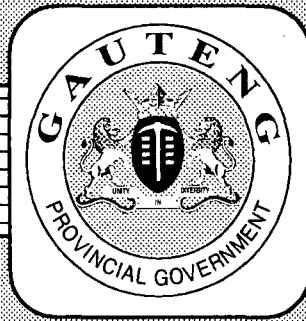


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
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# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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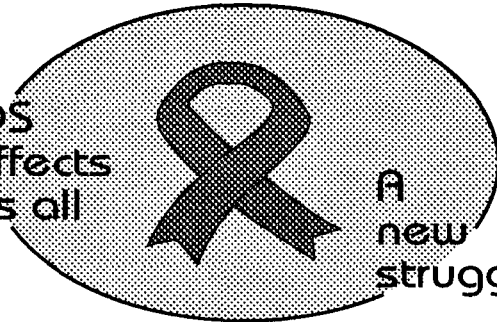
Vol. 9

PRETORIA, 14 FEBRUARY 2003  
FEBRUARIE

**No. 52**

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**CONTENTS • INHOUD**

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
<b>LOCAL AUTHORITY NOTICES</b>			
279	Town-planning and Townships Ordinance (15/1986): Declaration as an approved township: Erand Gardens Extension 84 .....	3	52
280	do.: Amendment Scheme 07-1065 .....	6	52
281	do.: City of Johannesburg: Declaration as an approved township: Summerset.....	10	52
282	do.: Halfway House and Clayville Amendment Scheme 04-1104 .....	13	52

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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 279

#### 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 declares **Erand Gardens Extension 84** 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 CLIDET 69 (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 897 (A PORTION OF PORTION 6) OF THE FARM RANDJESFONTEIN 405 J.R HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

**(1) Name**

The name of the township shall be Erand Gardens Extension 84.

**(2) Design**

The township shall consist of erven and thoroughfares as indicated on General Plan S.G. No. 6487/2002.

**(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, electricity and sanitation as well as the construction of roads and stormwater drainage in the township, to the satisfaction of the local authority.

**(4) Access**

Access to the township shall be to the satisfaction of the local authority and Johannesburg Roads Agency (Pty) Ltd.

**(5) Provincial Roads**

(a) Should the development of the township not been completed within 10 years from 23 August 2001, 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.

**(6) 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.

**(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) Incorporation of company in terms of section 21 of the Companies Act, 1973**

(a) The township owner shall at his own costs, properly and legally, and to the satisfaction of the local authority, incorporate a company in terms of Section 21 of the Companies Act, 1973 (hereinafter referred to as the "Association") prior to the first transfer of an erf in the township.

(b) The Articles of Association of the Association shall not be amended without the written consent of the local authority first having been obtained.

(c) Each and every owner of an erf in the township shall on registration of transfer of the erf, automatically become a member of the Association and the township owner shall procure that each erf be made subject to the following conditions in favour of the Association:

(1) Every owner of the erf or owner of any sub-divided portion of an erf or owner of any unit thereon, shall on transfer automatically become a member of the Association and shall remain a member and shall

be subject to its Memorandum and Articles of Association until he/she ceases to be an owner as contemplated above.

(2) The owner of the erf or owner of any sub-divided portion thereof or any unit thereon, shall not be entitled to transfer the erf or any sub-divided portion thereof or any interest therein or any unit thereon, without a clearance certificate from the Association certifying that the provisions of the Memorandum and the Articles of Association of the Association have been complied with.

**(9) Restriction on the transfer of erven**

Erven 464 to 468 shall be transferred only to the Association as referred to in clause 8, which Association shall have full responsibility for the functioning and proper maintenance of the said erven and the essential services within the erven.

**(10) Endowment**

The township owner shall, in terms of the provisions of Section 98(2) of the Town Planning and Townships Ordinance, 15 of 1986, pay (if applicable) a lump sum endowment to the local authority for the shortfall in the provision of land for a park (public open space).

**(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, electricity and sanitary services as well as the construction of roads and stormwater 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**

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 464)**

(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 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 416**

The erf is subject to a 3,00m wide servitude for stormwater purposes in favour of the local authority, as indicated on the General Plan.

**(3) Erf 464**

The entire erf is subject to a servitude for municipal purposes in favour of the local authority as indicated on the General Plan.

**P. Moloji, City Manager**  
(Notice No.0092/2003)  
February 2003

**PLAASLIKE BESTUURSKENNISGEWING 279**

**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 hiermee die dorp **Erand Gardens Uitbreiding 84** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR CLIDET 69 (EDMS) BPK (HIERNA DIE AANSOEKDOENER/ DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 897 ('N GEDEELTE VAN GEDEELTE 6) VAN DIE PLAAS RANDJESFONTEIN 405 JR TOEGESTAAN IS

**1. STIGTINGSVOORWAARDES**

**(1) Naam**

Die naam van die dorp is Erand Gardens Uitbreiding 84.

**(2) Ontwerp**

Die dorp bestaan uit erwe en deurpaaie soos aangedui op Algemene Plan LG Nr 6487/2002.

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

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

**(4) Toegang**

Toegang tot en uitgang vanuit die dorp moet tot tevredenheid van die plaaslike bestuur en die Johannesburg Roads Agency (Edms) Bpk. wees.

**(5) Provinsiale Paaie**

(a) Indien die ontwikkeling van die dorp nie binne 10 jaar vanaf 23 Augustus 2001 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.

**(6) 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.

**(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) Inlywing van maatskappy ingevolge artikel 21 van die Maatskappywet, 1973**

(a) Die dorpseienaar moet op sy eie koste, behoorlik en wettig en tot tevredenheid van die plaaslike bestuur, 'n maatskappy ingevolge Artikel 21 van die Maatskappywet, 1973 inlyf (hierna genoem die "Vereniging") voor die verkoop van die eerste erf in die dorp.

(b) Die Akte van Oprigting van die Vereniging mag nie gewysig word sonder dat die skriftelike toestemming van die plaaslike bestuur eers verkry is nie.

(c) Iedere en elke eienaar van 'n erf in die dorp, word tydens registrasie van oordrag van die erf, outomaties 'n lid van die Vereniging en die dorpseienaar sal verseker dat elke erf onderworpe gestel sal word aan die volgende voorwaardes ten gunste van die Vereniging:

(1) Elke eienaar van die erf of eienaar van enige onderverdeelde gedeelte van 'n erf of eienaar van 'n eenheid daarop, sal tydens registrasie outomaties 'n lid van die Vereniging word en moet 'n lid bly en sal onderworpe wees aan sy Statute en Akte van Oprigting totdat hy/sy ophou om 'n eienaar te wees soos hierbo beoog.

(2) Die eienaar van die erf of enige onderverdeelde gedeelte daarvan of enige eenheid daarop, sal nie daarop geregtig wees om die erf of enige onderverdeelde gedeelte daarvan of enige belang daarin of enige eenheid daarop, oor te dra sonder 'n uitklaringsertifikaat van die Vereniging, waarin gesertifiseer word dat die bepalings van die Statute en Akte van Oprigting van die Vereniging nagekom is.

**(9) Beperking op die oordrag van erwe**

Erwe 464 tot 468 mag slegs aan die Vereniging soos verwys na in klousule 8, oorgedra word, welke Vereniging volle verantwoordelikheid sal dra vir die funksionering en hehoorlike instandhouding van die betrokke erwe en die noodsaaklike dienste binne die erwe.

**(10) Begiftiging**

Die dorpseienaar sal, ingevolge die bepalings van Artikel 98(2) van die Dorpsbeplanning en Dorpe Ordonnansie, Nr 15 van 1986, 'n globale bedrag as begiftiging aan die plaaslike bestuur betaal vir die tekort aan die voorsiening van grond vir 'n park (openbare oop ruimte).

**(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, elektrisiteit 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 (uitgesonderd Erf 464)**

(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 goeë dunnke 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 rioolhoofpyleiding en ander werke veroorsaak word.

**(2) Erf 416**

Die erf is onderworpe aan 'n 3,00m breë serwituut vir stormwater doeleindes ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

**(3) Erf 464**

Die hele erf is onderworpe aan 'n serwituut vir munisipale doeleindes ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

**P. Moloï, Stadsbestuurder**

(Kennisgewing 0092/2003)

Februarie 2003.

**LOCAL AUTHORITY NOTICE 280****AMENDMENT SCHEME 07-1065**

The City of Johannesburg 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 Halfway House and Clayville Town Planning Scheme, 1976, comprising the same land as included in the township of Erand Gardens Extension 84. 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 07-1065.

**P. Moloï, Stadsbestuurder**

(Kennisgewing 0093/2003)

Februarie 2003

**PLAASLIKE BESTUURSKENNISGEWING 280**  
**WYSIGINGSKEMA 07-1065**

Die Stad van Johannesburg 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 Halfway House en Clayville Dorpsbeplanningskema, 1976, wat uit dieselfde grond as die dorp Erand Gardens Uitbreiding 84 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 07-1065.

**P. Moloï, Stadsbestuurder**  
 (Kennisgewing 0093/2003)  
 Februarie 2003

**PLAASLIKE BESTUURSKENNISGEWING 281**  
**JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT**  
**(GEWESE MIDRAND METROPOLITAANSE PLAASLIKE RAAD)**  
**VERKLARING TOT 'N GOEDGEKEURDE DORP**

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar Johannesburg Stad, Summerset tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

**BYLAE**

**STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR DENEL PROPERTIES (PROPRIETARY) LIMITED NO. 1967/011918/07 (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 582 VAN DIE PLAAS WITPOORT 406-JR, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.**

**1. Stigtingsvoorwaardes**

**1.1 Naam**

Die naam van die dorp is Summerset.

**1.2 Ontwerp**

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 5063/2002.

**1.3 Ingenieursdienste**

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste ingesluit strate en stormwater dreinerings en 'n bydrae vir eksterne ingenieursdienste; 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 22,04 m Reg van Weg serwituuat geregistreer in terme van Notariële Akte van Serwituuat No. 339/1955 en aangedui op Diagram S.G. No 4399/1951 wat slegs Erf 34 en Pad K73 in die dorp raak.



**1.5 Samestelling en pligte van die Huiseienaars Assosiasie**

- 1.5.1 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.
- 1.5.2 Erf 51 (Toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.
- 1.5.3 Een en elke eienaar van erwe 1 – 33, 35 – 50 en 52 - 158 moet lid word van die Huiseienaars Assosiasie op oordrag van die erwe. Hierdie huiseienaars Assosiasie sal volle verantwoordelikheid van alle essensiele dienste (uitgesluit die dienste wat deur die Raad oorgeneem word) wat binne Erf 51 geleë is oorneem.
- 1.5.4 Die Huiseienaars Assosiasie sal volle wetlike mag hê om van een en elke lid die koste te verhaal wat nodig is om sy werk te verrig en sal wetlike regte hê om sodanige kostes van enige lid te verhaal indien die lid nie sy verantwoordelikhede nakom nie.
- 1.5.5 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.
- 1.5.6 'n Serwituut vir munisipale dienste moet oor Erf 51 geregistreer word ten gunste van en tot bevrediging van die plaaslike bestuur.
- 1.5.7 Toegang van erwe 1 – 33, 35 - 50 en 52 - 158 na 'n publieke straat moet oor Erf 51 geskied.
- 1.5.8 Die plaaslike bestuur moet ten alle tye tot onbeperkte toegang oor Erf 51 beskik.

**1.6 Grond vir munisipale doeleindes**

Erwe 159, 160 en 161 moet deur en op koste van die dorpeenaar aan die plaaslike bestuur as "Openbare Oop Ruimte" oorgedra word.

**1.7 Bepierking op die vervreemding van Erf 34**

Die dorpeenaar sal nie Erf 34 vervreem of ontwikkel en oordrag van die erf word nie toegelaat totdat die serwituut wat die erf affekteer, en geregistreer is in terme van Notariële Akte van Serwituut No. 3399/1955 mee gehandel is tot bevrediging van die plaaslike bestuur en Gautrans nie.

**2. TITELVOORWAARDES**

**2.1 Die erwe hieronder genoem is onderworpe aan die voorwaardes opgelê deur die Midrand-Rabie Rif Ivory Park Metropolitaanse Substruktuur kragtens die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986)**

**Alle erwe**

- 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 goeie goeie 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 Erwe 78, 77, 97, 98, 121 en 122

Die erwe is onderworpe aan 'n serwituut vir substasiedoeleindes ten gunste van Eskom, soos op die algemene plan aangedui.

## 2.1.5 Erf 61

Die erwe is onderworpe aan 'n 4m wye serwituut vir munisipale doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

## 2.1.6 Erf 84

Die erwe is onderworpe aan 'n 5m wye serwituut vir munisipale doeleindes en 'n 5 x 5m wye serwituut vir pompstasie doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

## 2.1.7 Erwe 34, 51, 47 en 55

Die erwe is onderworpe aan 'n 4m wye serwituut vir munisipale doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

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**LOCAL AUTHORITY NOTICE 281****CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY****(FORMER MIDRAND 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 Midrand Metropolitan Local Council) hereby declares Summerset 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 DENEL PROPERTIES (PROPRIETARY) LIMITED NO. 1967/011918/07 (HEREAFTER REFERRED TO AS "THE APPLICANT") UNDER THE PROVISIONS OF CHAPTER 3 (PART C) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 582 OF THE FARM WITPOORT 406-JR, HAS BEEN GRANTED

**1. CONDITIONS OF ESTABLISHMENT****1.1 Name**

The name of the township shall be Summerset.

**1.2 Design**

The township shall consist of erven and streets as indicated on General Plan 5063/2002.

**1.3 Engineering service**

1.3.1 The township owner shall be responsible for the installation and provision of engineering services including streets and stormwater drainage and a contribution towards bulk 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 22,04 m Right of Way servitude registered in terms of Notarial Deed of Servitude No. 339/1955 and indicated on Diagram S.G. No 4399/1951 which affects Erf 34 and Road K73 in the township only.

**1.5 Formation and duties of Resident's Association**

1.5.1 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.

1.5.2 Erf 51 (Access) shall be registered in the name of the Resident's Association.

1.5.3 Each and every owner of Erven 1 – 33, 35 – 50 and 52 – 158 shall become a member of the Resident's Association upon transfer of the erf. Such Association shall have full responsibility for Erf 51 for the essential services (excluding services taken over by the local authority) contained herein.

1.5.4 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.

1.5.5 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.

1.5.6 A servitude for municipal services shall be registered over Erf 51 in favour of, and to the satisfaction of the local authority.

1.5.7 Access from Erven 1 – 33, 35 – 50 and 52 – 158 to a public road shall be across Erf 51.

1.5.8 The local authority shall have unrestricted access to Erf 51 at all times.

**1.6 Land for municipal purposes**

Erven 159, 160 and 161 shall be passed on to the local authority by and at the expense of the township owner as Public Open Space.

1.7 Restriction on the disposal of Erf 34

The township owner shall not dispose of erf 34 and transfer of the erf shall not be permitted until the servitude affecting the erf and registered in terms of Notarial Deed of Servitude No.339/1955 has been dealt with to the satisfaction of the Council and Gautrans.

2. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions as imposed by the Midrand-Rabie Ridge-Ivory Park Metropolitan Substructure in terms of the provisions of the Town-planning Townships Ordinance, 1986.

All erven

2.1 All erven shall be 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;

2.2 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 2m thereof; and

2.3 the local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such materials as may be excavated by them 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 being done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

2.4 Erven 78, 77, 97, 98 121 and 122

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

2.5 Erf 61

The erf is subject to a 4m wide servitude for municipal purposes in favour of the local authority, as indicated on the general plan.

2.6 Erf 84

The erf is subject to a 5m wide servitude for municipal purposes and a 5 x 5m wide servitude for pumpstation purposes in favour of the local authority, as indicated on the general plan.

2.7 Erven 34, 51, 47 and 55

The erven are subject to a 4m wide servitude for municipal purposes in favour of the local authority, as indicated on the general plan.

**LOCAL AUTHORITY NOTICE 282****HALFWAY HOUSE AND CLAYVILLE TOWN PLANNING SCHEME, 1976: AMENDMENT SCHEME 04-1104**

The City of Johannesburg, hereby declares that it has approved an amendment scheme, being an amendment of the Halfway House & Clayville Town Planning Scheme, 1976, comprising the same land as included in the township of Summerset, 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, 9 th Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 13 February 2003.

This amendment is known as the half way House Clayville Amendment Scheme 04-1104.

A NAIR: EXECUTIVE DIRECTOR  
CITY OF JOHANNESBURG

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**PLAASLIKE BESTUURSKENNISGEWING 282****HALFWAY HOUSE EN CLAYVILLE DORPSBEPLANNINGSKEMA, 1976: WYSIGINGSKEMA 04-1104**

Johannesburg Stad, 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 Halfway House & Clayville Dorpsbeplanningskema, 1976, wat uit die selfde grond as die dorp Summerset 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, 9 de Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Die datum van die inwerkingtreding van die skema is 13 Februarie 2003.

Hierdie wysiging staan bekend as die Halfway House & Clayville Wysigingskema 04-1104.

A NAIR: UITVOERENDE BESTUURDER  
JOHANNESBURG STAD

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# IMPORTANT NOTICE

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*In future, adverts have to be paid in advance before being published in the Gazette.*

**HENNIE MALAN**

Director: Financial Management  
 Office of the Premier (Gauteng)

