

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE VAN
GAUTENG**

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No. 338

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from Government Printing Works

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GPW Business Rules

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Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 13 OF 2015**AMENDMENT SCHEME 03-13161**

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 Peri-UrbanTown Planning Scheme, 1975, comprising the same land as included in the township **BROADACRES EXTENSION 42**. 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 03-13161

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

LOCAL AUTHORITY NOTICE
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 **BROADACRES EXTENSION 42** 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 RAPTOBYTE (PROPRIETARY) LIMITED 2010/024317/07 (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 PORTION 604 OF THE FARM ZEVENFONTEIN 407- J. R., GAUTENG PROVINCE HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT.

(1) NAME

The name of the township is Broadacres Extension 42.

(2) DESIGN

The township consists of erven a thoroughfare as indicated on General Plan S.G. No.: 4440/2014.

(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) ELECTRICITY

The local authority is not the bulk supplier of electricity to or 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 for the provision of electricity.

(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)

Should the development of the township not been commenced with before 22 March 2015 the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for exemption/authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

(6) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)

Should the development of the township not been completed before 28 May 2023 the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

(7) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 3 June 2016 the application to establish the township, shall be resubmitted to the Department: Mineral Resources for reconsideration.

(8) 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 and/or the Department of Roads and Transport.

(9) 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.

(10) 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.

(11) 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.

(12) 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.

(13) RESTRICTION ON THE TRANSFER OF AN ERF

Erf 1273 Broadacres Extension 42 shall be transferred only as common property to the legal entity established for Erf 1271 Broadacres Extension 42 in accordance with the provisions of the Sectional Title Act, 1986 (No. 95 of 1986) as amended, which legal entity shall have full responsibility for the functioning and proper maintenance of Erf 1273 Broadacres Extension 42 and the engineering services within the said erf.

(14) ENDOWMENT

The township owner shall, in terms of the provisions of Section 98(2) read with 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).

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

(a) The township owner shall submit to the local authority, a certificate issued by ESKOM that acceptable financial arrangements with regard to the supply of electricity, have been made by the township owner to the local authority. 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 such certificate had been issued by ESKOM;

(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 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.

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):

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 erven in the township lie 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 indicate the measures to be taken, in accordance with the 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.

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

PROKLAMASIE 13 VAN 2015

WYSIGINGSKEMA 03-13161

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 Peri-Urban Dorpsbeplanning Skema, 1975, wat uit dieselfde grond as die dorp **BROADACRES UITBREIDING 42** 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 03-13161

Hector Makhubo

Adjunk Direkteur: Regsadministrasie

Stad van Johannesburg Metropolitaanse Munisipaliteit

Kennisgewing Nr /2015

PLAASLIKE BESTUURSKENNISGEWING
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 42** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR RAPTOBYTE (EDMS) BPK 2010/024317/07 (HIERNA DIE APPLIKANT/ 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 604 VAN DIE PLAAS ZEVENFONTEIN 407 - J.R. GOEDGEKEUR IS

1. STIGTINGSVOORWAARDES

(1) NAAM

Die naam van die dorp is Broadacres Uitbreiding 42.

(2) ONTWERP

Die dorp bestaan uit erwe en 'n deurgang soos aangedui op Algemene Plan L.G. Nr 4440/2014.

(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE

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

(4) ELEKTRISITEIT

Die plaaslike bestuur is nie die grootmaatverskaffer van elektrisiteit aan of in die dorp nie. Die dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie 15 van 1986), die nodige reëlings tref met ESKOM, die gelisensieerde verskaffer, vir die voorsiening van elektrisiteit.

(5) GAUTENG PROVINSIALE REGERING

Indien die ontwikkeling van die dorp nie in aanvang neem voor 22 Maart 2015, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou, Bewaring en Omgewing vir vrystelling/goedkeuring ingevolge die bepalings van die Omgewingsbewaringswet, 1989 (Wet 73 van 1989) soos gewysig.

(6) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)

Indien die ontwikkeling van die dorp nie voor 28 Mei 2023 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer vir herooring.

(7) DEPARTEMENT VAN MINERALE EN ENERGIE

Indien die ontwikkeling van die dorp nie voor 3 Junie 2018 voltooi is nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Minerale en Energie vir herooring.

(8) TOEGANG

Toegang tot of uitgang vanuit die dorp moet tot tevredenheid van die plaaslike bestuur, Johannesburg Roads Agency (Edms) Bpk en die Departement van Publieke Vervoer, Paaie en Werke.

(9) ONTVANGS EN VERSORGING VAN STORMWATER

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

(10) 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.

(11) 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.

(12) 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.

(13) BEPERKING OP DIE OORDRAG VAN 'N ERF

Erf 1273 Broadacres Uitbreiding 42 mag slegs as gemeenskaplike eiendom oorgedra word aan die regsentiteit wat ingevolge die bepalings van die Wet op Deeltitels, 1986 (Nr 95 van 1986) soos gewysig, vir Erf 1271 Broadacres Uitbreiding 42 geïnkorporeer is, welke regsentiteit volle verantwoordelikheid sal dra vir die funksionering en geïnkorporeer is, welke regsentiteit volle verantwoordelikheid sal dra vir die funksionering en behoorlike instandhouding van Erf 1273 Broadacres Uitbreiding 42 en die noodsaaklike dienste binne die gemelde erf.

(14) BEGIFTIGING

Die Dorpseienaar moet ingevolge die bepalings van Artikel 98(2) saamgelees met Regulasie 44 van die Dorpsbeplanning en Dorpe Ordonnansie, 1986 (Ordonnansie 15 van 1986) 'n globale bedrag as begiftiging aan die plaaslike bestuur betaal vir die tekort aan voorsiening van grond vir 'n park (open bare oop ruimte).

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

(a) Die dorpseienaar moet 'n sertifikaat uitgereik deur ESKOM wat bevestig dat aanvaarbare finansiële reëlings met betrekking tot die voorsiening van elektrisiteit, getref is, by die plaaslike bestuur indien. Erwe/eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat sodanige sertifikaat deur ESKOM uitgereik is; en

(b) 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 asook die konstruksie van die volle breedte van Sunsetweg. 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

(c) 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 installering 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 gelewer of betaal is; en

(d) Nieteenstaande die bepalings van klousule 2.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 onderhewig wees aan bestaande titelvoorwaardes en serwitute, indien enige, met inbegrip van die regte op minerale indien enige.

3. 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 (Ordonnansie 15 van 1986):

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 rioolhoofpypleidings en ander werke wat hy volgens goeddunke 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 rioolhoofpypleiding en ander werke veroorsaak word.

(d) Die erf is geleë in 'n gebied met bodemeenskappe wat geboue en strukture nadelig kan beïnvloed en skade tot gevolg kan hê. Bouplanne wat hy die plaaslike bestuur ingdien word moet maatreëls aantoon in ooreenstemming met aanbevelings vervat in die Ingenieurs-Geologiese Verslag wat vir die dorp opgestel is om moontlike skade aan die funderinstoestande te beperk, tensy bewys gelewer kan word aan die plaaslike bestuur dat sodanige maatreëls onnodig is of dieselfde doel op 'n meer doeltreffende wyse bereik kon word.

Hector Makhubo

Adjunk Direkteur: Regsadministrasie

Stad van Johannesburg Metropolitaanse Munisipaliteit

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