 van 1986) om toestemming om 'n dorp op Gedeelte 392 ('n gedeelte van Gedeelte 181) van die plaas Driefontein 85 IR Gauteng, te stig, toegestaan is.

1. STIGINGVOORWAARDES
1.1 NAAM

Die naam van die dorp is Dayanglen Uitbreiding 3.

1.2 ONTWERP

Die dorp bestaan uit die erwe en 'n straat soos aangedui op Algemene Plan S.G. nr. 8477/2003.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

1.4 BEGIFTIGING

Die dorpsienaar moet ingevalg die bepaling van artikel 98(2) en (3) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 aan die plaaslike bestuur as begiftiging betaal 'n globale bedrag van R40 000,00 in kontant welke bedrag deur die plaaslike bestuur aangewend moet word vir die voorsiening van grond vir parke en/of publieke oopruimtes in of vir die dorp.

Sodanige begiftiging is betaalbaar ooreenkomsdig die bepaling van artikel 81 gelees met artikel 95 van die gemelde ordonnansie.

1.5 VERPLIGTINGE 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 ingeniersdienste soos voorheen ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom.

1.6 VERWYDERING OF VERSORGING 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 ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpseienaar moet die stormwaterdreinering van die dorp reël dat dit inpas by die voorgestelde pad K-94 en moet die stormwater wat van die gemelde pad afloop of afgelei word, ontvang en daarvoor beskik, tot die bevrediging van die plaaslike bestuur.

1.8 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserves, kantrumtes of oor gemeenskaplike grense geleë is, tot bevrediging van die plaaslike bestuur sloop, binne 'n tydperk van ses (6) maande vanaf die datum van publikasie van hierdie kennisgewing.

1.9 TOEGANG

Geen toegang vanaf voorgestelde pad K-94 na Erwe 83 tot en met Erf 88 in die dorp en geen uitgang vanaf Erwe 83 tot en met Erf 88 in die dorp na voorgestelde pad K-94 sal toegelaat word.

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 UITSLUITENDE ERF 100 (PRIVAAAT PAD)

- (a) Die erf is onderworpe aan n serwituit , 2m breed vir riolering en ander munisipale doeleinades ten gunste van die plaaslike bestuur langs enige twee grense , uitgesonderd n straatgrens en in die geval van n pypstelsel n addisionele serwituit vir munisipale doeleinades 2m 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 serwituit mag afsien.
- (b) Geen gebou of ander struktuur mag binne die voormalde serwituitgebied opgerig word nie, en geen grootwortelbome mag binne die gebied van sodanige serwituit, of binne n afstand van 2m 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 voormalde serwituit grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot gemelde grond vir die voormalde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke veroorsaak word.

2.2 ERWE 76 TOT 99

- (a) Die erf mag nie sonder die vooraf verkreeë geskrewe toestemming van La Roche Huiseienaarsvereniging (universitas personarum) getransporteer word nie.
- (b) Die erf is geregtig op 'n reg - van- weg serwituit oor die Erf 100 (privaat pad) in die dorp.

- (c) Aangesien die erf deel vorm van grond wat huidiglik of in die toekoms onderhewig is of mag word aan geraasbesoedeling (Inbegrepe vliegtuiggeraas) aanvaar die eienaar en alle partye wat 'n belang het in die erf, sowel as elke okkuperer van die erf, volle verantwoordelikheid vir enige en alle ongerief wat ondervind mag word of verliese of skade wat veroorsaak mag word as gevolg van sodanige geraas of vibrasie en verdermeer sal die partye geen eis ten opsigte van sodanige ongerief, verliese of skade teen die Lughawe Maatskappy van Suid-Afrika (ACSA) of die plaaslike bestuur hê nie.

2.3 ERF 100 (PRIVAAT PAD)

- (a) Die erf is onderhewig aan 'n reg-van-weg serwituit ten gunste van Erwe 76 tot en insluitende Erf 99 in die dorp.
- (b) Die erf is onderworpe aan 'n serwituit vir riolering, waterretikulasie, elektriese doeleinades (uitsluitend straat ligte) en ander munisipale doeleinades ten gunste van die plaaslike bestuur.
- (c) Die erf sal binne ses (6) maande vanaf datum van publikasie van hierdie kennisgewing geregistreer word in die naam van die huiseienaarsvereniging gemeld in voorwaarde 2.2 (a) hierbo.

Die Ekurhuleni Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysiging van die Boksburg Dorpsbeplanningskema, 1991 wat betrekking het op die grond ingesluit in die dorp Dayanglen Uitbreiding 3 aanvaar het. 'n Afskrif van die gemelde dorpsbeplanningskema soos aanvaar, lê te alle redelike tye ter insae in die kantoor van die Area Bestuurder Burgersentrum, Boksburg en die kantoor van die Hoof van Departement, Departement Ontwikkelings beplanning en Plaaslike Regering, Gauteng Proviniale Regering, Johannesburg. Die gemelde wysigingskema staan bekend as Boksburg wysigingskema 1099.

PAUL MAVI MASEKO
STADSBESTUURDER
BURGERSENTRUM
BOKSBURG
30 APRIL 2004
KENNISGEWING NR. 52/2004
14/19/3/D1/3 (TN)
14/21/1/1099 (TN)
