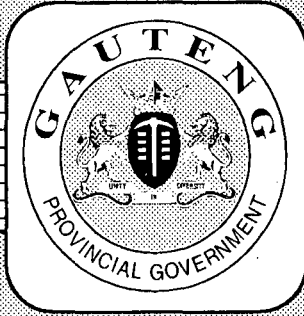


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**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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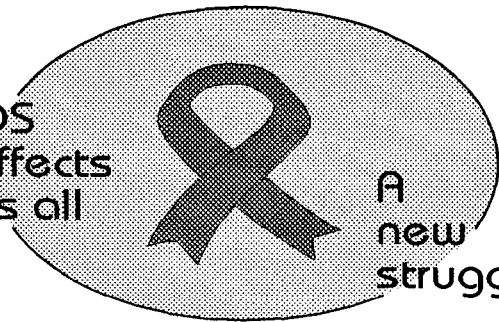
Vol. 9

PRETORIA, 10 NOVEMBER 2003

No. 486

**We all have the power to prevent AIDS**

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Prevention is the cure

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 2340 OF 2003

CITY OF JOHANNESBURG

AMENDMENT SCHEME 02-0040

It is hereby notified in terms of section 57 (1) of the Town Planning and Townships Ordinance, 1986, that the City of Johannesburg approved the amendment of the Sandton Town-Planning Scheme 1980, by the rezoning of Erf 282, Magaliessig Extension 17, from "Residential 1" to "Residential 2".

Copies of the application as approved are filed with the offices of the Executive Director: Development Planning, Transportation and Environment, 158 Loveday Street, Braamfontein, 8<sup>th</sup> floor, A Block Civic Centre, and are open for inspection at all reasonable times.

This amendment is known as Amendment Scheme 02-0040 and shall come into operation on the date of publication hereof.

**Executive Director: Development Planning, Transportation and Environment**

Date:

Notice No: 853/2003

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### PLAASLIKE BESTUURSKENNISGEWING 2340 VAN 2003

STAD VAN JOHANNESBURG

WYSIGINGSKEMA 02-0040

Hierby word ooreenkomstig die bepalings van artikel 57 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, bekendgemaak dat die Stad van Johannesburg goedgekeur het dat die Sandton - dorpsaanlegskema 1980, gewysig word deur die hersonerings van Erf 282, Magaliessig Uitbreiding 17, vanaf "Residensieel 1" na "Residensieel 2".

Afskrifte van die aansoek soos goedgekeur word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing, 158, Loveday straat, Braamfontein, 8ste vloer, A Blok, Burgersentrum, en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as wysigingskema 02-0040 en tree in werking op datum van publikasie hiervan.

**Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing**

Datum:

(Kenningsgewing No: 853/2003)

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**LOCAL AUTHORITY NOTICE 2341 OF 2003****CITY OF JOHANNESBURG  
AMENDMENT SCHEME 02-1828**

The Council hereby in terms of provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that it has approved the amendment scheme, being an amendment of the Sandton Town-planning Scheme 1980, comprising the same land, as included in the Township of **WOOMEAD EXTENSION 38**

Map 3, Annexure and scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Transportation and Environment: City of Johannesburg and are open for inspection at all reasonable times.

The amendment scheme is known as Amendment Scheme **02-1828**

**Executive Director: Development Planning  
Transportation and Environment**

**PLAASLIKE BESTUURSKENNISGEWING 2341 VAN 2003****STAD VAN JOHANNESBURG  
WYSIGINGSKEMA 02-1828**

Die Stadraad verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van Sandton - dorpsbeplanningskema, 1980, wat uit dieselfde grond as die dorp **WOODMEAD EXTENSION 38** bestaan, goedgekeur het.

Kaart 3, Bylae en die skemaklousules van die wysigingskema word in bewaring gehou deur Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing, Stad van Johannesburg en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Sandton-wysigingskema **02-1828**

**Uitvoerende Direkteur: Ontwikkelings Beplanning,  
Vervoer en Omgewing**

**LOCAL AUTHORITY NOTICE 2342 OF 2003****CITY OF JOHANNESBURG  
DECLARATION AS APPROVED TOWNSHIP**

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the CITY OF JOHANNESBURG declares **WOODMEAD EXTENSION 38** to be an approved township subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY CLASS A TRADING 170 (PTY) LTD IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE NO 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 537 (A PORTION OF PORTION 433) OF THE FARM RIETFONTEIN 2 IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED BY THE CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY (HEREINAFTER REFERRED TO AS "THE COUNCIL").

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

The name of the township shall be **WOODMEAD EXTENSION 38**

- (2) **Design**  
The township shall consist of erven as indicated on General Plan S.G. No 4337/2003.
- (3) **Provision and installation of engineering services**  
The township owner shall provide engineering services in the township, subject to the approval of the Council and/or City Power / Eskom.
- (4) **Obligations in respect of services and limitations in respect of the alienation or erven**
- (a) The Township owners shall, in terms of a prior agreement with the Council, fulfil their obligations with the regard to the provision of engineering services in and for the township in terms of Chapter 5 of the Ordinance.
  - (b) Contributions towards the provisions of external engineering services, bulk sewer and endowment in lieu of parkland shall be payable in terms of the Ordinance.
  - (c) No erven may be alienated or be transferred into the name of a buyer prior to the Council having confirmed that sufficient guarantees / cash contributions / endowments in respect of the supply of services by the township owner has been made to the said Council.
- (5) **FORMATION AND DUTIES OF SECTION 21 COMPANIES OR OTHER SIMILAR LEGAL ENTITIES**
- (a) The applicant shall properly and legally constitute a Residents Association to the satisfaction of the Council before the sale of the first erf, **(which association shall not be de-registered without the consent of the Council)**.
  - (b) The access erf (Erf 1030) and parks erven (Erven 1031 and 1032) shall be registered in the name of the Resident's Association, **and said road and park erven may not be sold or in any way disposed of without prior written consent of the Council.**
  - (c) Each and every owner of Erven 936 to 1029 shall become a member of the Residents Association upon transfer of the erf, Such Association shall have full responsibility for Erven 1031 and 1032 (Private Open Space) and Erf 1030 (Access Erf).
  - (d) 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 in payments by any member.
  - (e) The Council shall not be liable for the malfunction of the surfacing of the access way and/or the stormwater drainage system, and/or any essential services, with the exception of the sewerage system.
  - (f) A servitude for municipal purposes shall be registered over Erf 1030 in favour of, and to the satisfaction of, the Council.
  - (g) Access from Erven 936 to 1029 to a public road shall be across Erf 1030.
  - (h) The Council shall have unrestricted access to Erf 1030 at all times.
- (6) **Removal and 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.

(7) **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, including the following servitudes which affect the township:-

Servitude area vide SG Diagram No. A4081/1977 and Deed of Transfer No. K550/1979s (and affects Bowling Avenue).

Right-of-way Servitude, 7.87m wide vide SG Diagram No. A5661/1937 and Deed of Transfer 6338/1938 (and affects Erf 1031 and Bowling Avenue).

Servitude area vide SG Diagram No. A4082/1977 and Deed of Transfer No. K550/1979s (and affects Bowling Avenue).

Servitude of Right-of-way 7.87m wide vide Diagram SG No. A5665/1937, Deed of Transfer T6339/1938 (and affects Bowling Avenue)

But excluding the following servitude, which is to be cancelled:

Right-of-way Servitude 15.74m wide vide SG Diagram No. A5661/1937, Deed of Servitude T6338/1938 (and affects Erven 957, 959, 960, 961, 962, 1023, 1024, 1029, 1030 and Bowling Avenue.)

2. **CONDITIONS OF TITLE**

The erven mentioned hereunder shall be subject to the conditions, as indicated, imposed by the Council in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

(1) **ALL ERVEN**

- (a) The erf is subject to a servitude, 2m wide, in favour of the Council 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 Council : Provided that the Council 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 Council 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 Council.

(2) **ERF 1030**

- (a) The whole of the erf is subject to a servitude for municipal purposes as indicated on the General Plan.

**Executive Director: Development Planning  
Transportation and Environment**

**PLAASLIKE BESTUURSKENNISGEWING 2342 VAN 2003**

**STAD VAN JOHANNESBURG  
VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp **WOODMEAD UITBREIDING 38** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR CLASS A TRADING 170 (EDMS) BK INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 537 (GEDEELTE VAN GEDEELTE 433) VAN DIE PLAAS RIETFONTEIN NO 2 IR, PROVINSIE GAUTENG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

(1) **NAAM**

Die naam van die dorp is **WOODMEAD UITBREIDING 38**

(2) **ONTWERP**

Die dorp bestaan uit erwe soos aangedui op Algemene Plan SG No.4337/2003

(3) **VOORSIENING EN INSTALLERING VAN DIENSTE**

Die dorpseienaar moet die nodige reelings met die Raad tref vir die voorsiening en instalering van water en sanitere dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot bevrediging van die Raad.

(4) **VERPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE ASOOK DIE BEPERKING TEN OPSIGTE VAN VERVREMING OF OORDRAGTE**

(a) Die dorpseienaars sal, in terme van 'n vooraf gereelde ooreenkoms met die Raad, sy verpligtinge rakende tot die voorsiening van ingenieursdienste in en vir die dorp, in terme van Hoofstuk 5 van die Ordonnansie.

(b) 'n Bydrae tot die voorsiening van ingenieursdienste en begiftiging ten opsigte van parkegrond sal betaalbaar wees.

(c) Geen erwe mag vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die Stadsraad gelewer is nie.

(5) **STIGTING EN VERPLIGTING VAN ARTIKEL 21 MAATSKAPPY OF SOORTGELYKE REGS ENTITEITE**

(a) Die aansoekers moet wetlik en volgens voorskrif die Inwoners-vereniging tot goedkeuring van die Stadraad saamstel, voor die verkoop van die eerste erf in die dorp, (welke vereniging nie mag de-registreer sonder die toestemming van die Raad nie).

(b) Die toegangs erf (Erf 1030) en park erwe (Erwe 1031 en 1032) sal in die naam van die Inwoners-Vereniging geregistreer word, **en genoemde pad gedeelte en park erwe mag nie verkoop of vervreem word, sonder vooraf geskrewe toestemming van die Raad nie.**

(c) Iedere en elke eienaar van Erwe 936 tot 1029 sal 'n lid van die Inwoners-vereniging word met oordrag van die erf. Sodanige Vereniging sal volle verantwoordelikheid neem oor Erwe 1031 en 1032 (Privaat Oop Ruimte) en Erf 1030 (Toegangserf).

(d) Die Inwoners-vereniging sal die volle wettige reg hê om die kostes aangegaan ter vervulling van sy doel van ieder en elke lid te hef en sal toegang hê tot regshulp ter verhaling van sodanige fooi in die geval van die wanbetaling deur enige lid.

- (e) Die Stadsraad sal nie aanspreeklik wees vir die gebrekkigheid van die oppervlak van die toegangsweg en/of die vloedwater dreineringsstelsel en/of enige noodsaaklike dienste, met die uitsondering van die rioleringsstelsel nie.
  - (f) 'n Serwituut vir munisipaliteit doeleindes sal geregistreer word oor Erf 1030 ten gunste van die Raad
  - (g) Toegang van Erwe 936 tot 1029 tot 'n openbare pad sal oor die toegangs-erf 1030 wees.
  - (h) Die Raad sal onbeperkte toegang hê tot Erf 1030 te alle tye.
- (6) **VERSKUIWING OF DIE 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 dorpseniens gedra word.
- (7) **BESKIKKING OOR BESTAANDE TITELVOORWAARDES**  
Alle erwe moet onderhewig gemaak word aan bestaande titelvoorwaardes en serwitute, indien enige, insluitende die reservering van die mineraleregte, insluitend die volgende serwitute wat die dorp affekteer.

Serwituut area vide SG Diagram No. A4081/1977 en Akte van Transport No. K550/1979s (en raak Bowlinglaan).  
Reg-van-Weg Serwituut, 7.87m breed vide SG Diagram No. A5661/1937 en Akte van Transport 6338/1938 (en raak Erf 1031 en Bowlinglaan).  
Serwituut area vide SG Diagram No. A4082/1977 en Akte van Transport No. K550/1979s (en raak Bowlinglaan).  
Serwituut van Reg-van-Weg 7.87m breed vide Diagram SG No. A5665/1937, Akte van Transport T6339/1938 (en raak Bowlinglaan)

Maar uitsluitend die volgende serwituut, wat gekanselleer sal word:

Reg-van-Weg Serwituut 15.74m breed vide SG Diagram No. A5661/1937, Serwituutakte T6338/1938 (en raak Erwe 957, 959, 960, 961, 962, 1023, 1024, 1029, 1030 en Bowlinglaan.)

## 2. TITELVOORWAARDES

Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes soos aangedui, opgele deur die Raad ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

- (1) **ALLE ERWE**
- (a) Die erf is onderworpe aan 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad 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 Raad: Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
  - (b) Geen geboue 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 meter daarvan geplant word nie.
  - (c) Die Raad 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 goeie rede noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak word.
2. **ERF 1030**
- (a) Die erf is onderworpe aan 'n serwituut vir munisipale doeleindes soos aangedui op die Algemene Plan.

**Uitvoerende Direkteur: Ontwikkelings  
Beplanning, Vervoer en Omgewing**