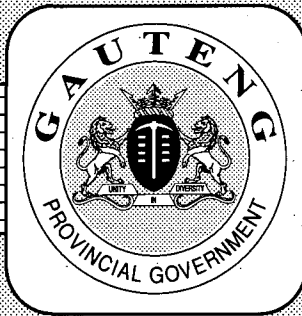


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GAUTENG**



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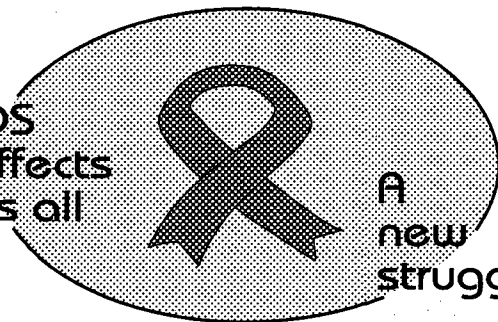
Vol. 8

**PRETORIA, 2 AUGUST
AUGUSTUS 2002**

No. 242

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1170

DECLARATION AS APPROVED TOWNSHIP

In terms of section 69 of the Town-planning and Townships Ordinance, 1965 (Ordinance 25 of 1965), the Administrator hereby declares **Morningside Extension 179** township to be an approved township, subject to the conditions set out in the Schedule hereto.

(GO 15/3/2/116/88)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY KRISP PROPS (PROPRIETARY) LIMITED UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1965, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 697 (A PORTION OF PORTION 119) OF THE FARM ZANDFONTEIN No. 42—I.R., PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be **Morningside Extension 179**.

(2) DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No. 8587/2001.

(3) STORMWATER DRAINAGE AND STREET CONSTRUCTION

- (a) The township owner shall on request by the local authority submit to such authority for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineering approved by the local authority, for the collection and disposal of stormwater throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the local authority.

Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.

- (b) The township owner shall, when required by the local authority to do so, carry out the approved scheme at its own expense on behalf and to the satisfaction of the local authority under the supervision of a civil engineer approved by the local authority.

- (c) The township owner shall be responsible for the maintenance of the streets to the satisfaction of the local authority until the streets have been constructed as set out in subclause (b).

- (d) If the township owner fails to comply with the provisions of paragraphs (a), (b) and (c) hereof the local authority shall be entitled to do the work at the cost of the township owner.

(4) ENDOWMENT

The township owner shall, in terms of the provisions of section 63 (1) (b) of the Town-planning and Townships Ordinance, 1965, pay a lump sum endowment of R52 800,00 to the local authority for the provision of land for a park (public open space).

Such endowment shall be payable in terms of section 73 of the said Ordinance.

(5) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding the following conditions which shall not be passed on to the erven in the township:

- (a) "The owner of the said portion shall not be entitled to take any water from the Kalk Dam situated on the stream forming the boundary of the said portion and the remaining extent of the originally transferred by Deed of Transfer No. 567/1881, dated 5 December 1881, measuring as such 98,2799 hectares, but shall only be entitled to take water from the stream below the said dam up to one-half of the water flowing in such stream on the said portion and the remaining extent."

- (b) "The owner of the said portion shall have the right to construct a storage dam on the said stream below the said Kalk Dam on the said remaining extent, but the owner of the remaining extent of the portion of the said farm transferred by Deed of Transfer No. 2842/1908, dated 27 November 1908, measuring as such 98,2799 hectares, or his successors in title, shall have no right to use any water in such storage dam, and provided that the right of the owner of the portion of the said farm Zandfontein in extent 370,0775 hectares, according to Deed of Transfer No. 566/1881 and the diagram hereof farmed by Surveyor Burton Tucker in May 1881, to and eight days' turn or right to water from the said stream, shall not be interfered with."

- (c) "The said portion of the farm Zandfontein is not in any way subject to the right in favour of the owner of a portion of the farm transferred by Deed of Transfer No. 566/1881 to construct a dam as set out in document dated 13th May 1881, attached to the said Deed of Transfer, as will more fully appear from Notarial Deed No. 250/1906S, registered on the 17th November 1906."

(6) ACCESS

Access to all erven in the township to a public road shall be across the access erf (Erf 1585).

2. CONDITIONS OF TITLE

The erven shall be subject to the following conditions imposed by the Administrator in terms of the provisions of the Town-planning and Townships Ordinance, 1965:

All erven

- (1) The erf is subject to a servitude, 2 m 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 2 m 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.
- (2) 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 2 m thereof.
- (3) 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 course 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.

PLAASLIKE BESTUURSKENNISGEWING 1170**VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 69 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965 (Ordonnansie 25 van 1965), verklaar die Administrateur hierby die dorp **Morningside Uitbreiding 179** tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(GO 15/3/2/116/88)

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR KRISP PROPS 2 (PROPRIETARY) LIMITED INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1965, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 687 ('N GEDEELTE VAN GEDEELTE 119) VAN DIE PLAAS ZANDFONTEIN No. 42—I.R., PROVINSIE GAUTENG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

- (1) NAAM
Die naam van die dorp is **Morningside Uitbreiding 179**.
- (2) ONTWERP
Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan S.G. No. 8587/2001.
- (3) STORMWATERDREINERING EN STRAATBOU
 - (a) Die dorpseienaar moet op versoek van die plaaslike bestuur aan sodanige bestuur 'n gedetailleerde skema, volledig met planne, deursneë en spesifikasies, opgestel deur 'n siviele ingenieur wat deur die plaaslike bestuur goedgekeur is, vir die opgaar en afvoer van stormwater deur die hele dorp deur middel van behoorlike aangelegde werke en vir die aanlê, teermacadamisering, beranding en kanalisering van die strate daarin, tesame met die verskaffing van sodanige keermure as wat die plaaslike bestuur nodig ag, vir goedkeuring voorlê.
Verder moet die skema die roete en helling aandui deur middel waarvan elke erf toegang tot die aangrensende straat verkry.
 - (b) Die dorpseienaar moet, wanneer die plaaslike bestuur dit vereis, die goedgekeurde skema op eie koste namens en tot bevrediging van die plaaslike bestuur, onder toesig van 'n siviele ingenieur deur die plaaslike bestuur goedgekeur, uitvoer.
 - (c) Die dorpseienaar is verantwoordelik vir die instandhouding van die strate tot bevrediging van die plaaslike bestuur totdat die strate ooreenkomstig subklousule (b) gebou is.
 - (d) Indien die dorpseienaar versuim om aan die bepalings van paragrawe (a), (b) en (c) hiervan te voldoen, is die plaaslike bestuur geregtig om die werk op koste van die dorpseienaar te doen.
- (4) BEGIFTIGING
Die dorpseienaar moet kragtens die bepalings van artikel 63 (1) (b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965, aan die plaaslike bestuur as begiftiging 'n globale bedrag van R52 800,00 betaal, welke bedrag deur die plaaslike bestuur aangewend moet word vir die verkryging van 'n park (openbare oopruimte).
Sodanige begiftiging is betaalbaar kragtens die bepalings van artikel 73 van genoemde Ordonnansie.

(5) **BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd die volgende voorwaardes wat nie aan die erwe in die dorp oorgedra moet word nie:

- (a) "The owner of the said portion shall not be entitled to take any water from the Kalk Dam situated on the stream forming the boundary of the said portion and the remaining extent of the originally transferred by Deed of Transfer No. 567/1881, dated 5 December 1881, measuring as such 98,2799 hectares, but shall only be entitled to take water from the stream below the said dam up to one-half of the water flowing in such stream on the said portion and the remaining extent."
- (b) "The owner of the said portion shall have the right to construct a storage dam on the said stream below the said Kalk Dam on the said remaining extent, but the owner of the remaining extent of the portion of the said farm transferred by Deed of Transfer No. 2842/1908, dated 27 November 1908, measuring as such 98,2799 hectares, or his successors in title, shall have no right to use any water in such storage dam, and provided that the right of the owner of the portion of the said farm Zandfontein in extent 370,0775 hectares, according to Deed of Transfer No. 566/1881 and the diagram hereof farmed by Surveyor Burton Tucker in May 1881, to and eight days' turn or right to water from the said stream, shall not be interfered with."
- (c) "The said portion of the farm Zandfontein is not in any way subject to the right in favour of the owner of a portion of the farm transferred by Deed of Transfer No. 566/1881 to construct a dam as set out in document dated 13th May 1881, attached to the said Deed of Transfer, as will more fully appear from Notarial Deed No. 250/1906S, registered on the 17th November 1906."

(6) **TOEGANG**

Ingang na alle erwe in die dorp vanaf 'n publieke pad sal deur die Toegangserf geskied (Erf 1585).

2. TITELVOORWAARDES

Die erwe is onderworpe aan die volgende voorwaardes opgelê deur die Administrateur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965.

Alle erwe

- (1) Die erf is onderworpe aan 'n serwituut 2 m breed, vir riolerings- en ander munisipale doeleindes, 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 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.
- (2) 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 'n afstand van 2 m daarvan geplant word nie.
- (3) 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 goeëddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die plaaslike bestuur geregtig 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 verwyderings van sodanige rioolhoofpyleidings en ander werke veroorsaak word.

LOCAL AUTHORITY NOTICE 1171

SANDTON AMENDMENT SCHEME 1370

The Administrator hereby, in terms of the provisions of Section 89 of the Town-Planning and Townships Ordinance, 1965, declares that he approved an amendment scheme, being an amendment of Sandton Town-planning Scheme, 1980, comprising the same land as included in the Township of Morningside Extension 179.

Map 3 and the scheme clauses of the amendment scheme are filed with the Gauteng Provincial Government (Department of Development Planning and Local Government), Johannesburg, and the Town Clerk Sandton, and are open for inspection at all reasonable times.

The amendment is known as Sandton Amendment Scheme 1370.

GO 15/16/3/116H/1370

PLAASLIKE BESTUURSKENNISGEWING 1171

SANDTON WYSIGINGSKEMA 1370

Die Administrateur verklaar hierby ingevolge die bepalings van Artikel 89 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965, dat hy 'n wysigingskema, synde 'n wysiging van Sandton Dorpsbeplanningskema, 1980, wat uit dieselfde grond as die dorp Morningside Uitbreiding 179 bestaan, goeëdgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Gauteng Provinsiale Regering (Departement van Ontwikkelingsbeplanning en Plaaslike Regering), Johannesburg, en die Stadsklerk Sandton, en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Sandton Wysigingskema 1370.

GO 15/16/3/116H/1370

IMPORTANT NOTICE

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 before being published in the Gazette.*

HENNIE MALAN

Director: Financial Management
 Office of the Premier (Gauteng)

