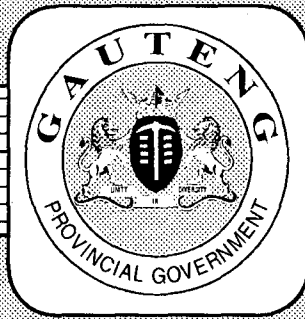


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price • Verkoopprys: **R2,50**  
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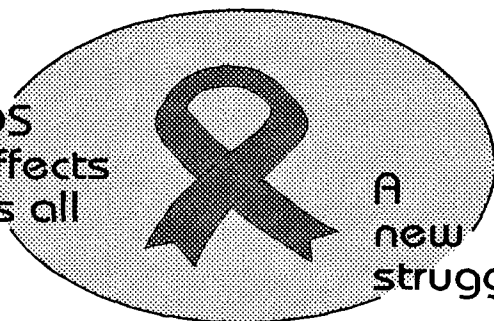
**Vol. 9**

**PRETORIA, 26 NOVEMBER 2003**

**No. 511**

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

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH



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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 2467

#### DECLARATION AS AN 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 declares **Fourways Extension 37** to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY 4WAYS VALUE CENTRE (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT/ 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 406 OF THE FARM ZEVENFONTEIN 407 JR HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

**(1) Name**

The name of the township shall be Fourways Extension 37.

**(2) Design**

The township shall consist of erven as indicated on General Plan S.G. No. 7293/2003.

**(3) Provision and installation of services**

The township owner shall make the necessary arrangements with the local authority for the provision and installation of water and sanitation as well as the construction of roads and stormwater drainage in the township.

**(4) Electricity**

(a) The local authority is not the bulk supplier of electricity 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 arrangements in this regard with ESKOM, the licensed supplier of electricity in the township.

(b) The local authority shall be notified in writing that satisfactory arrangements have been made in respect of the supply of electricity to the township and in this connection, the township owner shall submit the following to the local authority:

- (1) A certified copy of the agreement in respect of the supply of electricity entered into with ESKOM;
- (2) A certificate by the licensed supplier of electricity that acceptable financial arrangements with regard to (1) above have been made by the township owner.

**(5) Access**

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and shall only be obtained via the access erf in the proposed Fourways Extension 38.

(b) No access to or egress from the township via Road K-56 and/or Road K-46, shall be permitted.

**(6) Provincial Roads**

(a) Should the development of the township not been completed within 10 years from 18 June 2003, the application shall be resubmitted to the Department of Transport and Public Works (Gauteng Provincial Government) for reconsideration.

(b) If however, before the expiry date of the mentioned period, circumstances change in such a way that roads and/or PWV routes under the control of the said Department are affected by the proposed layout of the township, the applicant shall resubmit the application for the purpose of fulfilment of the requirements of the controlling authority in terms of the provisions of Section 11 of Act 21 of 1940, as amended.

**(7) 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.

**(8) 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, save for the following conditions:-

A. which do not affect the township:

1. *By virtue of Deed of Cession No. K394/80S dated 7<sup>th</sup> February 1980, servitude for sewerage purposes was ceded to the City Council of Johannesburg as will more fully appear from the said Deed of Cession.*
2. *By virtue of Notice of Expropriation No. Ex 505/72 a sewerage servitude over the within mentioned property has been expropriated by the City Council of Johannesburg in terms of Section 14 of Act 55/1965, as will more fully appear from the said Notice of Expropriation.*
3. *By virtue of Notarial Deed of Servitude K 395/2001S, dated 10<sup>th</sup> November 2000, the within mentioned property is subject to a servitude for access purposes, a right of way in perpetuity over an area of land measuring 4276 square metres as defined by the letters ABCDEFGHJKA on Diagram S.G. No. 2606/94; as will more fully appear from the said Notarial Deed.*
4. *By virtue of a Notarial Deed K5622/2001S, dated 3 August 2001, the within mentioned property is subject to a servitude in perpetuity 2 metres wide to draw and convey water from the Jukskei River across Portion 130 (a portion of Portion 71) of the farm Zevenfontein 407 JR, Province of Gauteng, measuring 6,8523 hectares, as indicated by the line ABCDEF on Diagram S.G. No. 2563/2000, as will more fully appear from the said Notarial Deed.*

B. the following rights which shall not be carried forward to the individual erven in the township (Condition 5 in Deed of Transfer T 46262/03):

*The within mentioned property is entitled to a servitude in perpetuity 2 metres wide to draw and convey water from the Jukskei River over the Remaining Extent of Portion 71 of the farm Zevenfontein 407 JR, Gauteng, measuring 23,1984 hectares, indicated by the line ABCDEF on Diagram S.G. No. 2563/2000, as will more fully appear from Notarial Deed of Servitude No. K5622/2001S.*

**(9) Notarial tie of Erven**

The township owner shall, at its own costs and to the satisfaction of the local authority, notarially tie Erf 2120 with the access erf in the proposed Fourways Extension 38, after the mentioned township had been proclaimed.

**(10) Restriction on the transfer of an erf**

Erf 2120 shall be transferred only to Eagle Trace Estate Homeowners Association which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the essential services within the said erf.

**(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 provision of 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 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**

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

**(1) All erven (except Erf 2120)**

(a) Each 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.

(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 2 m 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.

**(2) Erf 2119**

The registered owner of the erf shall at his own costs, before or during development of the erf, erect a physical barrier which is in compliance with the requirements of the Department of Transport and Public Works (Gauteng Provincial Government), along the boundary abutting Road K46 (P79-1) and Road K56. The erection of such barrier shall be done to the satisfaction of the local authority and such fence shall be maintained by the registered owner, to the satisfaction of the local authority.

**(3) Erf 2120**

(a) The entire erf as indicated on the General Plan is subject to servitudes for municipal purposes and right of way in favour of the local authority.

(b) The erf shall not be alienated or transferred into the name of any purchaser other than Eagle Trace Estate Homeowners Association, without the written consent of the local authority first having been obtained.

**P. Moloi, City Manager**

(Notice No.897/2003)

November 2003

**PLAASLIKE BESTUURSKENNISGEWING 2467**

**VERKLARING TOT 'N GOEDGEKEURDE DORP**

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 **Fourways Uitbreiding 37** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR 4WAYS VALUE CENTRE (EDMS) BPK (HIERNA DIE AANSOEKDOENER/ 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 406 VAN DIE PLAAS ZEVENFONTEIN 407 JR TOEGESTAAN IS

**1. STIGTINGSVOORWAARDES**

**(1) Naam**

Die naam van die dorp is Fourways Uitbreiding 37.

**(2) Ontwerp**

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 7293/2003.

**(3) Voorsiening en installering van dienste**

Die dorpsieenaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van water en sanitêre dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot tevredenheid van die plaaslike bestuur.

**(4) Elektrisiteit**

(a) Die plaaslike bestuur is nie die grootmaat verskaffer van elektrisiteit aan die dorp nie. Die dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, die nodige reëlings tref met ESKOM, die gelisensieërde verskaffer van elektrisiteit in die dorp.

(b) Die plaaslike bestuur moet skriftelik verwittig word dat bevredigende reëlings met betrekking tot die voorsiening van elektrisiteit aan die dorp, getref is en in die verband moet die dorpseienaar die volgende aan die plaaslike bestuur verskaf:

- (1) 'n gesertifiseerde afskrif van die ooreenkoms aangegaan met ESKOM rakende die voorsiening van elektrisiteit;
- (2) 'n sertifikaat van ESKOM dat aanvaarbare finansiële reëlings met betrekking tot (1) hierbo, deur die dorpsdigter getref is.

**(5) Toegang**

(a) Toegang tot of uitgang vanuit die dorp sal voorsien word tot die tevredenheid van die plaaslike bestuur en mag slegs via die toegangserf in die voorgestelde Fourways Uitbreiding 38 verkry word.

(b) Geen toegang tot of uitgang vanuit die dorp sal via Pad K-56 en/of K-46 toegelaat word nie.

**(6) Provinsiale Paaie**

(a) Indien die ontwikkeling van die dorp nie binne 10 jaar vanaf 18 Junie 2003 voltooi word nie, moet die aansoek heringedien word by die Departement van Vervoer en Publieke Werke (Gauteng Provinsiale Regering) vir heroorweging.

(b) Indien omstandighede egter, voor die verstryking van die gemelde periode, 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 applikant die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beherende liggaam in gevolge die bepalings van Artikel 11 van Wet 21 van 1940, soos gewysig.

**(7) Sloping van geboue en strukture**

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

**(8) Beskikking oor bestaande titelvoorwaardes**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige, met inbegrip van die voorbehoud van die regte op minerale, behalwe vir die volgende voorwaardes:-

A. wat nie die dorp affekteer nie:

1. *By virtue of Deed of Cession No. K394/80S dated 7<sup>th</sup> February 1980, servitude for sewerage purposes was ceded to the City Council of Johannesburg as will more fully appear from the said Deed of Cession.*
2. *By virtue of Notice of Expropriation No. Ex 505/72 a sewerage servitude over the within mentioned property has been expropriated by the City Council of Johannesburg in terms of Section 14 of Act 55/1965, as will more fully appear from the said Notice of Expropriation.*
3. *By virtue of Notarial Deed of Servitude K 395/2001S, dated 10<sup>th</sup> November 2000, the within mentioned property is subject to a servitude for access purposes, a right of way in perpetuity over an area of land measuring 4276 square metres as defined by the letters ABCDEFGHJKA on Diagram S.G. No. 2606/94, as will more fully appear from the said Notarial Deed.*
4. *By virtue of a Notarial Deed K5622/2001S, dated 3 August 2001, the within mentioned property is subject to a servitude in perpetuity 2 metres wide to draw and convey water from the Jukskei River across Portion 130 (a portion of Portion 71) of the farm Zevenfontein 407 JR, Province of Gauteng, measuring 6,8523 hectares, as indicated by the line ABCDEF on Diagram S.G. No. 2563/2000, as will more fully appear from the said Notarial Deed.*

- B. die volgende regte wat nie oorgedra sal word na die individuele erwe in die dorp nie (Voorwaarde 5 in Akte van Transport T 46262/03):

*The within mentioned property is entitled to a servitude in perpetuity 2 metres wide to draw and convey water from the Jukskei River over the Remaining Extent of Portion 71 of the farm Zevenfontein 407 JR, Gauteng, measuring 23,1984 hectares, indicated by the line ABCDEF on Diagram S.G. No. 2563/2000, as will more fully appear from Notarial Deed of Servitude No. K5622/2001S.*

**(9) Notariële verbinding van erwe**

Die dorpseienaar moet, op eie koste en tot tevredeheid van die plaaslike bestuur, Erf 2120 notariëel verbind met die toegangserf in die voorgestelde Fourways Uitbreiding 38, nadat die gemelde dorp geproklameer is.

**(10) Beperking op die oordrag van 'n erf**

Erf 2120 mag slegs aan Eagle Trace Estate Huiseienaarsvereniging oorgedra word, welke Vereniging volle verantwoordelikheid sal dra vir die funksionering en behoorlike instandhouding van die erf en die noodsaaklike dienste binne die gemelde erf.

**(11) Verpligtinge ten opsigte van dienste en beperking betreffende die vervreemding van erwe**

Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom. Erwe mag nie 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 plaaslike bestuur gelewer of betaal is nie.

**2. TITELVOORWAARDES**

Die erwe hieronder genoem is onderworpe aan die voorwaardes soos aangedui deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

**(1) Alle erwe (behalwe Erf 2120)**

(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 rioolhoofpypleidings, en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees 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 verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

**(2) Erf 2119**

Die geregistreerde eienaar van die erf moet op eie koste, voor of gelyktydig met die ontwikkeling van die erf, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement van Publieke Werke en Vervoer (Gauteng Provinsiale Regering) oprig langs die grensaangrensend aan Pad K46 (P79-1) en Pad K56. Die oprigting van sodanige versperring moet tot tevredeheid van die plaaslike bestuur gedoen word en deur die geregistreerde eienaar in stand gehou word tot, tevredeheid van die plaaslike bestuur.

**(3) Erf 2120**

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

(b) Die erf mag nie vervreem of oorgedra word in naam van enige koper behalwe Eagle Trust Estate Huiseienaarsvereniging, sonder dat die skriftelike toestemming van die plaaslike bestuur vooraf verkry is nie.

**P. Moloï, Stadsbestuurder**  
(Kennisgewing 897/2003)  
November 2003.

## LOCAL AUTHORITY NOTICE 2468

### AMENDMENT SCHEME 02-1404

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 Peri-Urban Areas Town Planning Scheme, 1975, comprising the same land as included in the township of **Fourways Extension 37**. Map 3 and the 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.

This amendment is known as Amendment Scheme 02-1404.

**P. Moloï, City Manager**  
(Notice No.898/2003.)  
November 2003.

## PLAASLIKE BESTUURSKENNISGEWING 2468

### WYSIGINGSKEMA 02-1404

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Raad op Buitestedelike Gebiede Dorpsbeplanningskema, 1975, wat uit dieselfde grond as die dorp **Fourways Uitbreiding 37** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Vervoer en Omgewing: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 02-1404.

**P. Moloï, Stadsbestuurder**  
(Kennisgewing Nr. 898/2003.)  
November 2003