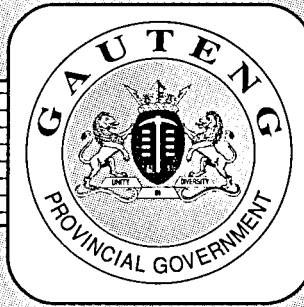


**THE PROVINCE OF  
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**Provincial Gazette Extraordinary  
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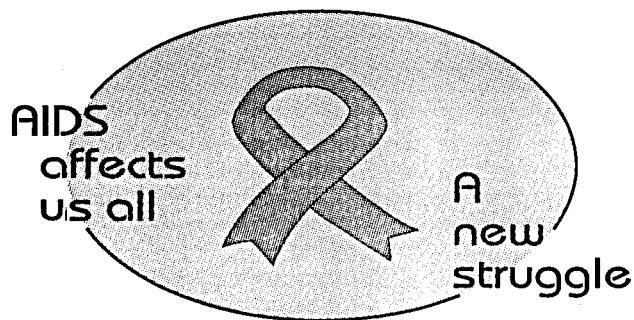
Selling price • Verkoopprijs: **R2,50**  
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**Vol. 10**

**PRETORIA, 28 APRIL 2004**

**No. 156**

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 710 EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE) DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby declares Chief A Luthuli Park Extension 4 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 DUNSWART UTILITY COMPANY (REGISTRATION NUMBER 2002/001327/08) (HEREINAFTER REFERRED TO AS THE APPLICANT OR TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III, PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 97 (A PORTION OF PORTION 28) OF THE FARM MODDERFONTEIN 76 IR, GAUTENG PROVINCE, HAS BEEN GRANTED

#### A. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Chief A Luthuli Park Extension 4.

(2) DESIGN

The township shall consist of erven and streets, as indicated on the General Plan S.G. No. 3937/2003.

(3) 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:

(a) The following conditions and servitudes in Deed of Transfer T106056/02, which do not affect the township due to the geographical location thereof :

(i) Condition 1(e) on page 3

Pertaining to a servitude in favour of Gaskor vide Notarial Deed K2884/1986 S.

(ii) Condition 1(f) on page 3

Pertaining to a servitude in favour of Rand Water Board vide Notarial Deed K2372/1988 S.

(iii) Condition 1(g) on page 3

Pertaining to a municipal servitude in favour of the Local Authority vide Notarial Deed K1770/90 S.

(iv) Condition 3 on page 4

Pertaining to a servitude in favour of the Local Authority vide Notarial Deed K5894/2001 S.

(b) Condition 2(a) on pages 3 and 4 of Deed of Transfer T106056/02 which affects Erven 2440, 2441, 2445, 2448, 2449, 2451, 2452, 2454, 2455, 2458-2463, 2466 and 2467 in the township only.

(c) Condition 2(b) on page 4 of Deed of Transfer T106056/02 which affects Erf 2920 in the township only.

- (d) The pipeline servitude vide Notarial Deed of Servitude K5049/02 S as appears on an endorsement on page 6 of Deed of Transfer T106056/02, which affect Erven 2497 up to and including 2511, 2695 up to and including 2697 in the township only.

(4) **STORM-WATER DRAINAGE AND STREET CONSTRUCTION**

- (a) The township owner shall, on request by the Local Authority, submit for his approval a detailed scheme complete with plans, sections and specifications, prepared by a professional Engineer, who shall be a member of the South African Association of Consulting Engineers or SABTACO, for the collection and disposal of storm-water throughout the township by means of properly constructed works and for the construction, surfacing, 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 to do so by the Local Authority, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the Local Authority under the supervision of the appointed Professional Engineer and shall, for this purpose, provide financial guarantees to the Local Authority as determined by it.
- (c) The township owner shall be responsible for the maintenance of the streets and storm-water drainage system to the satisfaction of the Local Authority until the streets and storm-water drainage system have been constructed as set out in sub-clause (b) above.
- (d) Should the township owner fail to comply with the provisions of (a), (b) and (c) hereof the Local Authority shall be entitled to do the work at the cost of the township owner.

(5) **OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**

The township owner shall within such period as the Local Authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the Local Authority.

(6) **ACCEPTANCE AND DISPOSAL OF STORM-WATER**

The township owner shall arrange for the drainage of the township to fit in with that adjacent public roads, for all storm-water running off or being diverted from the roads to be received and disposed of.

(7) **SOIL CONDITIONS**

- (a) Proposals to overcome detrimental soil conditions to the satisfaction of the Local Authority shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

**B. CONDITIONS OF TITLE**

- (1) All erven shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town-planning and Townships Ordinance, 15 of 1986:

- (a) The erf is subject to a servitude, 1m 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, 1m 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 2m 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 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 or other works being made good by the Local Authority.

(2) All erven shall be made subject to the servitudes shown on the General Plan.

(3) Erf 1514

The erf is subject to an electrical substation servitude in favour of the Local Authority, as indicated on the General Plan.

(4) Erven 1804, 1807, 1810, 1814, 1817, 1821, 1541, 1566, 2052, 2061, 2416, 2417, 2457, 2695, 2668, 2510, 2507, 2545, 2556 and 1682.

The erf is subject to storm-water servitude, 2 meters wide, in favour of the Local Authority, as indicated on the General Plan.

**P M Maseko, City Manager, Ekurhuleni Metropolitan Municipality, 2<sup>nd</sup> Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400**

Date : 28 April 2004

Notice No. 112/2004

**LOCAL AUTHORITY NOTICE 711  
EKURHULENI METROPOLITAN MUNICIPALITY  
(BENONI CUSTOMER CARE CENTRE)**

**NOTICE OF BENONI AMENDMENT SCHEME NO. 1/1251**

The Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby, in terms of the provisions of section 125(1) of the Town-planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of Benoni Town-planning Scheme 1/1947, comprising the same land as included in the township of Chief A Luthuli Park Extension 4 Township, Benoni.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the office of the Head of Department, Department Development Planning and Local Government, Gauteng Provincial Government, Johannesburg, as well as at the office of the Area Manager : Development Planning, Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, Elston Avenue, Benoni.

This amendment is known as Benoni Amendment Scheme 1/1251 and shall come into operation on 28 April 2004.

**P M Maseko, City Manager, Ekurhuleni Metropolitan Municipality, 2<sup>nd</sup> Floor, Head Office Building, corner Cross and Rose Streets, Private Bag X1069, Germiston, 1400  
28 April 2004  
Notice No. 113/2004**

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# IMPORTANT NOTICE

The  
**Gauteng Provincial Gazette Function**  
 will be transferred to the  
**Government Printer in Pretoria**  
 as from 2nd January 2002

**NEW PARTICULARS ARE AS FOLLOWS:**

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 149 Bosman Street  
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**Postal address:**

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 Pretoria  
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This phase-in period is to commence from **November 2001** (suggest date of advert) and notice comes into operation as from **2 January 2002**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, two weeks before the 2nd January 2002.

*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)

