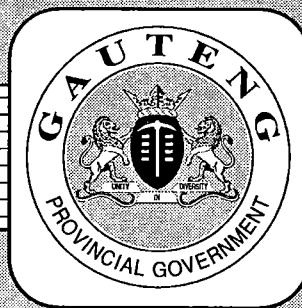


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# **Provincial Gazette Extraordinary**

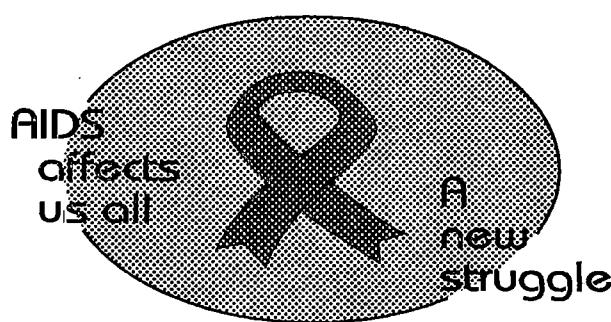
# **Buitengewone Provinciale Koerant**

**Vol. 12**

**PRETORIA, 14 JULY 2006**

**No. 254**

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## LOCAL AUTHORITY NOTICES

### PLAASLIKE BESTUURSKENNISGEWING 1920

#### PLAASLIKE BESTUURSKENNISGEWING 789 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 die Johannesburg Stad, hierby NOORDWYK UITBREIDING 61 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

#### BYLAE

**STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR AVAX SA 431 C.C (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 968 VAN DIE PLAAS RANDJESFONTEIN NO 405JR, REGISTRASIE AFDELING, PROVINSIE VAN GAUTENG, TOEGESTAAN IS.**

#### 1. Stigtingsvoorwaardes

##### 1.1 Naam

Die naam van die dorp is Noordwyk Uitbreiding 61.

##### 1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 7102/2005.

##### 1.3 Ingenieursdienste

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinering en om 'n bydrae vir eksterne grootmaatdienste 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 noodsaklike 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 noodsaklike 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 figure A2 B C A19, stel voor 'n serwituut area, wat net 'n effek het op veertiendaagse straat, soos op die Algemene Plan aangedui.

##### 1.5 Slooping van geboue en strukture

Die dorpseienaar moet op eie koste all bestaande geboue en strukture wat binne boulynreserwes, kant ruimtes en oor gemeenskaplike grense geleë 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 dorpsienaar 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 dorpsienaar gedra word.

**1.9 Beperking op die vervreemding van erf 2674**

Erf 2674 mag slegs aan die Huiseienaars Assosiasie van die dorp oorgedra word en die Huiseienaars Assosiasie sal volle verantwoordelikheid neem vir die funksionering en onderhoud van die genoemde erf vir die noodaaklike dienste op die erf.

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

1.10.1 Die applikant sal 'n Huiseienaars Assosiasie, ordentlik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelyktydig met die verkoop van die eerste erf in die dorp.

1.10.2 Erf 2673 (Privaat Oop Ruimte) sowel as Erf 2674 (toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.

1.10.3 Een en elke eienaar van die erwe 2645,2672, moet lid word van die Huiseienaars Assosiasie met oordrag van die erf. Hierdie huiseienaars Assosiasie sal volle verantwoordelikheid dra vir Erf 2673 en in geval van Erf 2674 vir die essensiële dienste (uitgesluit die dienste wat deur die Raad oorgeneem word), wat daarbinne geleë is.

1.10.4 Die huiseienaars Assosiasie sal volle wetlike mag hê om van een en elke lid die koste te verhaal wat nodig 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.

1.10.5 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.

1.10.6 'n Serwituit vir munisipale dienste sal geregistreer word oor Erf 2673 ten gunste van die Plaaslike bestuur en tot bevrediging van die Plaaslike bestuur.

1.10.7 Toegang van erwe 2645 tot 2672, na 'n publieke straat moet oor Erf 2674 geskied.

1.10.8 Die plaaslike bestuur moet te alle tye tot onbeperkte toegang oor erf 2674 beskik.

1.10.9 Erf 2674 kan nie verkoop word aan enige persoon behalwe aan die Huiseienaars Assosiasie nie en die erf mag nie gehersoneer word tensy die plaaslike bestuur se toestemming verkry is nie

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

Die dorpsienaar sal binne sodaninge 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 dreinering 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 gesertificeer het dat voldoende waarborg/kontant bydraes aan die plaaslike bestuur betaal is in verband met die voorsiening van dienste deur die dorpsienaar.

**2. TITELVOORWAARDES**

**2.1 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 :**

- 2.1.1 Die erwe is onderworpe aan 'n serwituit, 2 meter breed, vir riolerings- en ander munisipale doeleindeste en ten gunste van die plaaslike bestuur langs enige twee grense, uitgesonderd 'n straatgrens en in die geval van 'n pypsteelerf, 'n addisionele serwituit vir munisipale doeleindeste 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 serwituit mag afsien.
- 2.1.2 Geen geboue of ander strukture mag binne die voorgenemde serwituitgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituit of binne 'n afstand van 2 (twee) meter daarvan geplant word nie.
- 2.1.3 Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhou of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goeddunke noodsaklik ag, tydelik te plaas op die grond wat aan die voorgenemde serwituit grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voorgenemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhou of verwyderings van sodanige rioolhoofpyleidings en ander werke veroorsaak word.
- 2.1.4 ERF 2674  
Die totale erf is onderworpe aan 'n 3m stormwater serwituit ten gunste van die Plaaslike bestuur, soos op die Algemene Plan aangedui.
- 2.1.5 ERF 2674  
Die totale erf is onderworpe aan serwiture vir 'n reg van weg en munisipale doeleindeste ten gunste van die Plaaslike Bestuur, soos op die Algemene Plan aangedui.

**LOCAL AUTHORITY NOTICE 1920**

**LOCAL AUTHORITY NOTICE 789 of 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, hereby declares NOORDWYK EXTENSION 61 township 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 AVAX SA 431 C.C. (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 968 OF THE FARM RANDJESFONTEIN NO. 405-JR, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.**

**1 Conditions of establishment**

020400000

**1.1 Name**

The name of the township shall be Noordwyk Extension 61.

**1.2 Design**

The township shall consist of erven and streets as indicated on Surveyor General Plan No. 7102/2005 .

**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 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 figure A2 B C A19, represent a servitude area, and only effects Fourteen Road, as indicated on the General Plan.

**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 Restriction on the transfer of erf 2674**

Erf 2674 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 erf.

#### **1.10 Formation and duties of Resident's Association (Section 21)**

- 1.10.1 The applicant shall properly and legally constitute a Resident's association (Section 21) to the satisfaction of the local authority prior to or simultaneous with the sale of the first erf in the township.
- 1.10.2 Erven 2673(private Open Space) and Erf 2674(Access) shall be registered in the name of the Resident's Association.
- 1.10.3 Each and every owner of Erven 2645, 2672,shall become a member of the Resident's Association upon transfer of the erf. Such Association shall have full responsibility for Erf 2673 and in the case of Erf 2674 for the essential services (excluding services taken over by the local authority) contained herein.
- 1.10.4 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.
- 1.10.5 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.
- 1.10.6 A servitude for municipal services shall be registered over Erf 2673 in favour of, and to the satisfaction of the local authority.
- 1.10.7 Access from Erven 2645 to 2672 to a public road shall be across Erf 2674.
- 1.10.8 The local authority shall have unrestricted access to Erf 2674 at all times.
- 1.10.9 Erf 2674 cannot be sold to any person except the Homeowners Associates and the erf may not be rezoned unless the consent from the local authority has been obtained.

#### **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, fulfill his obligations in respect of the provisions of water 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 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**

#### **2.1 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:

- 2.1.1 The erven are subject to a servitude, 2 meters 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 and when required by the local authority: Provided that the local authority

may dispense with any such servitude.

2.1.2 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) meters thereof.

2.1.3 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.

2.1.4 ERF 2674

Erf 2674 is subject to 3m-storm water servitude in favour of the Local authority. As indicated on the General Plan.

2.1.5 ERF 2674

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

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## **LOCAL AUTHORITY NOTICE 1921**

### **HALFWAY HOUSE AND CLAYVILLE TOWN PLANNING SCHEME, 1976: AMENDMENT SCHEME 07-2107**

The City of Johannesburg, hereby declares that it 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 Noordwyk Extension 61 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, 8<sup>th</sup> Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 11/7/2006

This amendment is known as the Halfway House and Clayville Amendment Scheme 07-2107.

**T EHLERS: ACTING EXECUTIVE DIRECTOR  
DEVELOPMENT PLANNING, TRANSPORTATION AND ENVIRONMENT  
CITY OF JOHANNESBURG**

**PLAASLIKE BESTUURSKENNISGEWING 1921****HALFWAY HOUSE ANF CLAYVILLE DORPSBEPLANNINGSKEMA, 1976:  
WYSIGINGSKEMA 07-2107**

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 and Clayville Dorpsbeplanningskema, 1976, wat uit die selfde grond as die dorp Noordwyk Uitbreiding 61 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 11/7/2006 .

Hierdie wysiging staan bekend as die Halfway House and Clayville Wysigingskema 07-2107.

**T EHLERS: WAARNEMENDE UITVOERENDE DIREKTEUR  
ONTWIKELINGSBESTUUR, VERVOER EN OMGEWING  
JOHANNESBURG STAD**

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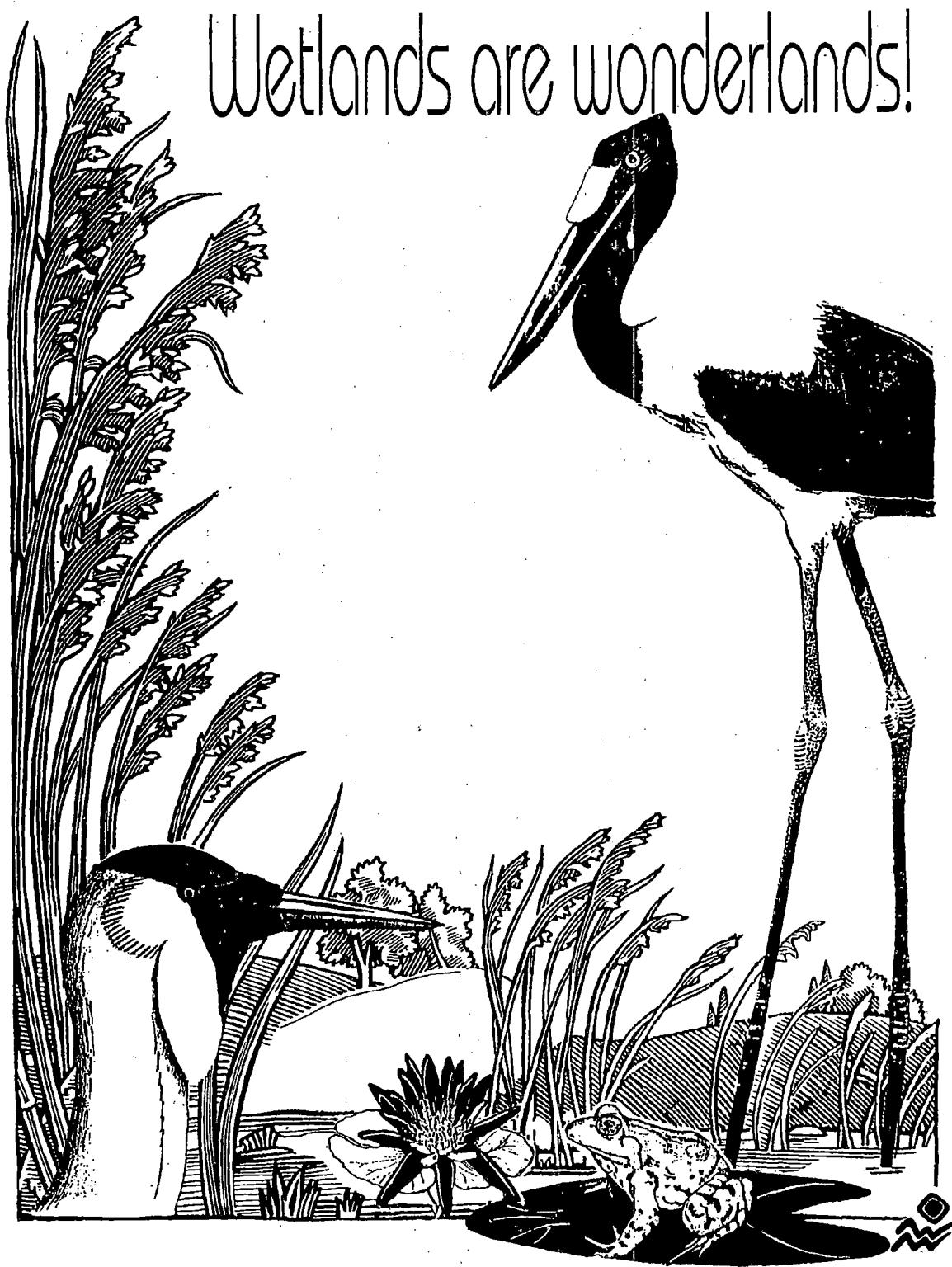
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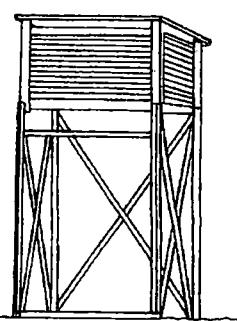
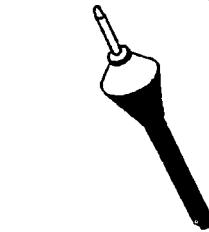
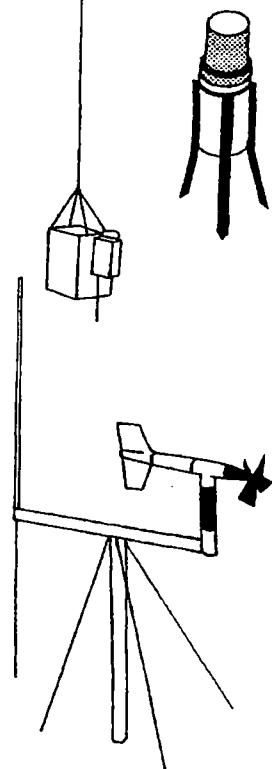
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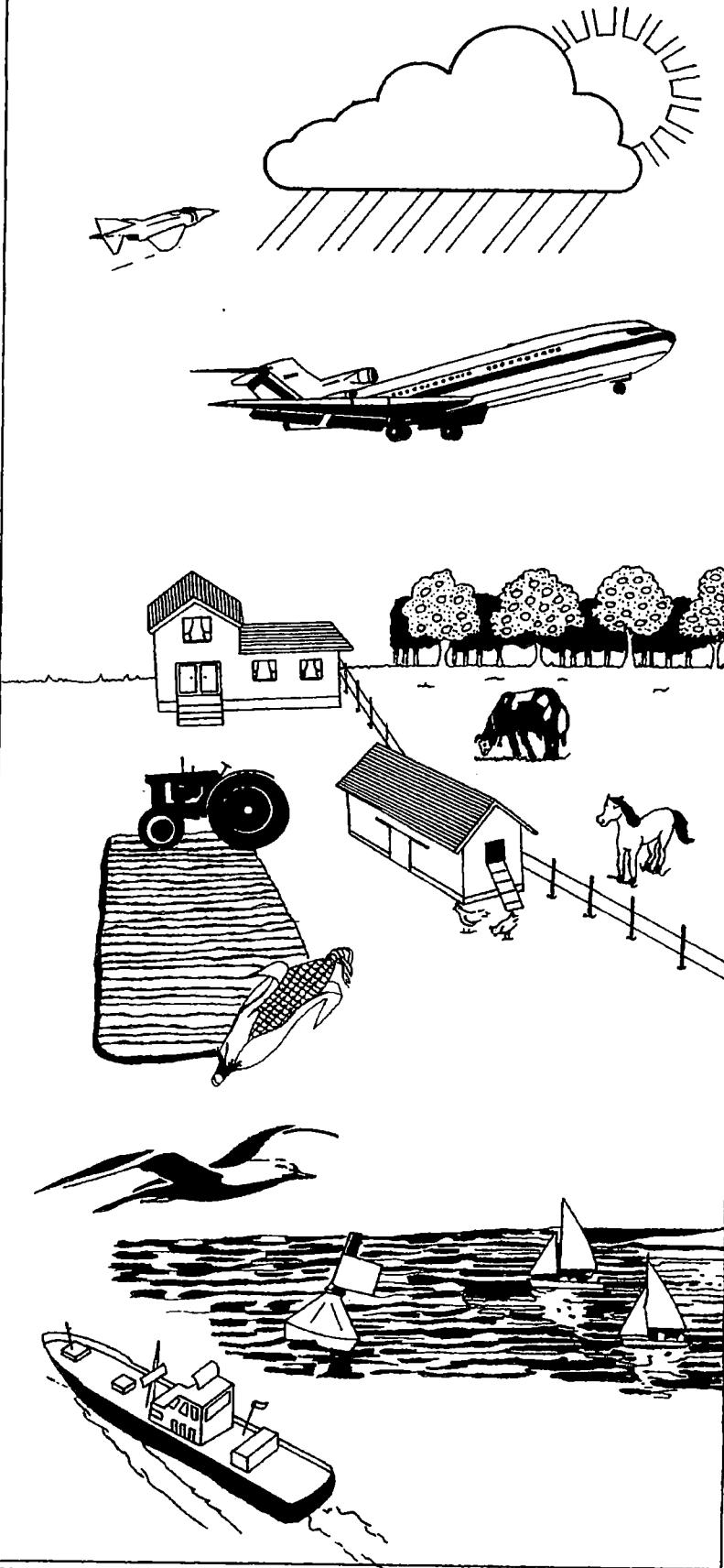


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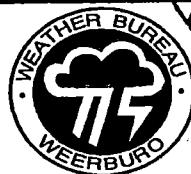


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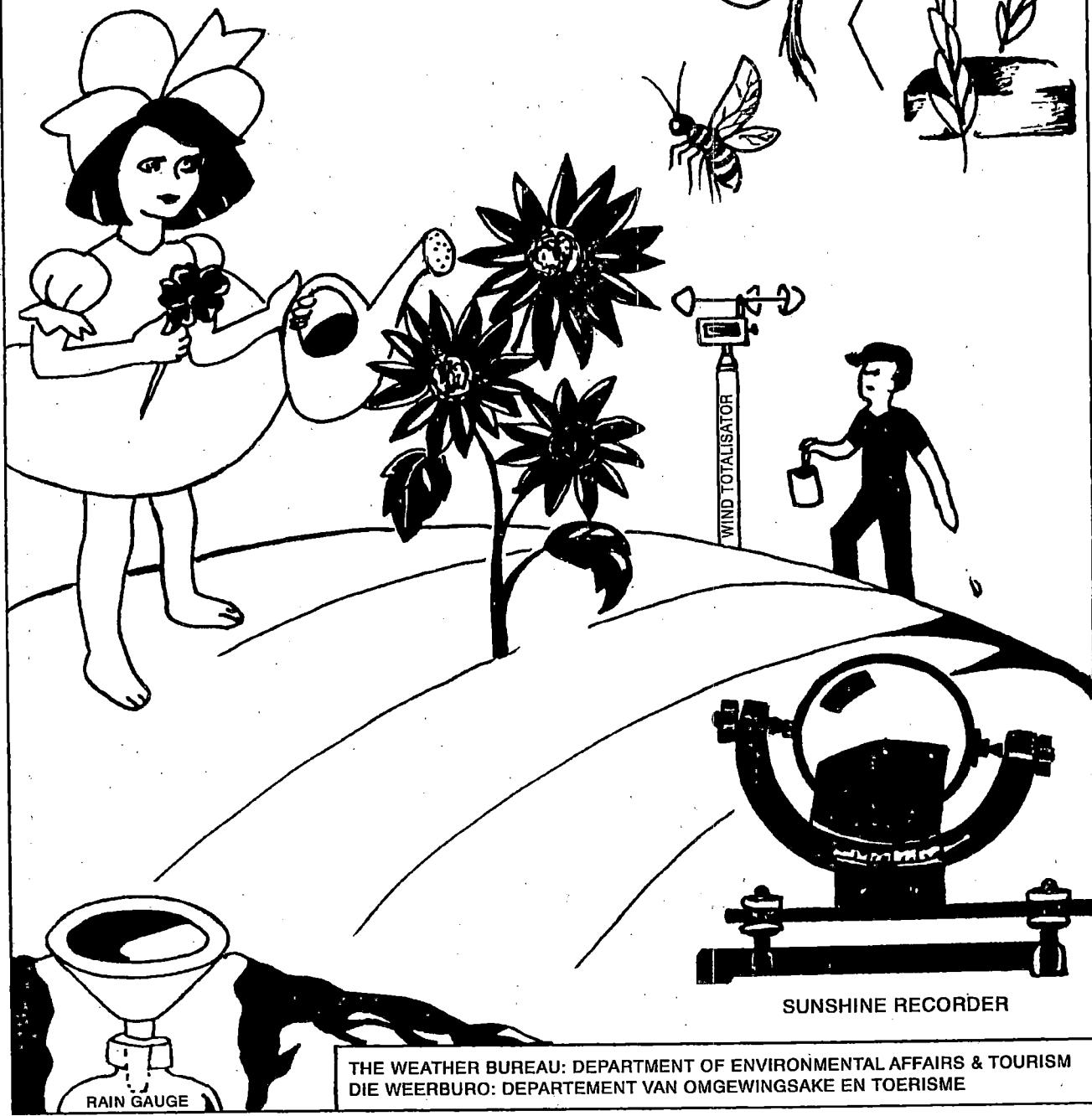


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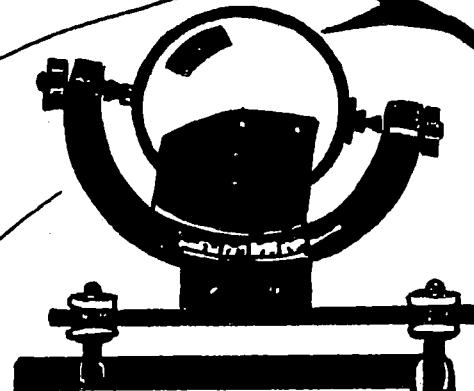
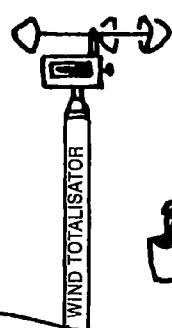
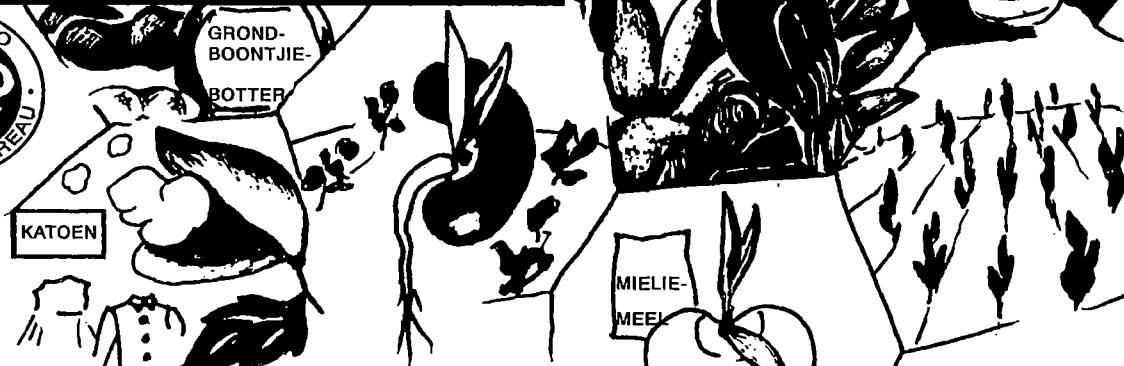
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