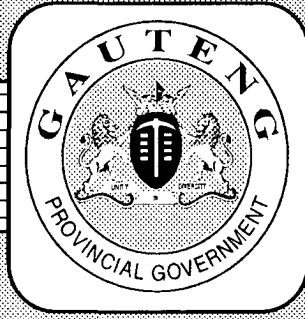


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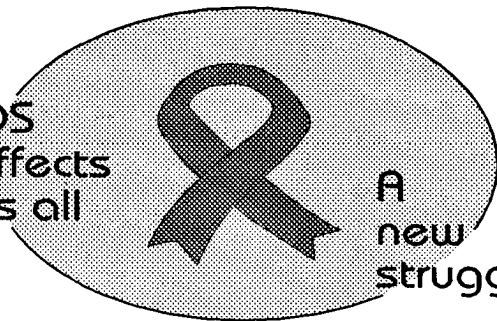
Vol. 9

**PRETORIA, 4 JUNE
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No. 210

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PLAASLIKE BESTUURSKENNISGEWING 994

JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT

(GEWESE WESTELIKE METROPOLITAANSE PLAASLIKE RAAD)

VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Johannesburg Stad, (vroëer Westelike Metropolitaanse Plaaslike Raad) hierby Wilgeheuwel Uitbreiding 29 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR PRO-LUB EIENDOMS ONTWIKKELING (EDMS) BPK (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN ARTIKEL 98(1) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 569 ('N GEDEELTE VAN GEDEELTE 355) VAN DIE PLAAS WILGESPRUIT NO 190, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is Wilgeheuwel Uitbreiding 29.

1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 3368/2003.

1.3 Ingenieursdienste

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwaterdreinerings en 'n bydrae vir eksterne riooldienste; en

1.3.2 die plaaslike bestuur is verantwoordelik vir die installering en voorsiening van eksterne ingenieursdienste.

Die dorpseienaar sal, wanneer hy van voorneme is om die dorp van ingenieurs- en noodsaaklike dienste te voorsien:

1.3.2 elke ingenieursdiens wat vir die dorp voorsien moet word, ingevolge artikel 116 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) by ooreenkoms met die plaaslike bestuur klassifiseer as interne en eksterne ingenieursdienste; en

1.3.3 alle interne ingenieursdienste en noodsaaklike dienste installeer en voorsien tot bevrediging van die plaaslike bestuur en vir hierdie doel moet die verslae, planne en spesifikasies soos vereis deur die plaaslike owerheid ingedien word.

1.4 Beskikking oor bestaande titel voorwaardes

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die regte op minerale, maar uitgesonderd:

1.4.1 Die riool serwituut ten gunste van die plaaslike bestuur geregistreer in terme van Notariële Akte van Serwituut No.K2976/03 en aangedui op Diagram S.G. A7159/88 wat Erwe 1454, 1455, 1456, 1457, 1458, Sjampanjestraat, Cabernetstraat en Nic Diederichs Boulevard in die dorp dorp raak.

1.4.2 Die reg van weg om elektrisiteit te gelei oor die eiendom deur middle van 'n transmissielyn wat geregistreer is in terme van Notariële Akte van Serwituut No. K1695/84S en aangedui deur die figuur mnpqrs op Diagram SG No. A3367/2003 wat Erwe 1444, 1463(Park), Sjampanjestraat en Nic Diederichs Boulevard in die dorp raak.

1.5 Sloping van geboue en structure

Die dorpselenaar moet op eie koste alle bestaande geboue en strukture wat binne die boulynreserwes, kant ruimtes en oor gemeenskaplike grense gelee is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.6 Verwydering van rommel

Die dorpselenaar moet op eie koste all rommel binne die dorpsgebied laat verwyder tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.7 Verskuiwing of vervanging van munisipale dienste

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

1.8 Grond vir munisipale doeleindes

Erf 1463 moet deur en op koste van die dorpselenaar aan die plaaslike bestuur as 'n park (openbare oop ruimte) oorgedra word.

1.9 Samestelling en pligte van die Huiseienaars Assosiasie

1.9.1. Die applikant sal 'n Huiseienaars Assosiasie, oordentelik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelyktydig met die verkoop van die eerste erf in die dorp.

1.9.2. Erwe 1461 en 1462 (Toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.

1.9.3. Een en elk eienaar van erwe 1445 tot 1452 moet lid word van die Huiseienaars Assosiasie op oordrag van die erwe. Die Huiseienaars Assosiasie het volle verantwoordelikheid vir Erwe 1461 en 1462 vir die essensiele dienste (uitgesluit dienste wat deur die plaaslike bestuur oorgeneem word) wat binne die erf lê.

1.9.4. Die Huiseienaars Assosiasie sal volle wettlike mag hê om van een en elke lid die koste te verhaal wat nodig is om sy werk te verrig en sal wettlike regte hê om sodanige kostes van enige lid te verhaal indien die lid nie sy verantwoordelikhede nakom nie.

1.9.5. Die plaaslike bestuur kan nie verantwoordelik gehou word indien die oppervlakte van die toegangs erf onklaar raak nie en/of enige ander dienste, met die uitsondering van dienste wat deur die Raad oorgeneem is.

1.9.6. A serwituut vir munisipale dienste moet oor Erwe 1461 en 1462, ten gunste van, en tot bevrediging van die plaaslike bestuur, geregistreer word.

1.9.7. Toegang van erwe 1445, 1446, 1447 en 1448 na 'n publieke straat moet oor Erf 1462 wees en toegang van erwe 1449, 1450, 1451 en 1452 na 'n publieke straat moet oor Erf 1461 wees.

- 1.9.8. Die plaaslike bestuur moet ten alle tye tot onbepertke toegang oor Erwe 1461 en 1462 beskik.

1.10 Beperking op die vervreemding van erwe

Erwe 1461 en 1462 moet aan die huiseienaars vereniging oorgedra word wat vir die dorp gestig word. Hierdie huiseienaarsvereniging het volle verantwoordelikheid vir die funksionering en voldoende instandhouding van die genoemde were en vir die noodsaaklike dienste wat binne die genoemde erwe geleë is.

1.11 Verantwoordelikheid met betrekking tot dienste en die beperking op die oordrag van erwe

Die dorpseienaar moet binne die periode wat die plaaslike bestuur mag bepaal, sy verantwoordelikheid met betrekking tot die voorsiening van water en sanitêre dienste sowel as met die konstruksie van paaie en stormwaterdreinerings en die installasie van sisteme daarvoor, soos ooreengekom tussen die dorpseienaar en die plaaslike bestuur nakom. Erwe mag nie vervreem word of oordrag van die erwe in die naam van die koper mag nie plaasvind voordat die plaaslike owerheid gesertifiseer het dat voldoende waarborge of kontantbydraes in verband met die voorsiening van dienste deur die dorpseienaar, by die plaaslike bestuur ingedien of betaal is nie.

2. TITELVOORWAARDES

2.1 Voorwaardes opgelê deur die Plaaslike Bestuur kragtens die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986)

Alle erwe is onderworpe aan die voorwaardes soos aangedui :

- 2.1.1 Die erwe 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.
- 2.1.2 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.
- 2.1.3 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 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 rioolhoofpyleidings en ander werke veroorsaak word.
- 2.1.4 Erf 1457
- Die erwe is onderworpe aan 'n 3m serwituut vir stormwater doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.
- 2.1.5 Erwe 1445, 1452, 1454, 1455, 1457 en 1458
- Die erwe is onderworpe aan 'n serwituut vir substasiedoeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 994**CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY****(FORMER WESTERN METROPOLITAN LOCAL COUNCIL)****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, (Former Western Metropolitan Local Council) hereby declares Wilgeheuwel Extension 29 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 PRO-LUB PROPERTIES DEVELOPMENT (PTY) LTD (HEREIN AFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 98(1) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 569 (A PORTION OF PORTION 355) OF THE FARM WILGESPRUIT 190, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1. Conditions of establishment**1.1 Name**

The name of the township shall be Wilgeheuwel Extension 29.

1.2 Design

The township shall consist of erven and streets as indicated on layout general Plan S.G. No. 3368/2003.

1.3 Engineering services

1.3.1 The township owner shall be responsible for the installation and provision of internal engineering services including streets and storm-water drainage and a contribution towards bulk sewerage services; and

1.3.2 the local authority concerned shall be responsible for the installation and provision of external engineering services.

The township owner shall when he intends to provide the township with engineering and essential services:

1.3.3 by agreement with the local authority classify every engineering service to be provided for the township in terms of section 116 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as an internal or external engineering service and in accordance with the guidelines; and

1.3.4 install or provide all internal and essential services to the satisfaction of the local authority and for this purpose shall lodge reports, diagrams and specifications as the local authority may require.

1.4 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:

1.4.1 The sewer servitude in favour of the local authority registered in terms of Notarial Deed of Servitude No. K2976/03 and indicated on Diagram S.G. A7159/88 which affects Erven 1454, 1455, 1456, 1457, 1458, Sjampanje Street, Cabernet Street and Nic Diederichs Boulevard in the township only.

1.4.2 The perpetual right to convey electricity across the property by means of transmission lines registered in terms of Notarial Deed of Servitude No. K 1695/84S and indicated by the figure mnpqrst on Diagram SG No. A3367/2003 which affects Erven 1444, 1463 (Park) Sjampanje Street and Nic Diederichs Boulevard in the township only.

1.5 Demolition of buildings and structures

The township owner shall at his own expense 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 required by the local authority to do so.

1.6 Removal of litter

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority when required by the local authority to do so.

1.7 Removal or replacement of municipal services

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

1.8 Land for municipal purposes

Erf 1463 shall be passed on to the local authority by and at the expense of the township owner as "Public Open Space"

1.9 Formation and duties of Resident's Association

1.9.1 The applicant shall properly and legally constitute a Resident's association to the satisfaction of the local authority prior to or simultaneous with the sale of the first erf in the township.

1.9.2 Erven 1461 and 1462 (Access) shall be registered in the name of the Resident's Association.

1.9.3 Each and every owner of Erven 1445 to 1452 shall become a member of the Resident's Association upon transfer of the erven. Such Association shall have full responsibility for Erven 1461 and 1462 and for the essential services (excluding services taken over by the local authority) contained herein.

1.9.4 The Resident's Association shall have full legal power to levy from each and every member the costs incurred in fulfilling its function and shall have legal recourse to recover such fees in the event of a default by any member.

- 1.9.5 The local authority shall not be liable for the malfunction of the surfacing of the access way and/or any services with the exception of services taken over by the local authority.
- 1.9.6 A servitude for municipal services shall be registered over Erven 1461 and 1462 in favour of, and to the satisfaction of the local authority.
- 1.9.7 Access from Erven 1445, 1446, 1447 and 1448 to a public road shall be across Erf 1462 and access from Erven 1449, 1450, 1451 and 1452 to a public road shall be across Erf 1461.
- 1.9.8 The local authority shall have unrestricted access to Erven 1461 and 1462 at all times.
- 1.10 **Restriction on the transfer of erven**

Erven 1461 and 1462 shall be transferred only to the Residents Association established in respect of the township, which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the essential services within the said erf.

1.11 **Obligations with regard to services and restriction regarding the alienation of erven**

The township owner shall within such period as the local authority may determine, fulfil his obligations in respect of the provisions of water and sanitary services as well as the construction of roads and storm-water drainage and the installation of systems therefore, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or be transferred into the name of a purchaser prior to the local authority certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner, have been submitted or paid to the said local authority.

2 Conditions of title

2.1 **Conditions imposed by the local authority in terms of the provisions of the Town planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)**

All erven shall be subject to the conditions as indicated:

- 2.1.1 The erven are subject to a servitude, 2 metres 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 metres 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.
- 2.1.2 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 (two) metres thereof.
- 2.1.3 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 work 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.
- 2.1.4 **Erf 1457**

The erf is subject to a 3m servitude for storm-water purposes in favour of the local authority, as indicated on the general plan.

2.1.5 **Erven 1445, 1452, 1454, 1455, 1457 AND 1458**

The erven are subject to a servitude for transformer/ substation purposes in favour of the local authority, as indicated on the general plan.

LOCAL AUTHORITY NOTICE 995

ROODEPOORT TOWN PLANNING SCHEME, 1987: AMENDMENT SCHEME 05-1688

The City of Johannesburg, (former Western Metropolitan Local Council), hereby declares that it has approved an amendment scheme, being an amendment of the Roodepoort Town Planning Scheme, 1987, comprising the same land as included in the township of Wilgeheuwel Extension 29, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3 and scheme clauses of the amendment scheme are filed with the Deputy Director-General, Gauteng Provincial Government: Department Housing and Local Government, Marshalltown and the Assistant Director: Development Planning, Transportation and Environment, Johannesburg, Room 8100, 8th Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 2 June 2003.

This amendment is known as the Roodepoort Amendment Scheme 05-1688.

A NAIR: EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING, TRANSPORTATION AND ENVIRONMENT, CITY OF JOHANNESBURG

PLAASLIKE BESTUURSKENNISGEWING 995

ROODEPOORT DORPSBEPLANNINGSKEMA, 1987: WYSIGINGSKEMA 05-1688

Johannesburg Stad, (vroëer Westelike Metropolitaanse Plaaslike Raad), verklaar hierby ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) dat hy 'n wysigingskema synde 'n wysiging van die Roodepoort Dorpsbeplanningskema, 1987, wat uit die selfde grond as die dorp Wilgeheuwel Uitbreiding 25 bestaan, goedgekeur het.

Kaart 3 en skemaklousules van die wysigingskema word in bewaring gehou deur die Adjunk-Direkteur Generaal, Departement Behuising en Plaaslike Regering, Marshalltown en is by die Assistent Direkteur : Ontwikkelingsbeplanning, Vervoer en Omgewing, Johannesburg, Kamer 8100, 8 ste Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Die datum van die inwerkingtreding van die skema is 2 Junie 2003.

Hierdie wysiging staan bekend as die Roodepoort Wysigingskema 05-1688.

A NAIR: UITVOERENDE DIREKTEUR: ONTWIKKELINGS BEPLANNING, VERVOER EN OMGEWING, JOHANNESBURG STAD

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HENNIE MALAN

Director: Financial Management
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