

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 952

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 OAKDENE EXTENSION 12 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 BALWIN PROPERTIES (PTY) LTD 2003/028851/07 (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 206 (A PORTION OF PORTION 52) OF THE FARM TURFFONTEIN 100 - IR, PROVINCE OF GAUTENG HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be OAKDENE EXTENSION 12

(2) DESIGN

The township shall consist of erven (or erven and a road/street/thoroughfare or roads/streets/thoroughfares) as indicated on General Plan No: 1471/2010.

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

- (a) The township owner shall, at his its 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 its 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 therefore, as agreed upon between the township owner and the local authority.

(4) GAUTENG PROVINCIAL GOVERNMENT

- (a) Should the development of the township not been commenced with, within a period of 5 years from date of authorisation or exemption, the application to establish the township, shall be resubmitted to the Department of Agriculture, Conservation and Environment for exemption/authorisation in terms of the Environment Conservation Act, 1989 (Act 73 of 1989), as amended.
- (b)
 - (i) Should the development of the township not been completed within a period of ten years from the date of their letter, the application to establish the township, shall be resubmitted to the Department of Public Transport, Roads and Works for reconsideration.
 - (ii) If however, before the expiry date mentioned in (a) above, circumstances change in such a manner 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 fulfillment of the requirements of the controlling authority in terms of the provisions of Section 48 of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).

- (iii) The township owner shall comply with the conditions of the Department as set out in the Department's letter.

(5) DEPARTMENT OF MINERALS AND ENERGY

Should the development of the township not been completed before (5 years) from date of their letter the application to establish the township, shall be resubmitted to the Department of Minerals and Energy for reconsideration.

(6) ACCESS

Access shall be to the satisfaction of the Local Authority/Johannesburg Roads Agency (Pty) Limited prior to development of the erf.

(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 road and all stormwater running off or being diverted from the road shall be received and disposed of.

(8) SAFEGUARDING OF UNDERGROUND WORKINGS

The township owner shall at his own costs, make adequate provision to the satisfaction of the Inspector of Mines (Gauteng Region), to prevent any water from entering underground workings through outcrop workings or shaft openings and if applicable, the existing stormwater drains shall be properly maintained and protected.

(9) 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.

(10) 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 City Power services, the cost of such removal or replacement shall be borne by the township owner.

(11) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, save for the following:

- (a) Condition 1A in Deed of Transfer No. T80465/2006 which must be deleted
- (b) Condition 1C in Deed of Transfer No. T80465/2006 which must be deleted
- (c) Condition 1D in Deed of Transfer No T80465/2006 which must be deleted
- (d) Condition 2B in Deed of Transfer No. T80465/2006 which must be deleted

(12) ENDOWMENT

The township owner shall, in terms of the provisions of Section 98(2) and Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), pay a lump sum as endowment to

the local authority for the shortfall in the provision of land for a park (public open space) if required.

(13) **CONSOLIDATION OF ERVEN**

The township owner shall, at his its own costs, after proclamation of the township but prior to the development or transfer of any erf/unit in the township, consolidate Erven 735 & 736 to the satisfaction of the local authority.

(14) **OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN**

- (a) The township owner shall, in terms of a prior agreement with the Council, fulfill its obligations with regard to the provision of engineering services in and for the township in terms of Chapter 5 of the Ordinance.
- (b) In terms of the Town Planning and Township's Ordinance, 15 of 1986, a contribution towards the provision of external engineering services and bulk sewer shall be payable.
- (c) No erven may be alienated or transferred in the name of a purchaser prior to the Council having confirmed that sufficient guarantees/cash contributions have been furnished in respect of the provision of services by the township owner to the Council.

2. 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**

- (a) 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.

(2) **ERVEN 735 & 736**

The erven are subject to a gas line servitude in favour of Sasol Gas Limited.

(3) **ERF 736**

The erf is subject to a mini substation servitude in favour of City Power.

PLAASLIKE BESTUURSKENNISGEWING 952**JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT****VERKLARING TOT 'N GOEDGEKEURDE DORP**

ingevoige Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Johannesburg Stad, hierby OAKDENE UITBREIDING 12 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR BALWIN PROPERTIES (PTY) LTD 2003/028851/07 (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 206 (N GEDEELTE VAN GEDEELTE 52) VAN DIE PLAAS TURFFONTEIN 100 – IR, PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes**(1) NAAM**

Die naam van die dorp is Oakdene Uitbreiding 12.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 1471/2010.

(3) INGENIEURSDIENSTE

- a) Die dorpseienaar sal, op eie onkoste en tot die bevrediging van die plaaslike bestuur, verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinerings binne die grense van die dorp.
- b) Die dorpseienaar sal, binne n periode bepaal deur die plaaslike bestuur, al sy verantwoordelikhede betrokke tot elektrisiteit, water en riool dienste, asook die konstruksie van paaie en stormwater drynering, soos ooreengekom met die plaaslike bestuur.

(4) GAUTENG PROVINSIAALE REGERING

- (a) Indien die ontwikkeling van die dorp nie begin binne n periode van 5 jaar van die datum van goedkeuring nie, sal die aansoek om die dorp te stig weer oor ingedien word by die Departement van Landbou, Beskerming en Omgewing vir goedkeuring in terme van die Omgewings Beskermings Wet, 19989, soos aangepas.
- (b)
 - (i) Indien die ontwikkeling van die dorp nie binne n periode van 10 jaar voltooi is vanaf die datum van goedkeuring nie, sal die aansoek weer oor ingedien word by die Departement van Publieke Transport, Paaie en Werke vir oorweeging.
 - (ii) Indien voor die verstryk tydperk in (a) hierbo genoem omstandighede sodanig verander dat paaie en/of PWV roetes onder die beheer van die Departement geraak word deur die uitleg van die dorp, sal die dorps eienaar die aansoek oor indien.
 - (iii) Die dorps eienaar sal voldoen aan die voorwaardes, indien enige van die Departement.

(5) DEPARTEMENT VAN MINERALE EN ENERGIE

Indien die ontwikkeling van die dorp nie begin binne n periode van 5 jaar van die datum van goedkeuring nie, sal die aansoek om die dorp te stig weer oor ingedien word by die Department van Minerale en Energie

(6) TOEGANG

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

(7) ONTVANGS EN BESKIKKING VAN STORMWATER

Die dorpseienaar moet reël 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.

(8) BESKERMING VAN ONDERGRONDSE WERKE

Die dorpseienaar sal op eie onkoste en tot die bevrediging van die Inspekteur van Myn (Gauteng Streek) sodanige maatreëls tref om te voorkom dat water ondergrondse werke binnekom en indien nodig, bestaande stormwater maatreëls beskerm en bewaar.

(9) 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.

(10) VERSKUIWING OF VERVANGING VAN MUNISIPALE DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste en/of Telkom dienste en/of City Power kraglyne en dienste te verskuif of te vervang moet die koste daarvan deur die dorpseienaar gedra word.

(11) BESKIKKING OOR BESTAANDE TITEL VOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, met inbegrip van die volgende:

- (a) Voorwaarde 1A in Akte van Transport No. T1651/1991 wat wegegelaat moet word
- (b) Voorwaarde 1C in Akte van Transport No. T1651/1991 wat wegegelaat moet word
- (c) Voorwaarde 1D in Akte van Transport No. T1651/1991 wat wegegelaat moet word
- (d) Voorwaarde 2B in Akte van Transport No. T1651/1991 wat wegegelaat moet word

(12) BEGIFTIGING

Indien nodig, moet die dorpseienaar kragtens die bepalings van artikel 98(2) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 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

(13) **KONSOLIDASIE VAN ERWE**

Die dorpseienaar sal op sy eie onkoste na proklamasie van die dorp, maar voor die ontwikkeling of oordra van enge erf/unit in die dorp, konsolideer Erwe 735 en 736 Oakdene Uitbreiding 12 tot bevrediging van die Plaaslike Bestuur

(14) **VERANTWOODELIKHEID TEN OPSIGTE VAN DIENSTE EN BEPERKING OP DIE VERVREEMDING VAN ERWE.**

- (a) 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 endie installering daarvan, soos wat daar vooraf tussen die eienaar en die plaaslike bestuur ooreengekom is.
- (b) 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

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

(1) ALLE ERWE

- (a) 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.
- (b) 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.
- (c) 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 goeie dunnke 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) ERWE 735 & 736

Die erwe is onderworpe aan n gaslyn serwituut ten gunste van Sasol Gas Beperk..

(3) ERF 736

Die erf is onderworpe aan n mini substasie serwituut ten gunste van City Power.

LOCAL AUTHORITY NOTICE 953

JOHANNESBURG TOWN PLANNING SCHEME, 1979: AMENDMENT SCHEME 01-10346

The City of Johannesburg, hereby declares that it has approved an amendment scheme, being an amendment of the Johannesburg Town Planning Scheme, 1979, comprising the same land as included in the township of Oakdene Extension 12 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 8 July 2010

This amendment is known as the Amendment Scheme 01 - 10346

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

PLAASLIKE BESTUURSKENNISGEWING 953

JOHANNESBURG DORPSBEPLANNINGSKEMA, 1979: WYSIGINGSKEMA 01-10346

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 Johannesburg Dorpsbeplanningskema, 1979, wat uit die selfde grond as die dorp Oakdene Uitbreiding 12 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 8 Julie 2010

Hierdie wysiging staan bekend as die Wysigingskema 01-10346.

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