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GAUTENG**



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 1888 OF 2017**DECLARATION AS AN APPROVED TOWNSHIP**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Beverley Extension 89**

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE INDEPENDENT INSTITUTE OF EDUCATION PROPRIETARY LIMITED (REGISTRATION NUMBER 1987/004754/07) (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 623 (A PORTION OF PORTION 75) OF THE FARM ZEVENFONTEIN 407 JR HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT**(1) NAME**

The name of the township is **Beverley Extension 89**.

(2) DESIGN

The township consists of erven as indicated on General Plan S.G. No. 562/2017.

(3) DESIGN AND PROVISION OF ENGINEERING SERVICES IN AND FOR THE TOWNSHIP

(a) The township owner shall, to the satisfaction of the local authority, make the necessary arrangements for the design and provision of all engineering services of which the local authority is the supplier.

(b) The township owner shall not install or construct any engineering services unless the necessary written agreement has been entered into with the local authority, after proclamation of the township.

(c) Failure by the township owner to enter into the agreement contemplated in (b) above, shall result in the forfeiture of the off-setting of external contributions payable and any claims against the local authority, resulting from the installation of the bulk infrastructure.

(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 ROADS AND TRANSPORT)

(a) Should the development of the township not been completed before 8 May 2027,
the

application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

(b) 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).

(6) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)
Should the development of the township not been completed before 29 September 2020, the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

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

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER
The township owners shall arrange for the stormwater drainage of the township to fit in with that of the adjacent roads and all stormwater running off or being diverted from the roads, shall be received and disposed of.

(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
Should it become, as a result of the establishment of the township, necessary to remove or replace any existing municipal, TELKOM and/or services, the costs thereof shall be borne by the township owner.

(11) 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.

(12) ENDOWMENT
The township owner shall, if applicable, 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 provision or the shortfall in the provision of land for a park (public open space).

(13) OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND INSTALLATION OF ENGINEERING SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OR TRANSFER OF ERVEN

(a) The township owner shall, after compliance with clause 2.(3) above, at its own costs and to the satisfaction of the local authority, construct and install 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, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been constructed and installed.

(b) The township owner shall fulfil its obligations in respect of the installation of water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as agreed between the township owner and the local authority in terms of clause 2.(3) above. 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, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the engineering services have been submitted or paid to the said local authority.

(c) 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.

(14) **OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES**
The township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the constructed/installed services. 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, 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 servitude which only affects Erf 1456:

The 10m ten) metre wide sewerage servitude, in favour of as will more fully appear from Notarial Deed of Cession No K3690/1977S.

B. Excluding the following servitude which only affects Erf 1457:

The 16metre wide servitude of right of way purposes registered in terms of Notarial Deed of Servitude No. K1692/2011S in favour of Portion 46 (a portion of portion 30) of the Farm Zevenfontein, as will more fully appear, vide diagram S.G. No. 5146/2010.

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) The erven lie in an area where soil conditions can affect and damage buildings and structures. Building plans submitted to the local authority for consideration shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. These measures shall be in accordance with the recommendation contained in the Geo-technical report for the township, 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.

(2) 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 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.

(3) ERF 1457

(a) The entire erf as indicated on the General Plan, is subject to a 16 metre wide servitude for Municipal purposes and right of way in favour of the local authority.

B. Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.

No erf in the township shall be transferred nor shall a Certificate of Registered Title be registered, unless the following conditions and/or servitudes have been registered:

(1) ERF 1456

The erf is subject to a 3mx6m servitude for electrical mini-substation purposes in favour of ESKOM, as indicated on the General Plan.

B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Sandton Town Planning Scheme, 1980, comprising the same land as included in the township of **Beverley Extension 89**. Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 02-15003.

PLAASLIKE OWERHEID KENNISGEWING 1888 VAN 2017**VERKLARING TOT GOEDGEKEURDE DORP**

- C. 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 **Beverley Uitbreiding 89** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE**VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR INDEPENDENT INSTITUTE OF EDUCATION EDMS BEPERK (REGISTRASIENOMMER 2002/032108/07) EDMS BEPERK, (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 GEDEELTE 623 ('N GEDEELTE VAN GEDEELTE 75) VAN DIE PLAAS ZEVENFONTEIN 407 JR TOEGESTAAN IS****1. STIGTINGSVOORWAARDES****(1) NAAM**

Die naam van die dorp is **Beverley Uitbreiding 89**.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG Nr 562/2017.

(3) ONTWERP EN VOORSIENING VAN DIENSTE IN EN VIR DIE DORP

(a) 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.

(b) Die dorpseienaar sal geen ingenieursdienste installeer sonder dat die nodige skriftelike ooreenkoms aangegaan is tussen die plaaslike bestuur en die dorpseienaar, na proklamasie van die dorp.

(c) Versuim deur die dorpseienaar om in die ooreenkoms soos in (b) hier bo genoem te tree, sal lei tot die verbeuring van die afskrywing van die betaalbare eksterne dienstebydraes en eise teen die plaaslike bestuur, as gevolg van die installasie van massa dienste.

(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 (DEPARTEMENT VAN PAAIE EN VERVOER)

(a) Indien die ontwikkeling van die dorp nie voor 8 Mei 2027 in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer vir heroorweging.

(b) Indien omstandighede egter, voor die vervaldatum vermeld in (a) 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).

(6) NASIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE

Indien die ontwikkeling van die dorp nie voor 29 September 2020 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir heroorweging.

(7) TOEGANG

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

(8) ONTVANGS EN VERSORGING VAN STORMWATER

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

(9) 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

(10) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE

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

(11) SLOPING VAN GEBOUE EN STRUKTURE

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

(12) BEGIFTIGING

Die dorpseienaar moet (indien van toepassing) 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 die voorsiening van grond vir 'n park (publieke oop ruimte).

(13) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING OF OORDRAG VAN ERWE

(a) Die dorpseienaar moet, nadat aan klousule 2.(3) hierbo voldoen is, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle dienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, asook alle interne paaie en die stormwaterretikulاسie. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreeerde Titel nie in die naam van die dorpseienaar geregistreeer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste voorsien en geïnstalleer is.

(b) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die installasie van elektrisiteit, water en sanitêre ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom in tème van klousule 2.(3) hier bo genoem tussen die dorpseienaar en die plaaslike bestuur. Erwe en/of 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 voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is.

(c) 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 en/of 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

(14) **VERPLIGTINGE TEN OPSIGTE VAN DIE BESKERMING VAN INGENIEURSDIENSTE**
Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die dienste wat voorsien, gekonstrueer en/of geïnstalleer is te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste 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.

A. Uitsluitend die volgende serwituut wat slegs Erf 1456 raak:

The 10m ten) metre wide sewerage servitude, in favour of as will more fully appear from Notarial Deed of Cession No K3690/1977S.

B. Uitsluitend die volgende serwituut wat slegs Erf 1457 raak:

The 16metre wide servitude of right of way purposes registered in terms of Notarial Deed of Servitude No. K1692/2011S in favour of Portion 46 (a portion of portion 30) of the Farm Zevenfontein, as will more fully appear, vide diagram S.G. No. 5146/2010.

3. TITELVOORWAARDES

A. Titelloorwaardes opgelê ten gunste van die plaaslike bestuur ingevolge die bepalinge van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordinansie 15 van 1986).

(1) ALLE ERWE

(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 fundamente 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.

(2) ALLE ERWE

(a) Elke erf is onderworpe aan 'n serwituut 2 m 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 2 m 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 2 m 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 goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees 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 verwydering van sodanige rioolhoofpyleiding en ander werke veroorsaak word.

(3) ERF 1457

(a) Die hele erf is onderworpe aan 'n 16 meter breë serwituut vir munisipale doeleindes en reg- van weg, ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

B. Titelloosheid opgelê ten gunste van derde partye wat geregistreer /geskep moet word op die eerste registrasie van die betrokke erwe.

Geen erf in die dorp mag oorgedra word, ook mag 'n Sertifikaat van Geregisteerde Titel nie geregistreer word nie, tensy die volgende voorwaardes en/of serwitute geregistreer is:

(1) Erf 1456

Die erf is onderworpe aan 'n 3mx6m serwituut vir elektriese mini-substasie doeleindes ten gunste van ESKOM, soos aangedui op die Algemene Plan.

D. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Sandton Dorpsbeplanningskema, 1980 wat uit dieselfde grond as die dorp **Beverley Uitbreiding 89** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word n bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 02-15003.

Hector Makhubo

Deputy Director : Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

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