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PLAASLIKE BESTUURSKENNISGEWING 423

PLAASLIKE BESTUURSKENNISGEWING 143 VAN 2015

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, Metropolitaanse Munisipaliteit hierby Vorna Valley Uitbreiding 91 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SABLE PLACE PROPERTIES 106 EIENDOMS BEPERK REGISTRASIENOMMER 2004/0155565/07 EN CRH INVESTMENTS EIENDOMS BEPERK REGISTRASIENOMMER 1946/021713/07 (HIERNA DIE AANSOEKDOENER 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 GEDEELTE VAN GEDEELTE 128 VAN DIE PLAAS WATERVAL 5, REGISTRASIE AFDELING I.R., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

(1) NAAM

Die naam van die dorp is Vorna Valley Uitbreiding **91.**

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 54826/2012.

(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 stormwaterdreinering in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

(4) GAUTENG PROVINSIALE REGERING

(1) Indien daar nie met die ontwikkeling van die dorp voortgegaan word binne n periode van 5 jaar nie, moet die aansoek om die dorp te stig, her ingedien word by die Departement van Landbou, Bewaring en Omgewingsake vir uitsluiting/toestemming in terme van die Omgewings Bewarings Wet, 1989 (Wet 107 van 1989) soos gewysig.

(2)(i) Indien die ontwikkeling van die dorp nie voor 21 October 2018 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorweging.

(ii) Indien omstandighede egter, voor die vervaldatum vermeld in (i) hierbo, 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 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

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(iii) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(iv) Die dorpseienaar moet voldoen aan die vereistes van die Departement soos uiteengesit in die Departement se skrywe gedateer 22 Oktober 2008.

(5) TOEGANG

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

(b) Geen toegang tot of uitgang vanuit die dorp sal via Pad K58 (Kyalamiweg) toegelaat word nie.

(6) ONTVANGS EN VERSORGING VAN STORMWATER

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

(7) VERWYDERING VAN ROMMEL

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.

(8) VERSKUIWING OF VERVANGING VAN BESTAANDE DIENSTE

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

(9) SLOPING GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande begoue en structure wat binne boulynreserwes, kant ruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

(10) VERANTWOORDELIKHEID TEN OPSIGTE VAN INGENIEURSDIENSTE EN DIE BEPERKING OP DIE VERVREEMDING VAN ERWE.

(a) Die dorpseienaar moet op sy/haar eie koste, na proklamasie van die dorp, 'n aansoek by die plaaslike bestuur indien vir toestemming om Erwe 2179 en 2180 te konsolideer. Die konsolidasie mag nie geregistreer word, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste aan die dorp en die erwe wat gekonsolideer staan te word, aan die plaaslike bestuur gelewer of betaal is.

(b) Die dorpseienaar sal op sy eie koste, na proklamasie van die dorp, 'n aansoek indien by die plaaslike bestuur vir die toestemming tot die notariele verbinding van erwe 2179 en 2180 met Gedeeltes 714 en 728 van die plaas Waterval No. 5. I.R en Erwe 2177 en 2178 Vorna Valley Ultbreiding 92, vir toegang alleenlik. Die notariele verbinding mag nie geregistreer word alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontant bydraes betaal is met betrekking tot die voorsiening van ingenieursdienste vir die dorp en/of die erwe notariele verbind is nie.

(c) Die dorpseienaar sal op sy eie koste en tot bevrediging van die plaaslike bestuur die ingenieursdienste binne die dorpsgrense ontwerp, voorsien en installeer insluitende strate en stormwater retikulasie. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, of 'n sertifikaat van geregistreerde title mag nie uitgeneem word in die naam van die dorpseienaar nie, wat sertifiseer aan die Registrateur van Aktes dat die ingenieursdienste voorsien en geinstalleer is nie; en

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(d) 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 dreinering 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 deur die dorpseienaar; en

(e) Nieteenstaande die voorsiening van klousule 4.A.(1)(a),(b) en (c) hieronder, sal die dorpseienaar, op sy eie koste en tot bevrediging van die plaaslike bstuur, alle serwitute wat vereis word om die ingenieursdienste te beskerm, laat opmeet en registreer, oprig en/of installer soos vereis in (a) en/of (b) hierbo. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, of 'n sertifikaat van geregistreerde title mag nie uitgeneem word in die naam van die dorpseienaar nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes sertifiseer dat die ingenieursdienste beskerm is tot bevrediging van die plaaslike bestuur nie.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

A. Uitgesonderd die volgende wat nie die dorp raak nie weens die ligging daarvan:

(a) Die serwituut van reg van weg ten gunste van Johannesburg Stadsraad wat geregistreer is in terme van Notariele Akte van Serwituut K 6532/2011s en aangetoon is op diagram S.G. No. 593/2011 wat slegs Hertfordweg in die dorp raak.

B. Uitgesluit die volgende wat slegs die indiwiduele erwe in die dorp raak:

(a) Die serwituut van reg van weg en munisipale doeleindes ten gunste van Johannesburg Stadsraad, wat geregistreer is in terme van Notariele Akte van Serwituut K3079/2012S en aangetoon word op diagram S.G. No 3515/2011 wat Erwe 2179 en 2180 in die dorp affekteer.

3. TITELVOORWAARDES

(A) VOORWAARDES OPGELê DEUR DIE PLASSLIKE BESTUUR KRAGTENS 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 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 goeddunke 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.

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(2) ALGEMENE VOORWAARDES

(a) Die erwe is geleë in 'n gebied waar grondtoestande geboue en strukture kan affekteer en skade kan aanrig. Bouplanne wat by die plaaslike bestuur ingedien word vir oorweging, moet maatreëls aandui wat geneem sal word om moontlike skade aan geboue en strukture as gevolg van die nadelige fondamente toestande, te beperk. Hierdie maatreëls moet in ooreenstemming wees met die aanbeveling vervat in die Geotegniese verslag van die dorp, tensy bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(b) Die NHRR kode vir fondamente word geklassifiseer as S/S1.

(c) Die plaaslike bestuur het die elektriese voorsiening na die erwe beperk to 656KVA. Indien die geregistreerde eienaar van 'n erf of erwe in die dorp die voorsiening oorskrei of indien 'n aansoek ingedien word om die voorsiening te oorskrei, sal additionele dienste bydraes deur die plaaslike bestuur bereken word en moet die eienaar sodanige bydreas betaal.

(3) ERFWE 2179 en 2180

(a) Die erf is onderworpe aan 'n 2m wye serwituut vir riool doeleindes ten gunste van die plaaslike bestuur soos op die algemene plan aangedui.

(4) ERF 2179

Die erf is onderworpe aan 'n 10,5meter wye reg van weg serwituut vir munisipale doeleindes ten gunste van die plaaslike bestuur soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 423

LOCAL AUTHORITY NOTICE 143 OF 2015

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, Metropolitan Municipality hereby declares Vorna Valley Extension 91 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 SABLE PLACE PROPERTIES 106 PROPRIETARY LIMITED REGISTARTION NO. 2004/015565/07 AND CRH INVESTMENTS PROPRIETARY LIMITED REGISTRATION NO. 1946/021713/07 (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 537 (A PORTION OF PORTION 128) OF THE FARM WATERVAL 5, REGISTRATION DIVISION I.R., PROVINCE OF GAUTENG HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township is Vorna Valley Extension 91.

(2) DESIGN

The township consists of erven and a road as indicated on General Plan S.G. No 5482/2012.

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(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall make the necessary arrangement 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 storm-water drainage in and for the township, to the satisfaction of 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 and Rural Development for exemption / authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

(b)(i) Should the development of the township not been completed within before 21 October 2018 the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

(ii) If however, before the expiry date mentioned in (i) 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, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township. The erection of such physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.

(iv) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 22 October 2008.

(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 and/or the Department of Roads and Transport.

(b) No access to or egress from the township shall be permitted via Road K58 (Kyalami Road).

(6) 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.

(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.

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(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) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION 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 consolidate Erven 2179 and 2180. The consolidation 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 the erven to be consolidated, have been submitted or paid to the said local authority.

(b) 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 consolidated Erven 2179 and 2180 with Portions 714 and 728 and Erven 2177 and 2178 Vorna Valley Extension 92, for access purposes only. 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.

(c) 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 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 provided and installed; and

(d) 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 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 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

(e) Notwithstanding the provisions of clause 3.A. (1) (a), (b) and (c) 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 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.

A. Excluding the following which does not affect the township due to its locality:

(a) The servitude of right of way in favour of the City of Johannesburg registered in terms of Notarial Deed of Servitude K 6532/2011s and indicated on diagram S.G. No. 593/2011 which does not affect the township.

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B. Excluding the following which only affects erven:

(a) The servitude of right of way and municipal purposes in favour of the City of Johannesburg, registered in terms of Notarial Deed of Servitude K3079/2012S and indicated on diagram S.G. No 3515/2011which affects Erven 2179 and 2180.

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.

(2) GENERAL CONDITIONS

(a) 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 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.

(b) The NHBRC classification is considered as being S/S1 for foundations.

(c) The local authority had limited the electricity supply to the erven in the township to 656 KVa. Should the registered owner of an erf or erven in the township exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner.

(3) ERVEN 2179 AND 2180

The erven are subject to a 2m wide servitude for sewer purposes in favour of the local authority, as indicated on the General Plan.

(4) ERF 2179

The erf is subject to a 10,5 meter wide servitude of right of way and municipal purposes in favour of the local authority, as indicated on the General Plan.