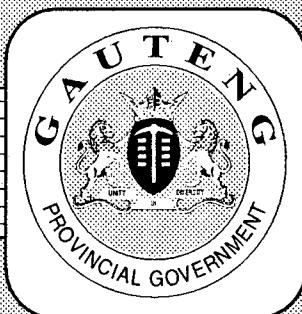


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinciale Koerant

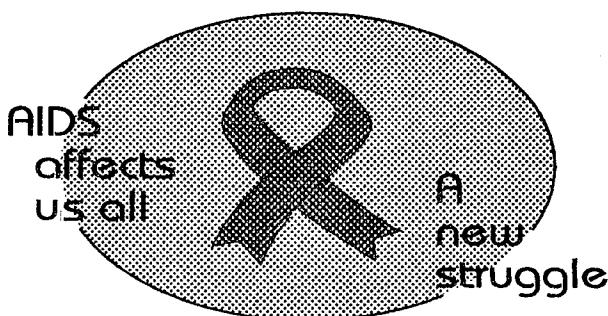
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Vol. 10

PRETORIA, 24 NOVEMBER 2004

No. 526

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2665

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 **Broadacres Extension 5** 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 DUNROSE INVESTMENTS 184 (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 433 (A PORTION OF PORTION 36) OF THE FARM ZEVENFONTEIN 407 J.R. HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) Name

The name of the township shall be Broadacres Extension 5.

(2) Design

The township shall consist of erven as indicated on General Plan S.G. No. 7525/2004.

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

(4) Electricity

(a) The local authority is not the bulk supplier of electricity in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make arrangements in this regard with ESKOM, the licensed supplier of electricity in the township.

(b) The local authority shall be notified in writing that satisfactory arrangements have been made in respect of the supply of electricity to the township and in this connection, the township owner shall submit the following to the local authority:

- (1) A certified copy of the agreement in respect of the supply of electricity entered into with ESKOM; and/or
- (2) A certificate by the licensed supplier of electricity that acceptable financial arrangements with regard to (1) above have been made by the township owner.

(5) Access

No access to or egress from the township shall be permitted via Road 1027 (K56) along the lines of no access as indicated on layout plan 15/3/428/1X.

(6) Removal or replacement of existing services

Should it, by reason of the establishment of the township, be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost thereof shall be borne by the township owner.

(7) Acceptance and disposal of stormwater

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

(8) Provincial Government

(a) Should the development of the township not been completed on or before 10 April 2007 the application shall be resubmitted to the Department of Transport and Public 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.

(9) Disposal of existing Conditions of Title

All erven shall be made subject to existing conditions and servitudes, if any, excluding the following:

- A. The following servitude which only affects Erf 107:

The sewer servitude 3,15m wide vide diagram S.G. No. A3722/1977.

- B. The following servitude which does not affect the rights of the erven in the township:

Notarial Deed of Servitude No. 293/1947S as more fully set out in condition A. of Deed of Transfer T79100/03.

(10) Demolition of buildings and structures

The township owner shall at his own costs 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.

(11) Notarial tie of erven

The township owner shall, after proclamation of the township but prior to the transfer of any erf/unit in the township, notarially tie Erf 107 and Erf 108 to the satisfaction of the local authority.

(12) Endowment

The township owner shall, in terms of the provisions of Section 98(2) of the Town Planning and Townships Ordinance, 15 of 1986, pay a lump sum endowment to the local authority for the provision of land for a park.

(13) 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 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.

All erven

(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 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.

(d) The erven are each subject to a servitude of right of way in favour of the Department of Transport and Public Works (Gauteng Provincial Government) as indicated on the General Plan.

(e) The registered owner of each erf shall, before or during development of the erf, erect a physical barrier of such material and which is in accordance with the most recent standards of the Department Public Works and Transport (Gauteng Provincial Government), along the boundaries of Road 1027(K56). Such barrier shall be maintained by the registered owner, to the satisfaction of the said Department.

P. Moloi, City Manager
 (Notice No. 1227/2004)
 November 2004

PLAASLIKE BESTUURSKENNISGEWING 2665

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 **Broadacres Uitbreiding 5** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR DUNROSE INVESTMENTS 184 (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 433 ('N GEDEELTE VAN GEDEELTE 36) VAN DIE PLAAS ZEVENFONTEIN 407 JR TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

(1) Naam

Die naam van die dorp is Broadacres Uitbreiding 5.

(2) Ontwerp

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 7525/2004.

(3) Voorsiening en installering van dienste

Die dorpsienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van water en sanitêre dienste asook die konstruksie van strate en stormwaterdreinering in die dorp, tot bevrediging van die plaaslike bestuur.

(4) Elektrisiteit

(a) Die plaaslike bestuur is nie die grootmaat verskaffer van elektrisiteit aan die dorp nie. Die dorpsienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, die nodige reëlings tref met ESKOM, die gelisensieerde verskaffer van elektrisiteit in die dorp.

(b) Die plaaslike bestuur moet skriftelik verwittig word dat bevredigende reëlings met betrekking tot die voorsiening van elektrisiteit aan die dorp, getref is en in die verband moet die dorpsienaar die volgende aan die plaaslike bestuur verskaf:

- (1) 'n Gesertificeerde afskrif van die ooreenkoms aangegaan met ESKOM rakende die voorsiening van elektrisiteit;
- (2) 'n Sertificaat uitgereik deur ESKOM dat aanvaarbare finansiële reëlings met betrekking tot (1) hierbo, deur die dorpstigter getref is.

(5) Toegang

Geen toegang tot of uitgang vanuit die dorp sal via Pad 1027(K56) langs die lyne van geen toegang soos aangedui op uitlegplan 15/3/428/1X, toegelaat word nie.

(6) Verwydering of vervanging van bestaande dienste

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

(7) Ontvangs en versorging van stormwater

Die dorpseienaar moet die stormwaterdreinering van die dorp so reël dat dit inpas by dié van die aangrensende paaie en alle stormwater wat van die pad afloop of afgeli word, moet ontvang en versorg word.

(8) Provinciale Regering

(a) Indien die ontwikkeling van die dorp nie voor of op 10 April 2007 voltooi word nie, moet die aansoek heringedien word by die Departement van Vervoer en Publieke Werke (Gauteng Provinciale 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 doeleinades van die nakoming van die vereistes van die beherende liggaam in gevolge die bepalings van Artikel 11 van Wet 21 van 1940, soos gewysig.

(9) Besikking oor bestaande Titelvoorwaardes

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige, uitgesonderd die volgende:

A. Die volgende serwituit wat slegs Erf 107 raak:

Die rioolserwituit 3,15m breed vide diagram L.G. Nr A3722/1977.

B. Die volgende serwituit wat nie die regte van die erwe in die dorp raak nie:

Notariële Akte van Serwituit Nr 293/1947S soos meer volledig uiteengesit in voorwaarde A. van Akte van Transport T79100/03.

(10) Slooping van geboue en strukture

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreservves, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

(11) Notariële verbinding van erwe

Die dorpseienaar moet na proklamasie van die dorp maar voor die oordrag van enige erf/eenheid in dorp, Erf 107 en Erf 108 notarieël verbind tot tevredenheid van die plaaslike bestuur.

(12) Begiftiging

Die dorpseienaar sal, ingevolge die bepalings van Artikel 98(2) van die Dorpsbeplanning en Dorpe Ordonnansie, Nr 15 van 1986, 'n globale bedrag as begiftiging aan die plaaslike bestuur betaal vir die voorsiening van grond vir 'n park.

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

Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinering en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar 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 waarborgte/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar 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.

Alle erwe

(a) Elke erf is onderworpe aan 'n serwituit 2 m breed, ten gunste van die plaaslike bestuur, vir riolerings-en ander munisipale doeleinades, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituit vir munisipale doeleinades 2 m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstaande dat die plaaslike bestuur van enige sodanige serwituit mag afsien.

- (b) Geen gebou of ander struktuur mag binne die voornoemde serwituitgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituit 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, onderhou of verwydering van sodanige rioolhoofpyleidings, en ander werke wat hy volgens goeddunke noodsaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituit 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, onderhou of verwydering van sodanige rioolhoofpyleiding en ander werke veroorsaak word.
- (d) Die erwe is elkeen onderworpe aan 'n serwituit van reg-van-weg ten gunste van die Departement van Vervoer en Publieke Werke (Gauteng Provinciale Regering) soos aangedui op die Algemene Plan.
- (e) Die geregistreerde eienaar van elke erf moet voor of gedurende die ontwikkeling van die erf, 'n fisiese versperring van sodanige materiaal en wat in ooreenstemming is met die mees onlangse standarde van die Departement van Publieke Werke en Vervoer (Gauteng Provinciale Regering), langs die grense van Pad 1027(K56) oprig. Sodanige versperring moet onderhou word deur die geregistreerde eienaar tot tevredenheid van die gemelde Departement.

P. Moloi, Stadsbestuurder
 (Kennisgewing 1227/2004)
 November 2004

LOCAL AUTHORITY NOTICE 2666

AMENDMENT SCHEME 03-2979

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 Peri-Urban Areas Town Planning Scheme, 1975, comprising the same land as included in the township of **Broadacres Extension 5**. 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 03-2979.

P. Moloi City Manager
 (Notice 1228/2004)
 November 2004.

PLAASLIKE BESTUURSKENNISGEWING 2666

WYSIGINGSKEMA 03-2979

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 Buitestedelike Gebiede Dorpsbeplanningskema, 1975, wat uit dieselfde grond as die dorp **Broadacres Uitbreiding 5** 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 03-2979.

P. Moloi Stadsbestuurder
 (Kennisgewing 1228/2004)
 November 2004.

