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GAUTENG***

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PLAASLIKE BESTUURSKENNISGEWING 602

PLAASLIKE BESTUURSKENNISGEWING VAN 326/2009

JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT

VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Johannesburg Stad, hierby **PRESIDENT PARK EXTENSION 36** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR TECHVEST PROPERTIES CC 99/03271/23 (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN ARTIKEL 111 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 156 VAN DIE PLAAS ALLANDALE No 10JR REGISTRASIE AFDELING JR, PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is President Park Uitbreiding 36.

1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 9049/2008.

1.3 Ingenieursdienste

- a) Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinerings en om 'n bydrae vir eksterne riooldienste te betaal; en
- b) 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 :

- c) 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
- d) 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 (Ordonnansie 15 van 1986) lees met regulasie 43 van die Stads beplanning en dorps regulasies, 1986, aan die Plaaslike bestuur as begiftiging vir parke doeleindes (openbare publieke spasie). So 'n begiftiging sal betaalbaar wees soos bepaal deur die Plaaslike bestuur, in terme van artikel 81 van die 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, maar uitgesluit,

Uitgelsuit die volgende wat net erwe 124 en 125 President Park Uitbreiding 36, affekteer:

- (a) *(c)(iv) " No building erected on the holding shall be located within a distance of 15,24 metres from the boundary of that holding abutting on a road and no boreholes shall be sunk within a distance of 14.24 metres from any boundary other than a road boundary."*

1.6 Elektrisiteit

- (a) Die plaaslike bestuur is nie die hoofvoorsiener van elektrisiteit in die dorp nie. Die dorpseienaar moet in terme van Artikel 118(2)(b) van die Doprbeplanning en Dorp Ordonnansie, 1986 (Ordonnansie 15 van 1986) 'n ooreenkoms met ESKOM aangaan wat die gelisensiëerde voorsiener van elektrisiteit vir die dorp is.
- (b) Die plaaslike bestuur moet skriftelik in kennis gestel word dat bevredigende reëlins getref is met betrekking tot die voorsiening van elektrisiteit vir die dorp en die eienaar moet die volgende by die plaaslike bestuur indien:
- (i) 'n Gesertifiseerde afskrif van die ooreenkoms wat aangegaan is met ESKOM met betrekking tot die voorsiening van elektrisiteit.
- (ii) 'n Sertifikaat van die gelisensiëerde voorsiener van elektrisiteit waarin bevestig word dat bevredigende finansiële reëlins getref is deur die dorpseienaar aangaande (i) hierbo.
- (c) Alle voorwaardes gestipuleer deur Eskom sal aan voldoen word insluitend die registrasie van servitute.

1.7 Toegang

Ingang tot en uitgang vanaf die dorp sal voorsien word tot bevrediging van die plaaslike bestuur en die Johannesburg Paaie Agent (Pty) Ltd.

Ingang tot en uitgaan sal net vanaf Kruger Straat toegelaat word.

1.8 Ontvangs en beskikking van stormwater

Die dorpseienaar moet reel vir die dreinerings van die dorp dat dit inpas by die dreinerings van die aangrensende pad en vir al die stormwater wat afloop vanaf die pad of wat weggekeer is vanaf die pad.

1.9 Sloping van geboue en strukture

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

1.10 Verwydering van rommel

Die dorpseienaar moet op eie koste al rommel binne die dorpsgebied laat verwyder tot

bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.11 **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.

1.12 **Verskuiwing van kraglyne**

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

1.13 **Konsolidasie van erwe**

Die dorpseienaar sal op sy eie onkoste na proklamasie van die dorp, maar voor die ontwikkeling of oordra van enige erf/unit in die dorp, konsolideer Erwe 124 en 125 President Park Uitbreiding 36 tot bevrediging van die Plaaslike Bestuur

1.14 **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 dreinerings 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 is onderworpe aan die voorwaardes soos aangedui :

- 2.1.1 Die erwe is onderworpe aan 'n servituut 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 servituut 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 servituut mag afsien.
- 2.1.2 Geen geboue of ander strukture mag binne die voorgenoemde servituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige servituut 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 rioolhoofpyleidings en ander werke wat hy volgens goeie dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde servituut 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 rioolhoofpyleidings en ander werke veroorsaak word.

LOCAL AUTHORITY NOTICE 602**LOCAL AUTHORITY NOTICE 326/2009****CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY****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,) hereby declares **PRESIDENT PARK EXTENSION 36** 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 TECHVEST PROPERTIES CC 99/03271/23 (HEREIN AFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 111 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 156 OF THE FARM ALLANDALE 10JR, REGISTRATION DIVISION J.R., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1. Conditions of establishment**(1) NAME**

The name of the township shall be President Park Extension 36.

(2) DESIGN

The township shall consist of erven as indicated on General Plan No 9049/2008.

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

- (a) The township owner shall, at his costs and to the satisfaction of the local authority, design, provide and construct all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township, to the satisfaction of the local authority.
- (b) 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, and as agreed upon between the township owner and 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 the necessary arrangements with ESKOM, the licensed supplier of electricity in the township.
- (b) The local authority shall be advised 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 issued by ESKOM that acceptable financial arrangements with regard to (1) above, have been made by the township owner.

(5) ACCESS

- (a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd.
- (b) Access to or egress from Kruger Road only shall be permitted

(6) ACCEPTANCE AND DISPOSAL OF STORMWATER

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

(7) REFUSE REMOVAL

The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the local authority for the removal of all refuse.

(8) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner

(9) 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 requested thereto by the local authority.

(10) DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

A. EXCLUDING THE FOLLOWING WHICH ONLY AFFECT (OR AFFECTS) ERF/ERVEN 124 and 125 PRESIDENT PARK EXTENSION 36:

- (b) *(c)(iv) " No building erected on the holding shall be located within a distance of 15,24 metres from the boundary of that holding abutting on a road and no boreholes shall be sunk within a distance of 14.24 metres from any boundary other than a road boundary."*

(11) CONSOLIDATION OF ERVEN

The township owner shall, at his own costs, after proclamation of the township but prior to the development or transfer of any erf/unit in the township, consolidate Erven 124 and 125 President Park extension 36 to the satisfaction of the local authority.

(12) OBLIGATIONS WITH REGARD TO ENGINEERING 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 engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser, certifying to the Registrar of Deeds that these engineering services had been provided and installed; and

- (b) The township owner shall, within such period as the local authority may determine, fulfil its 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 and/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 engineering services by the township owner, have been submitted or paid to the said local authority; and
- (c) Notwithstanding the provisions of clause 3 hereunder, the township owner shall, at his costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the engineering services provided, constructed and/or installed as contemplated in (a) and/or (b) above. Erven and/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 engineering services had been or will be protected to the satisfaction of the local authority.

3. CONDITIONS OF TITLE

(A) CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986).

(1) ALL ERVEN

Each 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, 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 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 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.

LOCAL AUTHORITY NOTICE 603

HALFWAY HOUSE AND CLAYVILLE PLANNING SCHEME, 1976: AMENDMENT SCHEME 07-5540

The City of Johannesburg, hereby declares that it 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 President Park Extension 36 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

This amendment is known as the Amendment Scheme 07-5540.

**DR P HARRISON: EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING AND URBAN MANAGEMENT,
CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY**

PLAASLIKE BESTUURSKENNISGEWING 603

HALFWAY HOUSE AND CLAYVILLE DORPSBEPLANNINGSKEMA, 1976: WYSIGINGSKEMA 07-5540

Johannesburg Stad, 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 and Clayville Dorpsbeplanningskema, 1976, wat uit die selfde grond as die dorp President Park Uitbreiding 36 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

Hierdie wysiging staan bekend as die Wysigingskema 07-5540.

**DR P HARRISON: UITVOERENDE DIREKTEUR: ONTWIKKELINGS BEPLANNING EN STEDELIKE
BEHEER, JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT**
