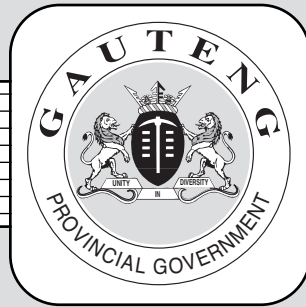


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1398

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 **Halfway Gardens Extension 54** 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 ZOTEC DEVELOPMENT (PTY) LTD, REGISTRATION NUMBER 2003/023822/07 (HEREINAFTER REFERRED TO AS THE 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 790 (A PORTION OF PORTION 6) OF THE FARM RANJESFONTEIN 405 J.R. HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township is **Halfway Gardens Extension 54**.

(2) DESIGN

The township shall consist of erven as indicated on General Plan S.G. No. 7981/2006.

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

(a) The township owner shall make the necessary arrangements with the local authority for the provision and installation of all engineering services of which the local authority is the supplier, as well as the construction of roads and stormwater drainage in and for the township, to the satisfaction of the local authority.

(4) GAUTENG PROVINCIAL GOVERNMENT

(a) Should the development of the township not be commenced with before 19 October 2015 the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development(for exemption/authorisation in terms of the Environment Conservation Act, 1989 (Act 73 of 1989), as amended.

(b) Should the development of the township not be completed on or before 26 April 2020 the application to establish the township shall be resubmitted to the Department of Roads and Transport (Gauteng Provincial Government) for re-consideration.

(c) If however, before the expiry date mentioned in (b) above, 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 township owner shall resubmit the application for the purpose of fulfilment of the requirements of the controlling authority in terms of the provisions of Section 48 of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).

(5) DEPARTMENT: MINERAL RESOURCES

Should the development of the township not be completed on or before 2 December 2014 the application to establish the township, shall be resubmitted to the Department of Mineral Resources for re-consideration.

(6) ACCESS

(a) No access to or egress from the township shall be permitted along the lines of no access as indicated on Layout Plan No. 15/8/HG/54/P1/99.

(b) Access to or egress from the township shall be to the satisfaction of the local authority, Johannesburg Roads Agency (Pty) Ltd.

(7) ACCEPTANCE AND DISPOSAL OF STORMWATER

The Township Owner shall arrange for the drainage of the township to fit in with that of the adjacent roads and for all stormwater running off or being diverted from the road to be received and disposed of.

(8) REFUSE REMOVAL

The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the local authority for the removal of all refuse.

(9) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

Should it, by reason of the establishment of the township, become necessary to remove or replace any existing municipal, ESKOM and/or TELKOM services, the cost thereof shall be borne by the township owner.

(10) DEMOLITION OF BUILDINGS AND STRUCTURES

The Township Owner shall at its own cost 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 requested thereto by the local authority.

(11) CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development or transfer of any unit/erf in the township, consolidate Erven 1383 and 1384 to the satisfaction of the local authority.

(12) OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN

(a) The Township Owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct all services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven or units in the township, may not be alienated or transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that these services had been provided and installed; and

(b) The Township Owner shall, within such period as the local authority may determine, fulfil its 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 therefore, **with specific reference to the road improvements at the intersection of Smuts Avenue and Third Road**, as previously agreed upon between the township owner and the local authority. Erven or units in the township, may not be alienated or transferred into the name of a purchaser, prior to the local authority certifying to the Registrar of Deeds 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; and

(c) Notwithstanding the provisions of clause 3 hereunder, the township owner shall, at its own costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the services provided, constructed and/or installed as contemplated in (a) and/or (b) above. Erven or units in the township may not be alienated or transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that these services had been or will be protected to the satisfaction of the local authority.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any.

A. Excluding the following which only affects Office Park Road :

a. The existing right of way servitude as will more fully appear from Notarial Deed of Servitude K3410/2000S.

3. CONDITIONS OF TITLE

A. Conditions of Title imposed in favour of the local authority in terms of the provisions of the Towns- planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

(1) ALL ERVEN

(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.

(d) The erven shall not be alienated or transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erven in the township to 750KVA. Should the registered owner/s of an erf or erven in the township exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner/s to the local authority.

(2) ERF 1383

The erf is subject to a 3 x 6 metre wide electrical servitude in favour of the local authority, as indicated on the General Plan.

Lance Julius
Acting Deputy Director : Legal Administration
City of Johannesburg
(Notice No. 601/2013)
2 October 2013

PLAASLIKE BESTUURSKENNISGEWING 1398

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 **Halfway Gardens Uitbreiding 54** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ZOTEC DEVELOPMENT (EDMS) BEPERK, REGISTRASIE NOMMER 2003/023822/07 (HIERNA DIE 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 790 ('N GEDEELTE VAN GEDEELTE 6) VAN DIE PLAAS RANDJESFONTEIN 405 J.R. TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

(1) NAAM

Die naam van die dorp is **Halfway Gardens Uitbreiding 54**.

(2) ONTWERP

Die dorp bestaan uit erwe en deurpaaie soos aangedui op Algemene Plan LG Nr 7981/2006.

(3) VOORSIENING EN INSTALLERING VAN DIENSTE

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinerings in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

(4) GAUTENG PROVINSIALE REGERING

(a) Indien die ontwikkeling van die dorp nie voor 19 Oktober 2015 in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou, Bewaring en Omgewing vir vrystelling/magtiging ingevolge die Wet op Nasionale Omgewingsbestuur, 1989 (Wet 73 of 1989), soos gewysig.

(b) Indien die ontwikkeling van die dorp nie voor of op 26 April 2020 voltooi word nie, moet die aansoek heringedien word by die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering), vir heroorweging.

(c) Indien omstandighede egter, voor die verstryking van die tydperk vermeld in (b) hierbo, 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 dorpseienaar die aansoek herindien vir

doeleindes van die nakoming van die vereistes van die beheerende liggaam ingevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

(5) DEPARTEMENT VAN MINERALE EN ENERGIE

Indien die ontwikkeling van die dorp nie voor 2 Desember 2014 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Minerale en Energie vir heroorweging.

(6) TOEGANG

(a) Geen toegang tot of uitgang vanuit die dorp, sal toegelaat word via die lyne van geen toegang, soos aangedui op die goedgekeurde uitlegplan van die dorp Nr 15/8/HG/54/P1/99.

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

(7) ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpseienaar moet die dreinerings van die dorp so reël dat dit inpas by dië van die aangrensende paaie en alle stormwater wat van die paaie afloop of afgelei word, moet ontvang en versorg word.

(7) ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpseienaar moet die dreinerings van die dorp so reël dat dit inpas by dië van die aangrensende paaie en alle stormwater wat van die paaie afloop of afgelei word, moet ontvang en versorg word.

(8) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(9) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE

Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, TELKOM en/of ESKOM dienste te verwyder of te vervang, moet sodanige verwydering of vervanging op koste van die dorpseienaar gedoen word.

(10) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op sy eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(11) KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op sy eie koste, na proklamasie van die dorp maar voor die oordrag of ontwikkeling van enige erf/eenheid in die dorp, Erwe 1383 en 1384 tot tevredenheid van die plaaslike bestuur konsolideer.

(12) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING VAN ERWE

(a) Die dorpseienaar moet, op sy eie koste en tot tevredenheid van die Departement van Paaie en Vervoer, die paaie konstrueer/opgradeer soos vooraf ooreengekom tussen die dorpseienaar en die genoemde Departement. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper ook mag 'n Sertifikaat van Geregisteerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste voorsien en geïnstalleer is; en

(b) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, aan sy verpligtinge ten opsigte van die voorsiening van water en sanitere dienste asook die konstruksie van paaie en stormwater dreinerings en die installering van stelsels daarvoor, **met spesifieke verwysing na die padopgradering by die interseksie van Jan Smuts Laan en Derdestraat**, soos voorheen ooreengekom tussen die dorpseienaar en die plaaslike regering. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper nie en ook mag 'n Sertifikaat van Geregisteerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is; en

(c) Nieteenstaande die bepalings van klousule 3 hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die dienste wat voorsien, gekonstrueer en/of geïnstalleer is beoog in (a) en/of (b) hierbo, te beskerm. Erwe en/of eenhede in die dorp,

mag nie vervreem of oorgedra word in die naam van 'n koper nie, en ook mag 'n Sertifikaat van Geregistreeerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste beskerm is of sal word, tot tevreedenheid van die plaaslike bestuur.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige.

A. Uitgesondered die volgende wat slegs Office Park Road raak :

- a. Die bestaande reg van weg serwituut soos meer volledig aangedui in Notariele Akte van Serwituut K3410/2000S.

3. TITELVOORWAARDES

A. Titelvoorwaardes opgelê ten gunste van die plaaslike bestuur ingevolge die bepaling van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordinansie 15 van 1986).

(1) ALLE ERWE

(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 goeie doedunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees 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 verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(d) Die erwe mag nie vervreem of oorgedra word sonder die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike owerheid het 'n absolute diskresie om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike owerheid het die voorsiening van elektrisiteit aan die erwe in die dorp te 750KVA beperk. Indien die geregistreeerde eienaar/s van 'n erf of erwe in die dorp die aanbod oorskry, of sou 'n aansoek om die sodanige toevoer te oorskry ingedien word by die plaaslike owerheid, sal addisionele elektriese bydraes soos bepaal deur die plaaslike owerheid, verskuldig en betaalbaar word deur sodanige eienaar/s aan die plaaslike owerheid.

(2) ERF 1383

Die erf is onderworpe aan 'n 3 x 6 meter breë elektriese serwituut, ten gunste van die plaaslike bestuur, soos aangedui op die Algemene Plan.

Lance Julius

Waarnemende Waarnemende Adjunk Direkteur : Regsadministrasie

Stad van Johannesburg

(Kennisgewing Nr 601/2013)

2 Oktober 2013

LOCAL AUTHORITY NOTICE 1399**AMENDMENT SCHEME 07-7797**

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 Halfway House and Clayville, Town Planning Scheme, 1976, comprising the same land as included in the township of **Halfway Gardens Extension 54**. Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning : City of Johannesburg and are open for inspection at all reasonable times.

This amendment is known as Amendment Scheme 07-7797.

Lance Julius
Acting Deputy Director : Legal Administration
City of Johannesburg
(Notice No. 602/2013)
2 October 2013

PLAASLIKE BESTUURSKENNISGEWING 1399**WYSIGINGSKEMA 07-7797**

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 Halfway House and Clayville Dorpsbeplanningskema, 1976, wat uit dieselfde grond as die dorp **Halfway Gardens Uitbreiding 54** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning : Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 07-7797.

Lance Julius
Waarnemende Waarnemende Adjunk Direkteur : Regsadministrasie
Stad van Johannesburg
(Kennisgewing Nr 602/2013)
2 Oktober 2013
