

EVATON COMMUNITY COUNCILFIRST SPECIAL MEETING

Minutes of the First Special Meeting
of the Evaton Community Council held
in the Board-room of the Administrative
Head Office, Sebokeng on Friday, 14
March 1980 at 15h00

PRESENTCouncillors

Messrs	S Rabotapi	- Chairman
	J Twavi	- Vice-Chairman
	P Mokoena	
	P Diphoko	
	A Kubheka	
	A Nene	
	A Angoma	
	J Motsamai	
	P Ngoyi	

Officials

Messrs	D C Ganz	- Chief Director
	A v B Rabie	- Director Housing
	P G van Wyk	- Senior Township Manager
	J P Joubert	- Director Administration
	F Myburgh	- Township Manager
	M H Leeferink	- Director Finance
	T L B Prinsloo	- Assistant Director (Auxiliary Services)

Others

Messrs	J M van Rooyen	- Chairman, Oranje-Vaal Administration Board
	J J de Kock	- De Kock & Van der Merwe
	M C van der Merwe	- De Kock & Van der Merwe
	P J Coetzee	- P J Coetzee and Partners

1. Application/

The Chief Director explained to the meeting that Freehold title will continue as long as the property remains in the possession of the present owner and will only be affected if the stand is sub-divided and sold. In this case a buyer will be compelled to obtain it under the Leasehold system. Should the present owner, however, decide to sell his land as an entirety, the purchaser will obtain the stand under Freehold. The Chief Director added that should an owner in Evaton lose the whole of his property as the result of the replanning of Evaton, he will either be compensated or offered an alternative stand under Freehold.

The general feeling of the Community Council was that only after the Administration Board has satisfied the needs of the persons mentioned in 1. - 3. hereunder, the Board may sell the remaining properties under the Leasehold system.

- 2.3.1 Where an agreement is entered into between the Board and another party for the exchange of property;
- 2.3.2 Where it is necessary to expropriate or buy land because of the replanning of Evaton, and as a result of which the affected party becomes entitled to purchase alternative land under Freehold;
- 2.3.3 Persons who have lost their land prior to the replanning of Evaton due to expropriation or imperative sale as a result of which they became entitled to purchase a stand under Freehold.

The Community Council unanimously agreed that Evaton should be replanned and developed as it is.

RESOLVED

1. That subject to the provisions of resolutions (2) and (3) hereunder, Evaton be replanned and developed as it is.
2. That Freehold be applicable in Evaton in respect of the following persons and subject to the conditions mentioned hereunder:
 - 2.1 All present owners of land in the released area of Evaton.
 - 2.2 That at the death of an owner of property under Freehold title, his land will be transferable to his heirs in perpetuity.
 - 2.3 Where an owner sells his land as an entirety to a second person.
 - 2.4 Where an agreement is entered into between the Board and another party for the exchange of properties.
 - 2.5 Where it is necessary to expropriate or buy land because of the replanning of Evaton, and as a result of which the affected party becomes entitled to purchase alternative land under Freehold.

2.6 Persons/

000005

2.8 The sale of property owned by the Board which may be available after the replanning of Evaton

RESOLVED

That it be noted that the Board will only consider the selling of properties owned by the Board after the needs of the following people have been satisfied:

1. Where an agreement is entered into between the Board and another party for the exchange of properties.
2. Where it is necessary to expropriate or buy land because of replanning of Evaton, and as a result of which the affected person becomes entitled to purchase alternative land under Freehold.
3. Persons who have lost their land prior to the replanning of Evaton due to expropriation or imperative sale and as a result of which they become entitled to purchase a stand under Freehold.

2.9 Regulations regarding the Existing Home Owner Certificate Fees and Home Ownership Certificate Fees

RESOLVED

That in order to obviate confusion caused by the issuing of para. 1 documents, the Director of Housing be requested to submit a report regard to the amendment of the regulations governing the existing Home Owner Certificate Fees and Ownership Certificate fees.

2.10 Application of Freehold Title to Evaton Small Farms

Councillor Twayi asked why it is not possible that the present regulations regarding Freehold which exists in Evaton cannot be made applicable to Evaton Small Farms South of Selbourne Road.

The Chief Director explained that Evaton Small Farms, South of Selbourne Road was never included in the released area of Evaton and that a portion of Evaton Small Farms North of Selbourne Road, forms part of the released area which is basically the main reason for the difference in character between the two areas and why the Group Areas Act is not applicable in the Southern part of Small Farms.

Resolved/

RESOLVED

That it be noted that each and every transfer of land in Evaton Small Farms, South of Selbourne Road, is subject to the approval of the Minister in terms of the Group Areas Act and that a request to have the position changed be considered at a later stage.

2.11 Replanning of Evaton

Mr van der Merwe, of the Firm De Kock and Van der Merwe (Town Planners), tabled a plan (Annexure "B"), and explained to the meeting that it is only a preliminary plan to give the Councillors an indication of the possible ways in which Evaton can be replanned and developed.

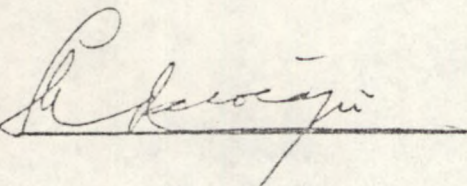
RESOLVED

1. That it be recommended to the Administration Board that Messrs De Kock and Van der Merwe (Town Planners), be appointed to re-plan Evaton.
2. That a report be submitted in regard to the Terms of Reference to Messrs De Kock and Van der Merwe, referred to in (1) above, as well as the financial implications involved.
3. That Messrs De Kock and Van der Merwe be requested to submit a report in respect of the modus operandi to be followed with regard to the replanning of Evaton.

THE MEETING TERMINATED AT 17h40

APPROVED

CHAIRMAN :



DATE :

1. 4. 58

A COMPARISON BETWEEN REQUESTS OF THE EVATON COMMUNITY COUNCIL
TO THE MINISTER AND THE RESOLUTIONS RECEIVED FROM THE MINISTER

EVATON'S REQUEST

1. It was unanimously agreed that Evaton should be replanned and developed as soon as possible.

Interpretation of the resolution

It can be derived from the resolution that it is agreed that Evaton be replanned and developed.

EVATON'S REQUEST

2. That the properties needed in the final township plan for streets, school sites, business sites, parks and related public facilities be acquired by the local authorities preferably by purchasing such properties but if necessary, by expropriation.

Interpretation of the resolution

It can be assumed from the resolution that the land which is necessary for the replanning of Evaton, be purchased or expropriated.

EVATON'S REQUEST

3. That stand owners in Evaton be entitled to retain freehold title of any land in their possession at the time of the approval of the final town-plan, either in undivided or divided portions.

Interpretation of the resolution

The resolution clearly states that only property that is offered for sale should be purchased and therefore it is clear that there is no objection to freehold title for as long as the property remains in the possession of the owner and only in those cases where the property is purchased or expropriated for replanning or development, the owner will be compensated either in terms of the agreement between the owner and the Board, or in terms of the Expropriation Act in which case he will qualify to own a replanned stand under freehold title.

EVATON'S REQUEST

4. That the Minister be requested to favourably consider the granting of freehold title in respect of any portion of a property which is sold by the owner to a new purchaser.

Interpretation of the resolution

Any land which remains after clauses 3, 6, 7, 7.1 have ; been complied with should be sold under the 99 year leasehold scheme.

EVATON'S REQUEST

9. That the regulations regarding the existing home-owner certificate fees and ownership certificate fees be amended in order to consolidate the fees and that only one document be issued in order to obviate confusion caused by the issuing of parallel documents.

Interpretation of the resolution

In the resolution there is no specific reference to this matter, but it is accepted that it should be done administratively and the necessary steps in this regard must be taken without delay, provided that it does not affect the financial position of the Council.

Items 1 to 9 above refer to the Evaton released area which includes Evaton Small Farms north of Selbourne Road.

EVATON'S REQUEST

10. That the Minister be requested to favourably consider making freehold title applicable on Evaton Small Farms.

Interpretation of the resolution in respect of Evaton Small Farms south of Selbourne Road

The resolution does not specifically refer to Evaton Small Farms, but it is accepted that the same principles as set out above will apply, subject to the fact that in respect of every transfer of any property in Evaton Small Farms, Ministerial approval will have to be obtained in terms of the Group Area Act.

GENERAL

The whole purpose is to have the area under the jurisdiction of the Evaton Community Council replanned and developed and to assure that nobody will suffer any financial loss in the process.

MINUTES OF THE

SECOND SPECIAL MEETING

HELD ON 23 JUNE 1980

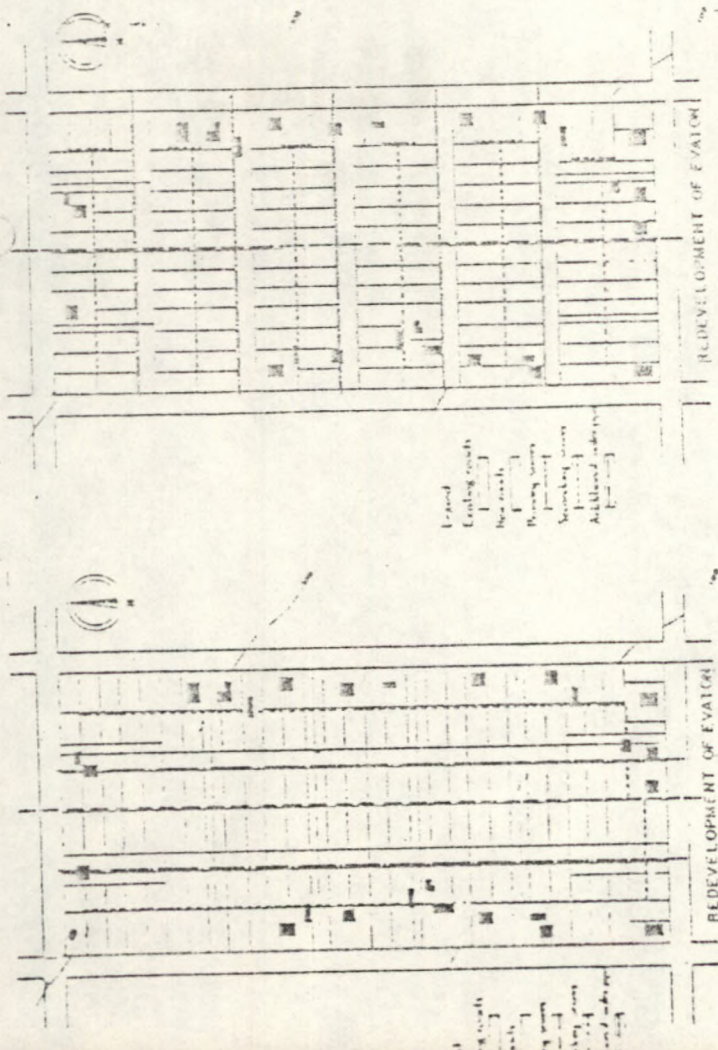


Fig. 1

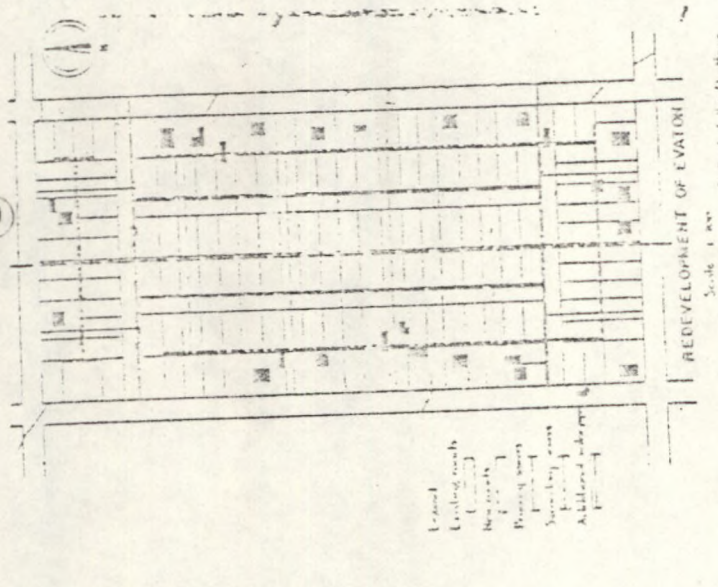


Fig. 2

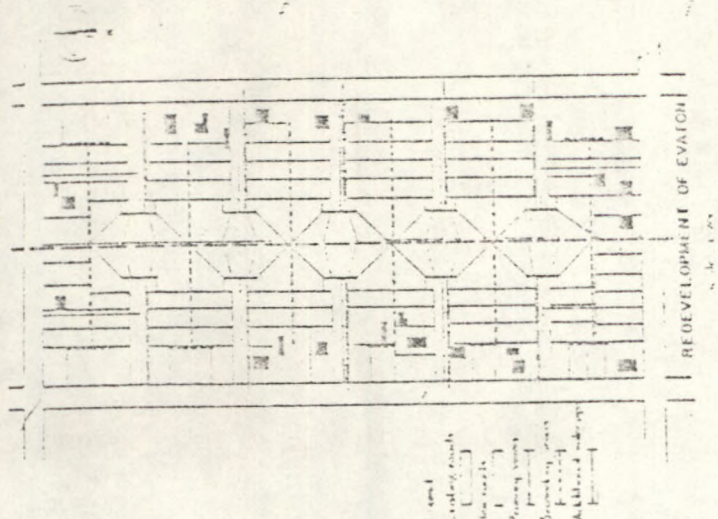


Fig. 3

Fig. 4

On track of the old line
Consulting Engineers
Smith & Johnson

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1.
APPLICATION FOR LEAVE OF ABSENCE

There were no applications for leave of absence.

2.
TIME AND DATE OF NEXT MEETING

RESOLVED

That the next Special Meeting of the Evaton Community Council be held on 14 July 1980 at 14h30.

3.
REPLANNING OF EVATON
6/1/1/24/32

Mr. Coetzee of the firm P.J. Coetzee and Associates (Town and Regional Planners), tabled a report regarding the Outline Plan Proposals for Evaton and explained in detail to the meeting the contents of the report.

RESOLVED

1. That the contents of the report regarding the Outline Plan Proposals for Evaton, be noted.
2. That the report referred to in (1) above, be discussed at the next Special Meeting of the Evaton Community Council which is to be held on 14 July 1980.
3. That it be noted that the report referred to in (1) above, is available for inspection on file 6/1/1/24/32, Head Office, Sebokeng.
4. That the contents of the report regarding the Vaal River Complex, Draft Guide Plan, be noted.
5. That the matters contained in the Riekert Commissions' Report in regard to Central Business Areas and other related matters, be submitted to the Evaton Community Council by way of a report.

TERMINATED AT 17H45.

APPROVED :

CHAIRMAN :

DATE :

R. [Signature]
S. 8. 8.

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