

*THE PROVINCE OF
GAUTENG*



*DIE PROVINSIE
GAUTENG*

Provincial Gazette Extraordinary Buitengewone Proviniale Koerant

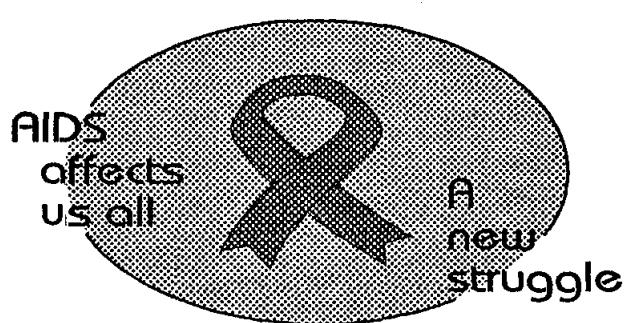
Selling price • Verkoopprys: R2,50
Other countries • Buitelands: R3,25

Vol. 12

PRETORIA, 23 JANUARY 2006

No. 19

We all have the power to prevent AIDS



AIDS
HELPLINE

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure



CONTENTS • INHOUD

No.		Page No.	Gazette No.
LOCAL AUTHORITY NOTICES			
120	Town-planning and Townships Ordinance (15/1986): Declaration as an approved township: Erand Gardens Extension 78	3	13
121	do.: Amendment Scheme 07-5373	8	13


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

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 120

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 78** 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 RECTRON (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 943 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 78**.

(2) Design

The township shall consist of erven and thoroughfares as indicated on General Plan S.G. No 9878/2004.

(3) Provision and Installation of services

The township owner shall make the necessary arrangements with the local authority for the provision and installation of electricity, water 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 development of the township not been completed on or before 28 April 2014 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 township owner 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) 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 costs thereof shall be borne by the township owner.

(6) Access

(a) No access to or egress from the township shall be permitted via New Road.

(b) No access to or egress from the township shall be permitted via Road K-73.

(c) Access to and egress from the township shall be provided to the satisfaction of the local authority, Johannesburg Roads Agency (Pty) Ltd and/or the Department of Public Transport, Roads and Works (Gauteng Provincial Government).

(7) Demolition of buildings and structures

The township owner shall at its 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 requested thereto by the local authority.

(8) Disposal of existing Conditions of Title

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

(9) Consolidation of erven

The township owner shall, at its own costs, after proclamation of the township but prior to the transfer of

any erf/unit in the township, consolidate Erf 408 and Erf 409, to the satisfaction of the local authority.

(10) Obligations with regard to services and restriction regarding the alienation of erven

(a) The township owner shall, at his own costs and to the satisfaction of the local authority, design, provide and construct all services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven or units in the township, may not be alienated or transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that these services had been provided and installed; and

(b) The township owner shall, within such period as the local authority may determine, fulfil his obligations in respect of the provision of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority. Erven or units in the township, may not be alienated or transferred into the name of a purchaser, prior to the local authority certifying to the Registrar of Deeds 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

(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 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 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) Erf 408

(a) The erf is subject to the following servitudes as indicated on the General Plan:

(i) A servitude of right of way in favour of Sumatra Homeowners Association, for access purposes: Provided that the servitude may only be cancelled once suitable, permanent access to Erand Gardens Extension 92 has been obtained, to the satisfaction of the local authority and a certificate to that effect has been issued by the local authority to the Registrar of Deeds.

(ii) A servitude of right of way and municipal purposes in favour of the local authority, which servitude shall be subject *inter alia* to the following conditions:

(1) The local authority shall not be liable for the maintenance of the servitude area; and

(2) The servitude may, subject to (3) hereunder, be cancelled at the cost of the registered owner of Erf 408, once suitable permanent access to Erand Gardens Extension 78 has been obtained, to the satisfaction of the local authority and Johannesburg Roads Agency (Pty) Ltd. and a certificate to that effect has been issued by the local authority to the Registrar of Deeds; and

(3) The registered owner of Erf 408 shall, simultaneously with the cancellation as contemplated in (2) above, register at his own cost, a 4m wide servitude for municipal purposes in favour of the local authority, along a part of the northern

boundary of Erf 408, to the satisfaction of the local authority.

(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 Department of Public Transport, Roads and Works (Gauteng Provincial Government), along the erf boundary abutting the proposed Road K73. The erection of such fence shall be done to the satisfaction of the local authority and/or the Department and such fence shall be maintained by the owner, to the satisfaction of the local authority and/or the Department.

(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 16 m from the erf boundary abutting proposed Road K73. No alteration or addition to any existing structure or building situated within such distance of 16m, shall be made except with the written consent of the Department of Public Transport, Roads and Works (Gauteng Provincial Government).

P. Moloi, City Manager
(Notice No. 6/2006)
January 2006

PLAASLIKE BESTUURSKENNISGEWING 120

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 78** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEËN DEUR RECTRON (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 943 VAN DIE PLAAS RANDJESFONTEIN 405 JR TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

(1) Naam

Die naam van die dorp is Erand Gardens Uitbreiding 78.

(2) Ontwerp

Die dorp bestaan uit erwe en deurpaaie soos aangedui op Algemene Plan LG Nr 9878/2004.

(3) Voorsiening en installering van dienste

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

(4) Provinciale Regering

(a) Indien die ontwikkeling van die dorp nie voor of op 28 April 2014 voltooi word nie, moet die aansoek heringedien word by die Departement van Openbare Vervoer, Paaie en 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 dorpseienaar 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) 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 dorpseienaar gedra word.

(6) Toegang

(a) Geen toegang tot of uitgang vanuit die dorp, sal toegelaat word via Newstraat.

(b) Geen toegang tot of uitgang vanuit die dorp, sal toegelaat word via Pad K-73.

(c) Toegang tot en uitgang vanuit die dorp moet voorsien word tot tevredenheid van die plaaslike bestuur, Johannesburg Roads Agency (Edms) Bpk en/of die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinciale Regering).

(7) Sloop 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.

(8) Beskikking oor bestaande Titelvoorwaardes

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

(9) Konsolidasie van erwe

Die dorpseienaar moet, op eie koste, na proklamasie van die dorp maar voor die oordrag van enige erf/eenheid in die dorp, Erf 408 en Erf 409, konsolideer tot tevredenheid van die plaaslike bestuur.

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

(a) Die dorpseienaar moet, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle dienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, insluitend die interne paaie en die stormwaterretikulasie. Erwe/eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste voorsien en geïnstalleer is; en

(b) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van elektrisiteit, water en sanitêre dienste asook die konstruksie van paaie en stormwaterreinering en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborg/kontantbydraes ten opsigte van die voorsiening van die dienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is.

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

(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, onderhou of verwydering van sodanige rioolhoofpypleidings, en ander werke wat hy volgens goedgunke 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, onderhou of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(2) Erf 408

(a) Die erf is onderworpe aan die volgende servitute soos aangedui op die Algemene Plan:

- (i) 'n Servituut van reg-van-weg ten gunste van Sumatra Huiseienaarsvereniging, vir toegangdoeleindes: Met dien verstande dat die servituut slegs gekanseer mag word indien gesikte, permanente toegang tot Erand Gardens Uitbreiding 92, tot tevredenheid van die plaaslike bestuur verkry is en 'n sertifikaat tot die effek, deur die plaaslike bestuur aan die Registrateur van Aktes uitgereik is.
 - (ii) 'n Servituut van reg-van-weg en munisipale doelesindes ten gunste van die plaaslike bestuur, welke servituut *inter alia* onderworpe moet wees aan die volgende voorwaarde:
 - (1) Die plaaslike bestuur sal nie verantwoordelik wees vir die instandhouding van die servituitgebied nie; en
 - (2) Die servituut mag, onderworpe aan (3) hieronder, gekanseer word op koste van die geregistreerde eienaar van Erf 408, indien gesikte, permanente toegang tot Erand Gardens Uitbreiding 78, tot tevredenheid van die plaaslike bestuur en Johannesburg Roads Agency (Edms) Bpk verkry is en 'n sertifikaat tot die effek deur die plaaslike bestuur aan die Registrateur van Aktes, uitgereik is; en
 - (3) Die geregistreerde eieaar van Erf 408 moet, gelyktydig met die kansellasie soos beoog in (2) hierbo, op eie koste, 'n 4m breë servituut vir munisipale doelesindes ten gunste van die plaaslike bestuur, langs 'n gedeelte van die noordelike grens van Erf 408, tot tevredenheid van die plaaslike bestuur, registreer.
- (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 vereistes van die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinciale Regering), langs die erfgrens aangrensend aan die voorgestelde Pad K73, oprig. Die oprigting van sodanige heining moet tot tevredenheid van die plaaslike bestuur en/of die Departement gedoen word en sodanige heining moet deur die geregistreerde eienaar, tot tevredenheid van die plaaslike bestuur en/of die Departement, onderhou word.
- (c) Behalwe vir die fisiese versperring waarna in klousule (b) verwys word, 'n swembad of enige noodsaklike stormwaterdreiningsstruktur, 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 16m vanaf die erfrens aangrensend aan Pad K73 nie. Geen verandering of aanbouing mag aan enige bestaande struktuur of gebou geleë binne die gemelde afstand van 16m, gedoen word nie, behalwe met die skriftelike toestemming van die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinciale Regering) nie.

P. Moloi, Stadsbestuurder
(Kennisgewing Nr 6/2006)
Januarie 2006.

LOCAL AUTHORITY NOTICE 121**AMENDMENT SCHEME 07-5373**

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 78**. 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 07-5373.

P. Moloi, City Manager
(Notice No. 7/2006)
January 2006

PLAASLIKE BESTUURSKENNISGEWING 121**WYSIGINGSKEMA 07-5373**

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 78** bestaan, goedgekeur het. Kaart 3 en die skemaklusules 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 07-5373.

P. Moloi, Stadsbestuurder
(Kennisgewing Nr 7/2006)
Januarie 2006
