

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
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LOCAL AUTHORITY NOTICES

PLAASLIKE BESTUURSKENNISGEWING 1422

PLAASLIKE BESTUURSKENNISGEWING 654 VAN 2013

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, Metropolitaanse Munisipaliteit hierby Westlake View Uitbreiding 11 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR HEARTLAND PROPERTIES (EIENDOMS) BEPERK NR 1989/007165/07 (HIERNA DIE AANSOEKDOENER 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 187 ('N GEDEELTE VAN GEDEELTE 67) VAN DIE PLAAS MODDERFONTEIN NO. 35, REGISTRASIE AFDELING I.R., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

(1) NAAM

Die naam van die dorp is Westlake View Uitbreiding 11.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. NR 1210/2013.

(3) VOORSIENING EN INSTALLERING VAN INGENIEURDIENSTE

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 tevredeheid van die plaaslike bestuur.

(4) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN LANDBOU EN PLAASLIKE ONTWIKKELING)

Indien daar nie met die ontwikkeling van die dorp voortgegaan word voor 18 November 2015, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou, Bewaring en Omgewingsake vir uitsluiting/toestemming in terme van die Omgewings Bewarings Wet, 1998 (Wet 107 van 1998) soos gewysig.

(5) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)

(a) Indien die ontwikkeling van die dorp nie voor 5 November 2019 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorweging.

(b) Indien omstandighede egter, voor die vervaldatum vermeld in (a) 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 beherende liggaam in gevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

(c) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyn van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(d) Die dorpseienaar moet voldoen aan die vereistes van die Departement soos uiteengesit in die Departement se skrywe gedateer 5 November 2009.

(6) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Roads Agency (Edms) Bpk en/of die Departement van Openbare Vervoer, Paaie en Werke.

(b) Geen toegang tot of uitgang vanuit die dorp, sal toegelaat word via die lyn/lyne van geen toegang, soos aangedui op die goedgekeurde uitlegplan van die dorp.

(c) Geen toegang tot of uitgang vanuit die dorp sal via Pad 113 toegelaat word nie.

(7) ONTVANGS EN VERSORGING VAN STORMWATER

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

(8) VERWYDERING VAN ROMMEL

Die dorpseienaar sal voldoende afvalverwyderings punte binne die dorp voorsien en moet die nodige reelings met die plaaslike bestuur vir die verwydering van rommel tref.

(9) VERSKUIWING OF VERVANGING VAN BESTAANDE DIENSTE

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

(10) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kant ruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

(11) BEPERKING OP DIE OORDRAG VAN 'N ERF

Erf 15 moet voor of gelyktydig met registrasie van die eerste oordrag van 'n erf/eenheid in die dorp en op koste van die dorpseienaar, slegs aan Westlake Park Non Profit Company RF oorgedra word, welke Vereniging volle verantwoordelikheid sal dra vir die funksionering en behoorlike instandhouding van die gemelde erf/erwe en die ingenieursdienste binne die gemelde erf/erwe, tot die tevredenheid van die plaaslike bestuur.

(12) VERANTWOORDELIKHEID TEN OPSIGTE VAN INGENIEURSDIENSTE EN DIE BEPERKING OP DIE VERVREEMDING VAN ERWE.

(a) Die dorpseienaar sal op sy eie koste en tot bevrediging van die plaaslike bestuur die ingenieursdienste binne die dorpsgrense ontwerp, voorsien en installeer insluitende strate en stormwater retikulasie. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, of 'n sertifikaat van geregisteerde title mag nie uitgeneem word in die naam van die dorpseienaar nie, wat sertifiseer aan die Registrateur van Aktes dat die ingenieursdienste voorsien en geïnstalleer is nie; en

(b) Die dorpseienaar sal binne sodanige periode as wat die plaaslike bestuur mag bepaal, sy verantwoordelikheid nakom met betrekking tot die voorsiening van elektrisiteit, 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 deur die dorpseienaar; en

(c) Nieteenstaande die voorsiening van klousule 3.A hieronder, sal die dorpseienaar, op sy eie koste en tot bevrediging van die plaaslike bestuur, alle serwitute wat vereis word om die ingenieursdienste te beskerm, laat opmeet en registreer, oprig en/of installeer soos vereis in (a) en/of (b) hierbo. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, of 'n sertifikaat van geregistreerde title mag nie uitgeneem word in die naam van die dorpseienaar nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes sertifiseer dat die ingenieursdienste beskerm is tot bevrediging van die plaaslike bestuur nie.

2. BESIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige, insluitend die beperking op die regte van minerale:-

A. Uitgesonderd die volgende wat nie die dorp raak nie weens die ligging daarvan:

- (i) Die serwituut om water te gelei ten gunste van Rand Water wat geregistreer is in terme van Notariele Akte van Serwituut K2169/2000S wat aangetoon word deur die figuur A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 A op diagram S.G. Nr 9520/1999 soos aangetoon op die genoemde Notariele Akte van Serwituut.
- (ii) Die serwituut vir elektriese doeleindes wat geregistreer is in terme van Notariele Akte van Serwituut K2170/2000S aangetoon deur die figuur A B C D A op diagram S.G. Nr 8847/1999 en soos meer duidelik aangetoon op genoemde Notariele Akte van Serwituut.
- (iii) Die ewigdurende reg van weg serwituut vir water, gas en elektrisiteit wat geregistreer is in terme van Notariele Akte van Serwituut K1829/2003S aangetoon deur die letters A B C D E F G H J K L en G M N P G R S T U V W X op diagram S.G. Nr 6255/2002 en soos aangetoon op Notariele Akte van Serwituut.
- (iv) Die serwituut vir elektriese doeleindes ten gunste van die Stad Johannesburg Metropolitaanse Munisipaliteit wat geregistreer is in terme van Notariele Akte van Serwituut K8758/2006S aangetoon deur die lyn A B C op diagram S.G. Nr 6807/2006 en meer duidelik voorkom op genoemde Notariele Akte van Serwituut.
- (v) Die 5m wye serwituut vir riool doeleindes ten gunste van Johannesburg Metropolitaanse Munisipaliteit geregistreer in terme van Notariele Akte van Serwituut K1743/2008S aangetoon deur die lyn A B C op diagram S.G. Nr 12352/2004 en meer duidelik voorkom op genoemde Notariele Akte van Serwituut.
- (vi) Die serwituut ten gunste van Rand Water Raad ongeveer 2128 vierkante meter en geregistreer in terme van Notariele Akte van Serwituut K 9040/2004S en meer duidelik voorkom op genoemde Notariele Akte van Serwituut.

3. TITELVOORWAARDES

(A) Voorwaardes opgelê deur die plaaslike bestuur kragtens die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van VAN 1986)

(1) ALLE ERWE (BEHALWE ERF 15)

- (a) Elke erf 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.
- (b) 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.
- (c) 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 goeie denke 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) Erf 15

- (a) Die hele erf soos aangedui op die Algemene Plan, is onderworpe aan 'n serwituut vir munisipale doeleindes en reg-van-weg, ten gunste van die plaaslike bestuur.
- (b) Die erf mag nie vervreem of oorgedra word in naam van enige koper behalwe Westlake Park Non Profit Company RF, sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie

(3) Erf 12

Die erf is onderworpe aan 'n 5m wye stormwater serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(4) Erwe 10 en 11

Die erwe is onderworpe aan 'n 3m wye serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(5) Erwe 11 en 12

Die erwe is onderworpe aan 'n 3m wye riool serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

B. Titelvoorwaardes opgelê ten gunste van derde partye wat geregistreer /geskep moet word op die eerste registrasie van die betrokke erwe.

Geen erf in die dorp mag oorgedra word, ook mag 'n Sertifikaat van Geregisteerde Titel nie geregistreer word nie, tensy die volgende voorwaardes en/of serwitute geregistreer is:

(1) ALLE ERWE (BEHALWE ERF 15)

Die eienaars van Erwe 10 -14 of eienaar van enige onderverdeelde gedeelte van die erf of enige eenheid daarop, sal tydens oordrag outomaties 'n lid word en bly van Westlake Park Non Profit Company RF en sal onderworpe wees aan sy Artikels en/of Memorandum van Assosiasie totdat hy/sy ophou om 'n eienaar te wees en sodanige eienaar sal nie daarop geregtig wees om die erf of enige onderverdeelde gedeelte daarvan of enige belang daarin of enige eenheid daarop, oor te dra sonder 'n uitklaringsertifikaat van die Vereniging waarin gesertifiseer word dat die bepalings van die Artikels en/of die Memorandum van Assosiasie nagekom is.

C. Titelvoorwaardes opgelê deur die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinsiale Regering) ingevolge die bepalings van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001), soos gewysig:

(1) ERWE 8 - 9

(a) Die geregistreerde eienaar van die erf, moet die fisiese versperring wat langs die erf grens aangrensend aan Provinsiale Pad K113 opgerig is, tot tevreedenheid van die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinsiale Regering) instandhou.

(b) Behalwe vir die fisiese versperring waarna in klousule (a) hierbo verwys word, 'n swembad of enige noodsaaklike stormwaterdreineringsstruktuur, mag geen gebou, struktuur of ander ding wat aan die grond geheg is, selfs al vorm dit nie deel van die grond nie, opgerig word nie of sal niks gebou word op of gelê word binne of onder die oppervlakte van die erf binne 'n afstand van minder as 16m vanaf die erf grense aangrensend aan Pad K113. Geen verandering of aanbouing mag aan enige bestaande struktuur of gebou geleë binne die vermelde afstand, gedoen word nie, behalwe met die skriftelike toestemming van die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinsiale Regering).

LOCAL AUTHORITY NOTICE 1422

LOCAL AUTHORITY NOTICE 654 OF 2013

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 Westlake View Extension 11 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 HEARTLAND PROPERTIES PROPRIETARY LIMITED REGISTRATION No. 1989/007165/07 (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 187 (A PORTION OF PORTION 67) OF THE FARM MODDERFONTEIN NO 35, REGISTRATION DIVISION I.R., GAUTENG PROVINCE HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT.

(1) NAME

The name of the township is Westlake View Extension 11.

(2) DESIGN

The township consists of erven and a road as indicated on General Plan S.G. No 1210/2013.

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

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 (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)

Should the development of the township not been commenced with before 18 November 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 National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)

(a) Should the development of the township not been completed before 5 November 2019 the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

(b) If however, before the expiry date mentioned in (a) above, circumstances change in such a manner 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 fulfillment 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).

(c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township. The erection of such physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.

(d) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 5 November 2009.

(6) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Roads and Transport.

(b) No access to or egress from the township shall be permitted via the line/lines of no access as indicated on the approved layout plan of the township.

(c) No access to or egress from the township shall be permitted via Road K 113.

(7) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent road/roads and all stormwater running off or being diverted from the road/roads shall 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

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(10) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs 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) RESTRICTION ON THE TRANSFER OF AN ERF/ERVEN

Erf 15 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to Westlake Park Non Profit Company RF which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the engineering services within the said erf.

(12) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering 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 electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services by the township owner, have been submitted or paid to the said local authority; and

(c) Notwithstanding the provisions of clause 3.A hereunder, the township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the engineering services provided, constructed and/or installed as contemplated above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering 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, but:

A. Excluding the following which do not affect the township due to its locality:

- (i) The servitude to transmit water in favour of Rand Water registered in terms of Notarial Deed of Servitude K2169/2000S indicated by the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 A on diagram S.G. No 9520/1999 and as will more fully appear from the said Notarial Deed of Servitude.
- (ii) The servitude for electrical purposes registered in terms of Notarial Deed of Servitude K2170/2000S indicated by the figure A B C D A on diagram S.G. No 8847/1999 and as will more fully appear from the said Notarial Deed of Servitude.
- (iii) The servitude for right of way in perpetuity for water, gas and electricity registered in terms of Notarial Deed of Servitude K1829/2003S indicated by the letters A B C D E F G H J K L and G M N P G R S T U V W X on diagram S.G. No 6255/2002 and as will more fully appear from the said Notarial Deed of Servitude.

- (iv) The servitude for electrical purposes in favour of the City of Johannesburg Metropolitan Municipality registered in terms of Notarial Deed of Servitude K8758/2006S indicated by the line A B C on diagram S.G. No 6807/2006 and as will more fully appear from the said Notarial Deed of Servitude.
- (v) The 5m wide servitude for sewer purposes in favour of the City of Johannesburg Metropolitan Municipality registered in terms of Notarial Deed of Servitude K1743/2008S indicated by the line A B C on diagram S.G. No 12352/2004 and as will more fully appear from the said Notarial Deed of Servitude.
- (vi) The servitude in favour of Rand Water Board measuring 2128 square metres and registered in terms of Notarial Deed of Servitude K9040/2004S as will more fully appear from the said Notarial Deed of Servitude.

3. CONDITIONS OF TITLE.

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

(1) ALL ERVEN (EXCEPT ERF 15)

(a) Each erf is subject to a servitude, 2m 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 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

(b) No building or other structure shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2m thereof.

(c) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the process of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

(2) ERF 15

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

(b) The erf shall not be alienated or transferred into the name of any purchaser other than Westlake Park Non Profit Company RF without the written consent of the local authority first having been obtained.

(3) ERF 12

The erf is subject to a 5m wide stormwater servitude in favour of the local authority, as indicated on the General Plan.

(4) ERVEN 10 and 11

The erven are subject to a 3m wide sewer servitude in favour of the local authority, as indicated on the General Plan.

(5) ERVEN 11 and 12

The erven are subject to a 3m wide sewer servitude in favour of the local authority, as indicated on the General Plan.

B. Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.

No erf in the township shall be transferred nor shall a Certificate of Registered Title be registered, unless the following conditions and/or servitudes have been registered:

(1) ALL ERVEN (EXCEPT ERF 15)

The owners of Erven 10 - 14 or owner of any sub-divided portion of the erf or owner of any unit thereon, shall on transfer become and remain a member of Westlake Park Non Profit Company RF, incorporated for the purpose of the community scheme ("the Association") and shall be subject to its Memorandum of Incorporation until he/she ceases to be an owner and such owner shall not be entitled to transfer the erf or any sub divided portion thereof or any interest therein or any unit thereon, without a clearance certificate from such Association certifying that the provisions of the Memorandum of Incorporation have been complied with and the purchaser has bound himself/herself to the satisfaction of the Association to become and remain a member of the Association.

C. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.

(1) ERVEN 8 - 9

(a) The registered owner of the erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erf boundary abutting Road K113.

(b) Except for the physical barrier referred to in clause (a) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erf within a distance less than 16m from the boundary of the erf abutting Road K113 neither shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).

LOCAL AUTHORITY NOTICE 1423**LOCAL AUTHORITY NOTICE 636 OF 2013****MODDERFONTEIN TOWN PLANNING SCHEME, 1994: AMENDMENT SCHEME 11-11260**

The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it has approved an amendment scheme being an amendment of the Modderfontein Town Planning Scheme, 1994, comprising the same land as included in the township of Westlake View Extension 11. Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Department Development Planning: City of Johannesburg and are open for inspection at all reasonable times.

The date this scheme will come into operation is 16 October 2013.

This amendment is known as the Modderfontein Amendment Scheme 11-11260.

E DE WET: ACTING DEPUTY DIRECTOR, LEGAL ADMINISTRATION, DEPARTMENT DEVELOPMENT PLANNING, CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY

PLAASLIKE BESTUURSKENNISGEWING 1423**PLAASLIKE BESTUURSKENNISGEWING 636 VAN 2013****MODDERFONTEIN DORPSBEPLANNINGSKEMA, 1994: WYSIGINGSKEMA 11-11260**

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat dit 'n wysigingskema synde 'n wysiging van die Modderfontein Dorpsbeplanningskema, 1994 wat uit dieselfde grond as die dorp Westlake View Uitbreiding 11 bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Departement Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Die datum van die inwerkingtreding van die skema is 16 Oktober 2013.

Hierdie wysiging staan bekend as die Modderfontein Wysigingskema 11-11260.

E DE WET: WAAREMENDE ADJUNK DIREKTEUR, REGSADMINISTRASIE, DEPARTEMENT OTWIKKELINGSBESTUUR, JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT
