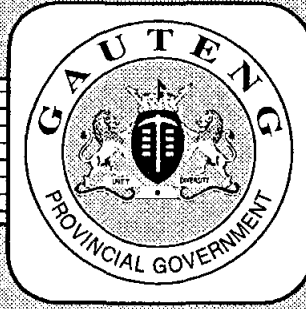


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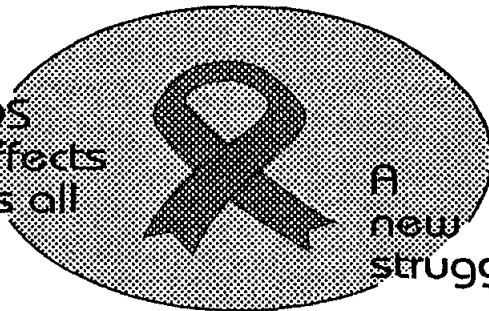
Vol. 12

PRETORIA, 23 FEBRUARY
FEBRUARIE 2006

No. 68

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LOCAL AUTHORITY NOTICE

PLAASLIKE BESTUURSKENNISGEWING 389

PLAASLIKE BESTUURSKENNISGEWING 124 VAN 2006

JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT

VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar Johannesburg Stad, Metropolitaanse Munisipaliteit hierby Ormonde uitbreiding 38 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR INDUSTRIAL ZONE BEPERK 71/08146/06 (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 152 VAN DIE PLAAS VIERFONTEIN 321, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is Ormonde uitbreiding 38.

1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 6526/2004.

1.3 Ingenieursdienste

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinerings en om 'n bydrae vir eksterne dienste te betaal; 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:

1.3.3 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

1.3.4 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 uitgesluit:

1.4.1 Die serwitut vir 'n waterpyplyn met bykomende regte ten gunste van die Peri –

- Urban Raad wat geregistreer is in terme van Notarële Akte van Serwituut No 1041/62S en aangedui word op SG diagram SG No. A 3273/60 wat nie die dorpsgebied raak nie;
- 1.4.2 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K1233/62S en aangedui word op diagram SG No. A 441/61 wat nie die dorpsgebied raak nie;
- 1.4.3 Die serwituut vir riool doeleindes met bykomende regte ten gunste van Erf 163 Baragwanath Uitbreiding 1 Johannesburg wat geregistreer is in terme van Notarële Akte van Serwituut No 1077/63S gedateer 29 November 1962 wat nie die dorpsgebied raak nie;
- 1.4.4 Die serwituut ten gunste van Johannesburg Stadsraad om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K751/65S wat nie die dorpsgebied raak nie;
- 1.4.5 Die serwituut ten gunste van Eskom vir die oprigting van 'n elektriese substasie met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K338/67S en aangedui word op diagram SG No A 3676/82 wat nie die dorpsgebied raak nie;
- 1.4.6 Die serwituut ten gunste van Gaskor om gas te gelei oor die eiendom met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K591/71S en aangedui word op diagram SG No. A 4187/67 wat nie die dorpsgebied raak nie;
- 1.4.7 Die ewigdurende serwituut vir riool doeleindes met bykomende regte ten gunste van Johannesburg Stadsraad wat geregistreer is in terme van Notarële Akte van Serwituut No K2504/75S wat nie die dorpsgebied raak nie;
- 1.4.8 Die ewigdurende serwituut ten gunste van Johannesburg Stadsraad om water te gelei oor die eiendom met bykomende regte oor 'n area wat aangedui word deur die figure ABCD en EFGHJK wat geregistreer is in terme van Notarële Akte van Serwituut No K1199/80S en aangedui word op diagram SG No. A 87/79 wat nie die dorpsgebied raak nie;
- 1.4.9 Die pyplyn serwituut wat oorgedra is tengunste van die Republiek van Suid Afrika wat geregistreer is in terme van Notariële Akte van Sessie K 844/1978-s en aangedui is op Diagram S.G. No. 2549/1970 wat gedeeltelik gekanselleer is in terme van Notarële Akte K 2235/1998S wat nie die dorpsgebied raak nie;
- 1.4.10 Die ewigdurende serwituut vir algemene publieke pad doeleindes tesame met bykomende regte ten gunste van Johannesburg Stadsraad soos geregistreer in terme van Notariële Akte van Serwituut No K502/1983S en aangedui op diagram SG No A3945/1976 wat nie die dorpsgebied raak nie.
- 1.4.11 Die serwituut ten gunste van Johannesburg Stadsraad om elektrisiteit te gelei oor die eiendom met bykomende regte soos wat voorkom op Notariële Akte van Serwituut No K503/1983S en aangetoon word op diagram SG No A 4731/1980 wat nie die dorpsgebied raak nie;
- 1.4.12 Die serwituut ten gunste van GASKOR om gas te gelei oor die eiendom soos geregistreer in terme van Notariële Akte van Serwituut No K2172/1985S en aangetoon word op diagram SG No A 9088/1983 wat nie die dorpsgebied raak nie;
- 1.4.13 Die serwituut vir riool doeleindes ten gunste van Johannesburg Stadsraad soos

wat nie die dorpsgebied raak nie;

- 1.4.24 Die serwituut ten gunste van Johannesburg Stadsraad vir die onderhoud van elektriese geleidingslyne en aanverwante doeleindes wat aangedui word deur die figuur ABCDEFGHJK in terme van Notarële Akte van Serwituut No K5528/93S en aangedui word op diagram SG No. A 3625/1993 wat nie die dorpsgebied raak nie;
- 1.4.25 Die serwituut van reg van weg ten gunste van Suidelike Metropolitaanse Substruktuur vir die Groter Johannesburg Metropolitaanse Oorgangsraad met bykomende regte wat aangedui word deur die figuur ABCDA in terme van Notarële Akte van Serwituut No K6286/97S en aangedui word op diagram SG No. A 10606/1993 wat nie die dorpsgebied raak nie;
- 1.4.26 Die ewigdurende reg van weg serwituut ten gunste van Crown Consolidated Gold Recoveries Beperk wat geregistreer is in terme van Notarële Akte van Serwituut No K1936/99S wat nie die dorpsgebied raak nie;
- 1.4.27 Die serwituut ten gunste van Gaskor om gas te gelei oor die eiendom met bykomende regte at geregistreer is in terme van Notarële Akte van Serwituut No K632/71S en aangedui word op diagram SG No. A 4188/1997 wat nie die dorpsgebied raak nie;
- 1.4.28 Die ewigdurende 2 meter serwituut om water te geleit ten gunste van Johannesburg Stadsraad wat aangedui word deur die figuur ABCD in terme van Notarële Akte van Serwituut No K1199/80S en aangedui word op diagram SG No. A 88/179 wat nie die dorpsgebied raak nie;
- 1.4.29 Die ewigdurende riool serwituut ten gunste van Johannesburg Stadsraad wat aangedui word deur die figuur ABCDE in terme van Notarële Akte van Serwituut No K1786/86S en aangedui word op diagram SG No. A 88/179 en die figuur ABCD op diagram SG No A4731/85 wat nie die dorpsgebied raak nie;
- 1.4.30 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte soosgetoon op Notariële Akte van Serwituut No K558/89S en die presiese roete bepaal deur Notariële Akte K 1398/1991 op diagram SG No A6909/88 wat nie die dorpsgebied raak nie;
- 1.4.31 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte soos aangetoon op Notariële Akte van Serwituut No K559/89S en die presiese roete bepaal deur Notariële Akte van Serwituut K 1069/1993 op diagram SG No A5575/88 wat nie die dorpsgebied raak nie;
- 1.4.32 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte soos aangetoon op Notariële Akte van Serwituut No K561/89S en die presiese roete bepaal deur Notariële Akte van Serwituut K 6346/1992 S waarvan die middellyn van die serwituut aangedui word deur die lyne abc en def op diagram SG No A11208/1996 wat 11meter op beide kante van die lyn oorskry wat nie die dorpsgebied raak nie;
- 1.4.33 Die serwituut ten gunste van Rand Water om water te gelei wat geregistreer is in terme van Notariële Akte van Serwituut No K6177/2001S en aangetoon word op diagram SG No A2544/1998, 2555/1998, 2556/1998, 2667/1998 wat nie die dorpsgebied raak nie;
- 1.4.34 Die serwituut ten gunste van Rand Water om water te gelei wat geregistreer is in terme van Notariële Akte van Serwituut No K2947/2002S en aangetoon word op diagram SG No A2553/1998 en 13429/1998 wat nie die dorpsgebied raak nie;

- 1.4.35 Die serwituut ten gunste van Rand Water om water te gelei wat geregistreer is in terme van Notariële Akte van Serwituut No K5361/2002S en aangetoon word op diagram SG No A 13430/1998 wat nie die dorpsgebied raak nie;
- 1.4.36 Die serwituut ten gunste van Rand Water om water te gelei wat geregistreer is in terme van Notariële Akte van Serwituut No K5362/2002S en aangetoon word op diagramme SG No A 5229/2000 en 5230/2000 wat nie die dorpsgebied raak nie;
- 1.4.37 Die serwituut ten gunste van Rand Water om water te gelei wat geregistreer is in terme van Notariële Akte van Serwituut No K5363/2002S en aangetoon word op diagram SG No A 9010/1993 wat nie die dorpsgebied raak nie;
- 1.4.38 'n serwituut vir 'n pyplyn ten gunste van Sasol Gas Beperk wat geregistreer is in terme van Notariële Akte van Serwituut K6560/2003S.
- 1.4.39 Die volgende voorwaardes wat nie aan die erwe in die dorp oorgedra moet word nie:

Titel Akte T44808/98 voorwaardes:

- A.2. Entitled to a right of way together with ancillary rights over Erf 4 Baragwanath Extension 1 held under Certificate of Registered Title T 27397/61 as will more fully appear from reference to Notarial Deed K1538/61.
- "C.3. A portion measuring approximately 5,7600 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(a) of Act 54/1971 vide EX79/1978."
- D. The former Remaining Extent of Portion 5 of the farm Vierfontein 321, Registration Division I.Q. Transvaal, measuring 619,8247 (SIX HUNDRED AND NINETEEN comma EIGHT TWO FOUR SEVEN) hectares, whereof the property held hereunder forms a portion, is subject to the following conditions:

A portion measuring approximately +_ 20,3200 hectares has been expropriated by the National Transport Commission in terms of Section 8(1)(a) of Act 54/1971 vide notice of Expropriation EX 695/1981.
- E.3. A portion measuring approximately + 3,800 hectares has been expropriated by the Department of Transport in terms of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX 253/1982.
- 4. A portion measuring approximately 20,3200 hectares has been expropriated by the National Transport Commission in favour of Section 8(1) (a) of Act 54/1971 vide EX 645/1981.
- 5. A portion measuring approximately + 2,5300 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(b) of Act54/1971 vide Expropriation Notice 342/1982, which has been partially cancelled by EX413/89 in respect of portion measuring 4100 square metres, 500 square metres and 3100 square metres.
- 6. A portion measuring approximately +1,704 hectares has been expropriated by the Department of Transport in favour of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX622/1982.
- 7. A portion measuring approximately + 3,2100 hectares has been expropriated by the South African Railways and Harbours Administration in terms of Section

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- 8(1)(a) of Act 54/1971 vide Expropriation Notice EX 275/1983.
- F The former Remaining Extent of Portion 5 of the farm Vierfontein 321, registration Division I.Q. Transvaal, measuring 396,5256 (THREE HUNDRED AND NINETY SIX comma FIVE TWO FIVE SIX) hectares, whereof the property held hereunder forms a portion, is subject to:

A portion measuring + 6,3 metres wide has been expropriated by the South African railways and Harbours Administration in terms of Section 32(5) of Act 37/1955 vide Expropriation Notice EX177/1984.

- G.5. A portion measuring + 1,7749 hectares has been expropriated by the Department of Development Planning Environment and Works vide EX294/1987;

- K.2. A portion measuring approximately +6,5133 hectares has been expropriated by the City Council of Johannesburg in terms of Section 5 of Act 63/1975 vide Expropriation Notice EX349/1991.

- O.2. A portion measuring approximately +5,7600 hectares has been expropriated by the Department of Transport in terms of Section 891)(a) of Act 56/1971 vide expropriation Notice EX79/1971.

- P The former Remaining Extent of the farm Vierfontein 321, registration Division I.Q. Transvaal; measuring 235,2586 (TOW HUNDRED AND THIRTY FIVE comma TWO FIVE EIGHT SIX) hectares subject to the Expropriation of a servitude for overhead transmission lines and underground electricity cables measuring 4,3885 hectares in favour of Greater Johannesburg Transitional Metropolitan Council in terms of Section 79(24) of Ordinance 17139 by Notice of Expropriation EX62/96.

- 1.4.40 die volgende voorwaarde wat nie aan die erwe in die dorp oorgedra moet word nie:

Titel Akte T 4103/98 voorwaarde:

6. Subject to Expropriation Notice EX 190/95 in favour of the Department of Planning Environment and Works in terms of Act 63 of 1975.

- 1.4.41 ie serwituit ten gunste van Telkom wat geregistreer is in terme van Notariële akte van serwituit wat geregistreer is in terme van Notariële Akte van Serwituit No K5622/05S en aangedui deur die lyn Z A1 B1 C1 D1 op diagram SG No 6524/2004 wat slegs erwe 1369, 1392, 1388, 1378 en 1393 in die dorp raak.

1.5 Sloping van geboue en structure

Die dorpseienaar moet op eie koste alle bestaande geboue en structure 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 dorpseienaar 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

dorpseienaar gedra word.

1.8 Verskuiwing van kraglyne

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van ESKOM of Telkom te verskuif, moet die koste daarvan deur die dorpseienaar gedra word.

1.9 Samestelling en pligte van die Huiseienaars Assosiasie

- 1.9.1 Die applikant sal 'n Huiseienaars Assosiasie, oordentlik 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 1393, 1394 en 1395 (Privaat Oop Ruimste) sowel as Erf 1392 (Toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.
- 1.9.3 Een en elke eienaar van erwe 1355 tot 1391 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 Erwe 1393 - 1395 en Erf 1392 geleë is oorneem.
- 1.9.4 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.
- 1.9.5 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 Toegang van erwe 1355 - 1391 na 'n publieke straat moet oor Erf 1392 geskied.
- 1.9.7 Die plaaslike bestuur moet ten alle tye tot onbeperkte toegang oor Erf 1392 beskik.

1.10 Beperking op die vervreemding van erwe

Erf 1392 (Toegang) en Erwe 1393 - 1395 mag slegs aan die huiseienaarsvereniging van die dorp oorgedra word en die huiseienaarsvereniging sal volle verantwoordelikheid neem vir die funksionering en onderhoud van die genoemde erf en vir die noodsaaklike dienste op die erf.

1.11 Verantwoordelikheid ten opsigte van dienste en beperking op die vervreemding van erwe.

Die dorpseienaar sal binne sodanige periode as wat die plaaslike bestuur mag bepaal, sy verantwoordelikheid nakom met betrekking tot die voorsiening van water en riooldienste sowel as vir die konstruksie van paaie en stormwater dreinerings en die installering daarvan, soos wat daar vooraf tussen die eienaar en die plaaslike bestuur ooreengekom is. Erwe mag nie vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur gesertifiseer het dat voldoende waarborge/kontant bydraes aan die plaaslike bestuur betaal is in verband met die voorsiening van dienste aan die dorpseienaar.

2. TITELVOORWAARDES

2.1 Voorwaardes opgelê deur die Streeks Direkteur: Mineraal en Energie Sake in terme van die Minerale Wet, 1991 (Wet 50 van 1991)

Alle erwe sal aan die volgende voorwaardes onderworpe wees:

- 2.1.1 "Aangesien hierdie erwe (grond, standplaas ens) deel vorm van grond wat ondermyn is of ondermyn mag word in die verlede, hede en toekoms aanvaar die eienaar daarvan alle verantwoordelikheid vir enige skade aan die grond of geboue daarop as gevolg van sodanige versakking, vassaking, skokke of krake."

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2.1.2 Aangesien hierdie erwe deel vorm van 'n area wat onderworpe is aan stofbesoedeling en geraas besoedeling as gevolg van herwinnings aktiwiteite in die verlede, hede of toekoms in die nabyheid daarvan, moet die eienaar aanvaar dat ongerief met betrekking tot stof, besoedeling en/of geraas as 'n gevolg daarvan, ondervind mag word.

2.2 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:

2.2.1 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.

2.2.2 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.

2.2.3 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 goeëdoelke 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.

2.2.4 Erwe 1384, 1385 en 1393

Die erwe is onderworpe aan 'n 5m x 2,5m serwituut vir substasie doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

2.2.5 Erf 1392

Die totale erf is onderworpe aan 'n serwituut van reg van weg en munisipale doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 389

LOCAL AUTHORITY NOTICE 124 VAN 2006

CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY

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, Metropolitan Municipality hereby declares Ormonde Extension 38 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 INDUSTRIAL ZONE LIMITED 71/08146/06 (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 152 THE FARM VIERFONTEIN 321, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1 Conditions of establishment**1.1 Name**

The name of the township shall be Ormonde Extension 38.

1.2 Design

The township shall consist of erven and streets as indicated on General Plan S.G. No. 6526/2004.

1.3 Engineering services

1.3.1 The township owner shall be responsible for the installation and provision of 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 servitude for a water pipeline together with ancillary rights in favour of Peri-Urban Board registered in terms of Notarial Deed of Servitude No K1041/62S and indicated on SG diagram SG No A 3273/60 which does not affect the township area;

1.4.2 the servitude in favour of Eskom to convey electricity with ancillary rights registered in terms of Notarial Deed of Servitude No K1233/62S and depicted on diagram SG No A 441/61 which does not affect the township area;

1.4.3 the servitude for sewer purposes together with ancillary rights in favour of Erf 163 Baragwanath Extension 1 Johannesburg registered in terms of Notarial Deed of Servitude No 1077/63S dated 29th November 1962 which does not affect the township area;

1.4.4 the servitude in favour of the City Council of Johannesburg to convey electricity with ancillary rights registered in terms of Notarial Deed of Servitude No

K751/65S which does not affect the township area;

- 1.4.5 the servitude in favour of Eskom for the erection of an electrical substation with ancillary rights registered in terms of Notarial Deed of Servitude No K338/67S and depicted on diagram SG No A 3676/82 which does not affect the township area;
- 1.4.6 the servitude in favour of Gaskor to convey gas over the property with ancillary rights registered in terms of Notarial Deed of Servitude No K591/71S and depicted on diagram SG No. A4187/67 which does not affect the township area;
- 1.4.7 the perpetual right of servitude for sewerage purposes together with ancillary rights in favour of the City Council of Johannesburg registered in terms of Notarial Deed of Servitude K2504/75S which does not affect the township area;
- 1.4.8 the servitude in favour of the City Council of Johannesburg in perpetuity to convey water over the property with ancillary rights over an area indicated by the figures ABCD and EFGHJK registered in terms of Notarial Deed of Servitude No K1199/80S and depicted on diagram SG No A87/79 which does not affect the township area;
- 1.4.9 the pipeline servitude which has been ceded in favour of the Republic of South Africa which was registered in terms of Notarial Deed of Session K 844/1978-S and indicated on Diagram S.G. No. 2549/1970 and was partially cancelled by virtue of Notarial Deed K 2235/1998S which does not affect the township area;
- 1.4.10 the servitude to a perpetual right for general public roadway purposes together with ancillary rights in favour of the City Council of Johannesburg as will more fully appear from Notarial Deed of Servitude No K502/1983S and depicted on diagram SG No A3945/1976 which does not affect the township area;
- 1.4.11 the servitude in favour of the City Council of Johannesburg to convey electricity over the property with ancillary rights as will more fully appear from Notarial Deed of Servitude No K503/1983S and depicted on diagram SG No A4731/1980 which does not affect the township area;
- 1.4.12 the servitude in favour of GASKOR to convey gas registered in terms of Notarial Deed of Servitude No K2172/1985S and indicated on diagram SG No A 9088/1983 which does not affect the township area;
- 1.4.13 the servitude for sewer purposes in favour of the City of Johannesburg registered in terms of Notarial Deed of Servitude No K824/1986S and indicated on diagram SG No A 9489/1984 which does not affect the township area;
- 1.4.14 the perpetual servitude in favour of the Rand Water Board to convey and transmit together with ancillary rights water over that portion of the property, measuring 4156 square metres, represented by the figures ABCDE on diagram SG No A8780/84 and that portion measuring 3,2331 hectares represented by the figure ABCDEFGHJ on diagram SG No A8781/84 as will appear from Notarial Deed of Servitude No K77/87S which does not affect the township area;
- 1.4.15 the servitude in favour of Eskom to convey electricity with ancillary rights by means of transmission lines the center of which servitude is indicated by the line aBCb and Bed on diagram SG No A11405/83 and SG A11406/83 registered in terms of Notarial Deed of Servitude No K3491/87S which does not affect the township area;
- 1.4.16 the servitude of right of way together with ancillary rights granted to RMP as

indicated by the figures ABCDEF in terms of Notarial Deed of Servitude No K2911/90S and depicted on diagram SG No. A6653/89 which does not affect the township area;

- 1.4.17 the servitude of right of way for road purposes in favour of the City Council of Johannesburg with ancillary rights as indicated by the figures ABCDEFG in terms of Notarial Deed of Servitude No K4460/90S and depicted on diagram SG No. A6090/90 which does not affect the township area;
- 1.4.18 the servitude of right of way together with ancillary rights granted to RMP Management Services Limited with ancillary rights as indicated by the figure ABCDEFGHJKLM in terms of Notarial Deed of Servitude No K4461/90S and depicted on diagram SG No. A4401/90 which does not affect the township area;
- 1.4.19 the servitude for construction and maintaining and electricity transformer substation in favour of the City Council of Johannesburg together with ancillary rights as indicated by the figure ABCD in terms of Notarial Deed of Servitude No K2133/91S and depicted on diagram SG No. A6678/90 which does not affect the township area;
- 1.4.20 the pipeline servitude in perpetuity with ancillary rights in favour of the Rand Water Board as indicated by the figure ABC registered in terms of Notarial Deed of Servitude K909/92 and depicted on diagram SG No. A2147/91 which does not affect the township area;
- 1.4.21 the pipeline servitude in favour of the City Council of Johannesburg to convey water over the property together with ancillary rights as indicated by the figure ABC in terms of Notarial Deed of Servitude No K2957/93S and depicted on diagram SG No. A1123/87 which does not affect the township area;
- 1.4.22 the servitude in perpetuity in favour of AECl for the purposes of constructing, laying and maintaining a gas pipeline with ancillary rights as indicated by the figure ABCDEFGHJKLM in terms of Notarial Deed of Servitude No K2956/93S and depicted on diagram SG No. A5502/90 which does not affect the township area;
- 1.4.23 the servitude in favour of THE city Council of Johannesburg for the erection and maintenance of electrical transmission lines and purposes ancillary thereto as indicated by the figure ABCDEFGHJKLMN in terms of Notarial Deed of Servitude No K2961/93S and depicted on diagram SG No. A103/93 which does not affect the township area;
- 1.4.24 the servitude in favour of the City Council of Johannesburg for the maintenance of electrical transmitter lines and purposes ancillary thereto as indicated by the figure ABCDEFGHJK in terms of Notarial Deed of Servitude No K5528/93S and depicted on diagram SG No. A3625/1993 which does not affect the township area;
- 1.4.25 the servitude of right of way in favour of the Southern Metropolitan Substructure of the Greater Johannesburg Transitional Metropolitan Council together with ancillary rights thereto as indicated by the figure ABCDA in terms of Notarial Deed of Servitude No K6286/97S and depicted on diagram SG No. A10606/1993 which does not affect the township area;
- 1.4.26 the servitude of right of way in perpetuity in favour of the Crown Consolidated Gold Recoveries Limited registered in terms of Notarial Deed of Servitude No K1936/99S which does not affect the township area;

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- 1.4.27 the servitude in favour of Gaskor to convey gas over the property with ancillary rights registered in terms of Notarial Deed of Servitude No K632/71S and depicted on diagram SG No. A4188/1979 which does not affect the township area;
- 1.4.28 the 2 metre servitude for the conveyance of water in perpetuity in favour of the City Council of Johannesburg as indicated by the figure ABCD in terms of Notarial Deed of Servitude No K1199/80S and depicted on diagram SG No. A88/79 which does not affect the township area;
- 1.4.29 the sewer servitude in perpetuity in favour of the City Council of Johannesburg with ancillary rights as indicated by the figure ABCDE in terms of Notarial Deed of Servitude No K1786/86S and depicted on diagram SG No. A88/79 and the figure ABCD depicted on diagram SG No A4731/85 which does not affect the township area;
- 1.4.30 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K558/89S and the exact rout determined by Notarial Deed K1398/1991S on diagram SG No. A6909/88 which does not affect the township area;
- 1.4.31 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K559/89S and the exact rout determined by Notarial Deed K1069/1993S on diagram SG No. A5575/88 which does not affect the township area;
- 1.4.32 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K561/89S and the exact rout determined by Notarial Deed K6346/1992S the center line of which servitude is indicated by lines abc and def on diagram SG No. A11208/1996 extending 11 metres on both sides of the lines which does not affect the township area;
- 1.4.33 a servitude in favour of Rand Water to convey and transmit water registered in terms of Notarial Deed of Servitude K6177/2001S and depicted on diagrams SG No 2544/1998, 2555/1998, 2556/1998, 2557/1998 which does not affect the township;
- 1.4.34 a servitude in favour of Rand Water to convey and transmit water registered in terms of Notarial Deed of Servitude K2947/2002S and depicted on diagrams SG No 2553/1998 and 13429/1998 which does not affect the township;
- 1.4.35 a servitude in favour of Rand Water to convey and transmit water registered in terms of Notarial Deed of Servitude K5361/2002S and depicted on diagram SG No 13430/1998 which does not affect the township;
- 1.4.36 a servitude in favour of Rand Water to convey and transmit water registered in terms of Notarial Deed of Servitude K5362/2002S and depicted on diagrams SG No 5229/2000 and 5230/2000 which does not affect the township;
- 1.4.37 a servitude in favour of Rand Water to convey and transmit water registered in terms of Notarial Deed of Servitude K5363/2002S and depicted on diagram SG No A9010/1993 which does not affect the township;
- 1.4.38 a servitude of pipeline in favour of Sasol Gas Limited registered in terms of Notarial Deed of Servitude K6560/2003S.
- 1.4.39 the following conditions which shall not be passed on to the erven in the township:

Title Deed T 44808/98 conditions

- A.2. Entitled to a right of way together with ancillary rights over Erf 4 Baragwanath Extension 1 held under Certificate of Registered Title T 27397/61 as will more fully appear from reference to Notarial Deed K1538/61.
- "C.3. A portion measuring approximately 5,7600 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(a) of Act 54/1971 vide EX79/1978."
- E. The former Remaining Extent of Portion 5 of the farm Vierfontein 321, Registration Division I.Q. Transvaal, measuring 619,8247 (SIX HUNDRED AND NINETEEN comma EIGHT TWO FOUR SEVEN) hectares, whereof the property held hereunder forms a portion, is subject to the following conditions:
- A portion measuring approximately + 20,3200 hectares has been expropriated by the National Transport Commission in terms of Section 8(1)(a) of Act 54/1971 vide notice of Expropriation EX 695/1981.
- E.3. A portion measuring approximately + 3,800 hectares has been expropriated by the Department of Transport in terms of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX 253/1982.
4. A portion measuring approximately 20,3200 hectares has been expropriated by the National Transport Commission in favour of Section 8(1) (a) of Act 54/1971 vide EX 645/1981.
5. A portion measuring approximately + 2,5300 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(b) of Act54/1971 vide Expropriation Notice 342/1982, which has been partially cancelled by EX413/89 in respect of portion measuring 4100 square metres, 500 square metres and 3100 square metres.
6. A portion measuring approximately +1,704 hectares has been expropriated by the Department of Transport in favour of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX622/1982.
7. A portion measuring approximately + 3,2100 hectares has been expropriated by the South African Railways and Harbours Administration in terms of Section 8(1)(a) of Act 54/1971 vide Expropriation Notice EX 275/1983.
- F The former Remaining Extent of Portion 5 of the farm Vierfontein 321, registration Division I.Q. Transvaal, measuring 396,5256 (THREE HUNDRED AND NINETY SIX comma FIVE TWO FIVE SIX) hectares, whereof the property held hereunder forms a portion, is subject to:
- A portion measuring + 6,3 metres wide has been expropriated by the South African railways and Harbours Administration in terms of Section 32(5) of Act 37/1955 vide Expropriation Notice EX177/1984.
- G.5. A portion measuring + 1,7749 hectares has been expropriated by the Department of Development Planning Environment and Works vide EX294/1987;
- K.2. A portion measuring approximately +6,5133 hectares has been expropriated by the City Council of Johannesburg in terms of Section 5 of Act 63/1975 vide Expropriation Notice EX349/1991.

- O.2. A portion measuring approximately +5,7600 hectares has been expropriated by the Department of Transport in terms of Section 891)(a) of Act 56/1971 vide expropriation Notice EX79/1971.
- P The former Remaining Extent of the farm Vierfontein 321, registration Division I.Q. Transvaal; measuring 235,2586 (TOW HUNDRED AND THIRTY FIVE comma TWO FIVE EIGHT SIX) hectares subject to the Expropriation of a servitude for overhead transmission lines and underground electricity cables measuring 4,3885 hectares in favour of Greater Johannesburg Transitional Metropolitan Council in terms of Section 79(24) of Ordinance 17139 by Notice of Expropriation EX62/96.
- 2.4.40 the following conditions which shall not be passed on to the erven in the township:
- Title Deed T 4103/98 condition:
7. Subject to Expropriation Notice EX 190/95 in favour of the Department of Planning Environment and Works in terms of Act 63 of 1975.
- 1.4.41 the servitude in favour of Telkom registered in terms of Notarial Deed of Servitude K5622/05S and indicated by the line Z A1 B1 C1 D1 on diagram SG No 6524/2004 which affects erven 1369, 1392, 1388, 1378 and 1393 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 Repositioning of circuits**
- If, by any reason of the establishment of the township, it should become necessary to reposition any existing circuits of ESKOM or Telkom, the cost thereof shall be borne by the township owner.
- 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 Erf 1392 (Access) and erven 1393, 1394 and 1395 (Private Open Space) shall be registered in the name of the Resident's Association.

- 1.9.3 Each and every owner of Erven 1355 - 1391 shall become a member of the Resident's Association upon transfer of the erven. Such Association shall have full responsibility for Erven 1393 - 1395 and Erf 1392 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 Access from Erven 1355 - 1391 to a public road shall be across Erf 1392.
- 1.9.7 The local authority shall have unrestricted access to Erf 1392 at all times.

1.10 Restriction on the transfer of erven

Erf 1392 (Access) and Erven 1393 - 1395 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 with the said erven.

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 provision of water, electricity 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 shall not be alienated or be transferred into the name of a purchaser prior to the local authority verifying 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 Regional Director: Mineral and Energy Affairs in terms of the Minerals Act, 1991 (Act 50 of 1991)

All erven shall be subject to the following conditions:

- 2.1.1 As this erf (stand, land etc) forms part of land which is, or may be, undermined and may be liable to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.
- 2.1.2 As this erf forms part of an area which may be subject to dust pollution and noise as a result of re-cycling activities past, present or future in the vicinity thereof, the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result thereof, may be experienced.

2.2 Conditions imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

The erven mentioned hereunder shall be subject to the conditions as indicated:

- 2.2.1 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 an when required by the local authority: Provided that the local authority may dispense with any such servitude.

2.2.2 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 2 (two) metres thereof.

2.2.3 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.

2.2.4 Erven 1384, 1385 and 1393

The erven are subject to a 5m x 2,5m servitude for transformer/ substation purposes in favour of the local authority, as indicated on the general plan.

2.2.5 Erf 1392

The entire erf is subject to a servitude of right of way and municipal purposes in favour of the local authority s indicated on the General Plan.

LOCAL AUTHORITY NOTICE 124 OF 2006

JOHANNESBURG TOWN PLANNING SCHEME, 1987: AMENDMENT SCHEME 01-5784

The City of Johannesburg, hereby declares that it has approved an amendment scheme, being an amendment of the Johannesburg Town Planning Scheme, 1979, comprising the same land as included in the township of Ormonde Extension 38, 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 23 February 2006.

This amendment is known as the Johannesburg Amendment Scheme 01-5784.

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

PLAASLIKE BESTUURSKENNISGEWING 124 VAN 2006

JOHANNESBURG DORPSBEPLANNINGSKEMA, 1987: WYSIGINGSKEMA 01-5784

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 Johannesburgse Dorpsbeplanningskema, 1979, wat uit die selfde grond as die dorp Ormonde Uitbreiding 38 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 23 February 2006.

Hierdie wysiging staan bekend as die Johannesburg Wysigingskema 01-5784.

A NAIR: UITVOERENDE DIREKTEUR, ONTWIKELINGSBESTUUR, VERVOER EN OMGEWING JOHANNESBURG STAD

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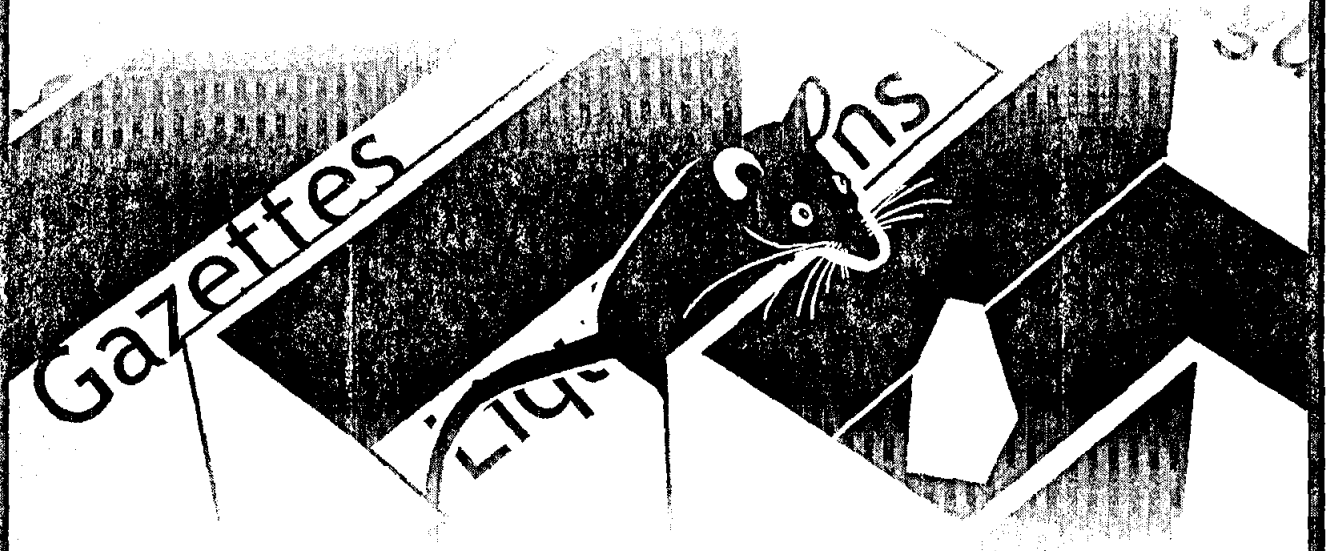
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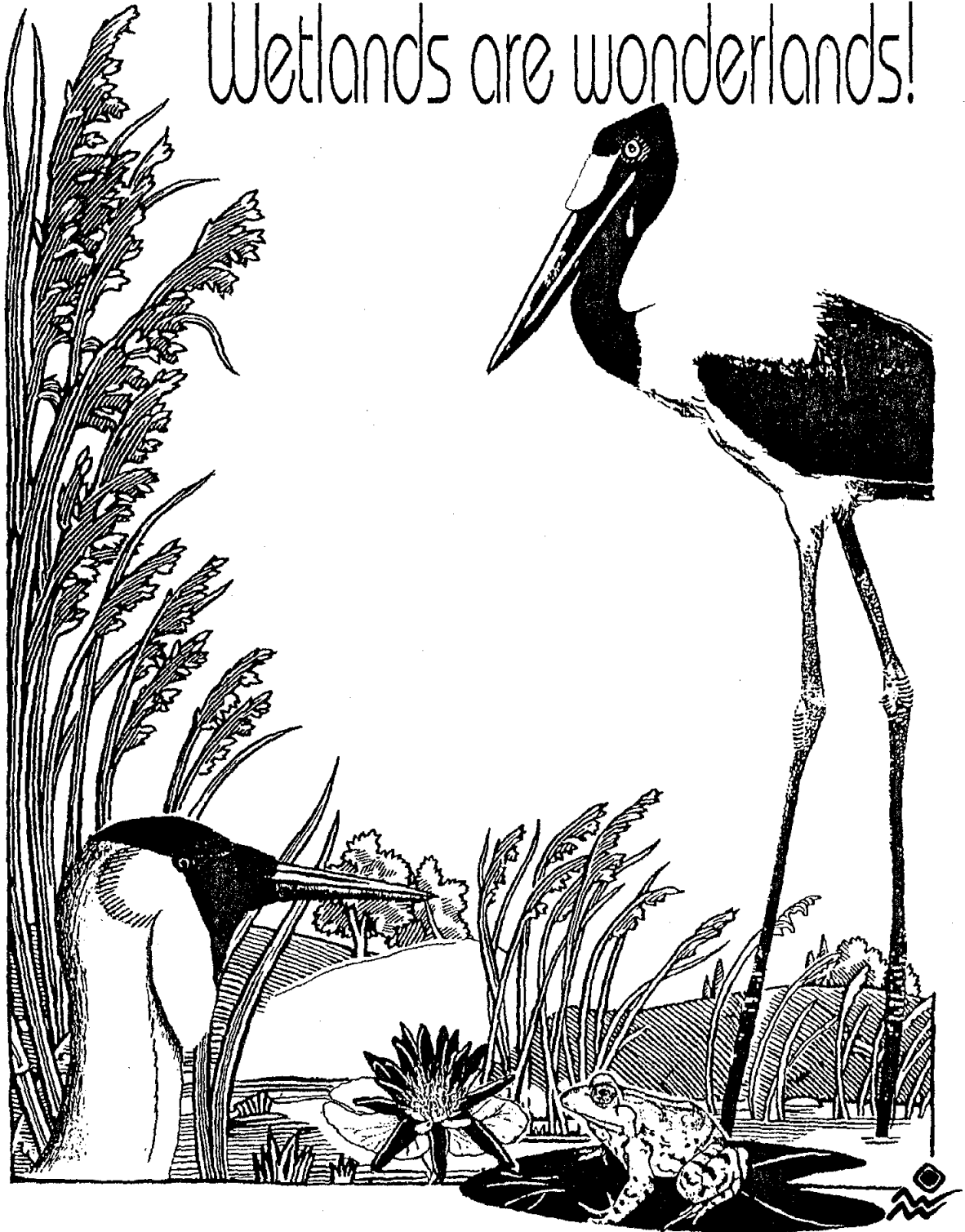
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