

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1156

DECLARATION AS AN ESTABLISHED 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 **Mulbarton Extension 15** to be an established township subject to the conditions set out in the Schedule hereto.

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY SINAI MARKETING (PTY) LTD (HEREINAFTER REFERRED TO AS THE 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 THE REMAINING EXTENT OF PORTION 4 OF THE FARM LIEFDE EN VREDE 104 I.R., GAUTENG PROVINCE HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT.

(1) NAME

The name of the township is Mulbarton Extension 15

(2) DESIGN

The township consists of erven as indicated on General Plan S.G. No.: 2147/2008.

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall make the necessary arrangements with the local authority for the provision and installation of all engineering services of which the local authority is the supplier, as well as the construction of roads and stormwater drainage in and for the township, to the satisfaction of the local authority.

(4) ACCESS

Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd.

(5) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

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

(6) 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.

(7) 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.

(8) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its 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.

(9) RESTRICTION ON THE TRANSFER OF AN ERF/ERVEN

Erven 1400, 1402 and 1403 Mulbarton Extension 15 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to BALI BREEZE ESTATE HOA NPC 2014/061672/08 which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the engineering services within the said erf.

(10) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, at its own costs, after proclamation of the township, submit an application to the local authority for consent to notarially tie Erf 1401 with Erven 1400, 1402 and 1403 Mulbarton Extension 15. The notarial tie may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and/or the erven to be notarially tied, have been submitted or paid to the said local authority.

(b) The township owner shall, at its 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 nor shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been provided and installed; and

(c) The township owner shall, within such period as the local authority may determine, fulfil 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 therefor, 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 nor shall a Certificate of Registered Title be registered in the name of the township owner, 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

(d) Notwithstanding the provisions of clause 3.A. hereunder, the township owner shall, at its 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 above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, 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.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

Excluding the following which does affect the township and shall be made applicable to Erven 1400, 1401 and 1402:

The Gas Pipeline servitude in favour of SASOL registered in terms of Notarial Deed of Servitude No. K6497/2005S vide Diagram S.G. No.: A5188/1966.

3. CONDITIONS OF TITLE.

A. Conditions of Title imposed in favour of 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.

(d) The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the Local Authority must show measures to be taken, in accordance with recommendations contained in the Engineering-Geological Report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions unless it is proved to the Local Authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means". Subsoil and surface drainage measures to be designed by a competent professional.

(2) ERF 1400

The entire erf as indicated on the General Plan, is subject to a servitude for municipal purposes and right of way in favour of the local authority.

(3) ERVEN 1400, 1402 AND 1403

The erven shall not be alienated or transferred into the name of any purchaser other than BALI BREEZE ESTATE HOA NPC 2014/061672/08 without the written consent of the local authority first having been obtained.

Hector B. Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No. 355/2015

PLAASLIKE BESTUURSKENNISGEWING 1156**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 **Mulbarton Uitbreing 15** 'n gestigte dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

BYLAE

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SINAI MARKETING (EDMS) BPK (HIERNA DIE 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 DIE RESTANT VAN GEDEELTE 4 VAN DIE PLAAS LIEFDE EN VREDE 104 I.R., GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is **Mulbarton Uitbreiding 15**.

(2) ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 2147/2008.

(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinerings in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

(4) TOEGANG

Toegang tot of uitgang vanuit die dorp moet tot tevredenheid van die plaaslike bestuur, Johannesburg Roads Agency (Edms) Bpk

(5) ONTVANGS EN VERSORGING VAN STORMWATERDREINERING

Die dorpseienaar moet reël dat die stormwaterdreinerings van die dorp inpas by dié van die aangrensende pad/paaie en dat alle stormwater wat van die pad/paaie afloop of afgelei word, ontvang en versorg word.

(6) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(7) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE

Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, TELKOM en/of ESKOM dienste te verwyder of te vervang, moet die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(8) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op sy/haar eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot die tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(9) BEPERKING OP DIE OORDRAG VAN 'N ERF

Erwe 1400, 1402 en 1403 Mulbarton Uitbreiding 15, sal voor of gelyktydig met die registrasie van die eerste erf/ eenheid in die dorp op die dorpseienaars eie koste na BALI BREEZE ESTATE HOA NPC 2014/061672/08 oordra, die Genootskap sal verantwoordelik wees vir die funksionering en onderhoud van die erwe en die ingenieursdienste binne in the bogenoemde erwe.

(10) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING, OORDRAG, KONSOLIDASIE EN/OF NOTARIËLE VERBINDING VAN ERWE

(a) Die dorpseienaar moet op sy eie koste, na proklamasie van die dorp, 'n aansoek by die plaaslike bestuur indien vir toestemming om Erf 1401 met Erwe 1402 en 1403 Mulbarton Uitbreiding 15, te notarieël te verbind. Die notarieël verbinding mag nie geregistreer word, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge ten opsigte van die voorsiening van die ingenieursdienste aan die dorp en/of erwe wat notarieël verbind gaan word, aan die plaaslike bestuur geleweer of betaal is, en

(a) Die dorpseienaar moet, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp ontwerp, voorsien en konstrueer, asook alle interne paaie en die stormwaterretikulasie van die dorp. Erwe 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 hierdie ingenieursdienste 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 stormwaterdreinerings en die installing van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom. Erwe 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 waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur geleweer of betaal is; en

(c) Nieteenstaande die bepalings van klousule 3.A. hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die ingenieursdienste wat voorsien, gekonstrueer en/of geïnstalleer is soos beoog in (a) en/of (b) hierbo, te beskerm. Erwe 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 hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

Insluitend die volgende wat van toepassing gemaak sal word op erwe 1400, 1401 en 1402 in die dorp:

The Gas Pipeline servitude in favour of SASOL registered in terms of Notarial Deed of Servitude No. K6497/2005S vide Diagram S.G. No.: A5188/1966.

3. TITELVOORWAARDES

Titelvoorwaardes opgelê ten gunste van die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

(1) ALLE ERWE

(a) Elke erf is onderworpe aan 'n serwituut 2m 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 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 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 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 goeie doedunke 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, onderhoud of verwydering van sodanige rioolhoofpyleiding en ander werke veroorsaak word.

(2) ERF 1400

Die volkome erf soos aangedui of die Algemene Plan, is onderworpe aan 'n serwituut vir munisipale bedoelings en reg van weg ten gunste die plaaslike bestuur.

(3) ERWE 1400, 1402 EN 1403

Die erwe sal nie afgekonel of oorgedra word in die naam van enige koper ander as BALI BREEZE ESTATE HOA NPC 2014/061672/08, sonder die skriftelike toestemming van die plaaslike bestuur.

Hector Makhubo

Adjunk Direkteur: Regsadministrasie

Stad van Johannesburg Metropolitaanse Munisipaliteit

Kennisgewing Nr. 355/2015

LOCAL AUTHORITY NOTICE 1157**AMENDMENT SCHEME 01-5347**

The City of Johannesburg Metropolitan Municipality herewith in terms of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), 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 **MULBARTON EXTENSION 15**. Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning and Urban Management: City of Johannesburg and is open for inspection at all reasonable times.

This amendment is known as Amendment Scheme 01-5341

Hector Makhubo
Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No. 356/2015

PLAASLIKE BESTUURSKENNISGEWING 1157**WYSIGINGSKEMA 01-5347**

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die beplaings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat dit 'n wysigingskema synde 'n wysiging van die Johannesburg Dorpsbeplanning Skema, 1979, wat uit dieselfde grond as die dorp **MULBARTON UITBREIDING 15** bestaan, goedgekeur het. Kaart 3 en die skemaklouse van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning en Stedelike Bestuur: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 01-5347

Hector Makhubo
Adjunk Direkteur: Regsadministrasie
Stad van Johannesburg Metropolitaanse Munisipaliteit
Kenningsgewing Nr 356/2015