

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

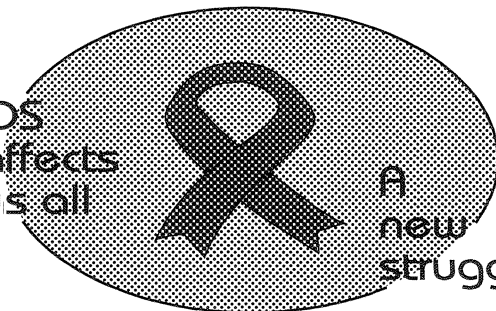
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PRETORIA, 18 DECEMBER 2013  
DESEMBER 2013

No. 365

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

Prevention is the cure

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 1799

#### WESTONARIA LOCAL MUNICIPALITY

It is hereby notified in terms of Section 111 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) that the Westonaria Local Municipality Hereby declares the Township of Westonaria Borwa to be an approved township subject to the conditions as set out in the Schedule hereto:

#### SCHEDULE

**STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE WESTONARIA SOUTH PROPERTY HOLDING (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT) IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 40 OF THE FARM PANVLAKTE 291-IQ, PROVINCE OF GAUTENG, HAS BEEN GRANTED.**

**1) NAME**

The name of the township shall be Westonaria Borwa.

**2) DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No. SG 1579/2011.

**3) ACCESS**

(a) The township applicant shall at his own expense (if required), submit a geometric design layout plan of the ingress and egress points, and specifications for the construction of the accesses, to the Local Authority, for approval. The township applicant shall after approval of the layout and specifications, construct the said ingress and egress points at its own expense to the satisfaction of the Local Authority.

**4) ACCEPTANCE AND DISPOSAL OF STORMWATER**

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

**5) PRECAUTIONARY MEASURES**

The township owners shall with respect to the dolomite areas and at its own expense, make arrangements in order to ensure that –

- a) Water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen or to the satisfaction of the Town Engineer; and
- b) Trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.

**6) RESTRICTION OF THE DISPOSAL OF ERVEN**

The township applicant shall not offer for sale or alienate erven 80, 81, 1044 and 1515 within the period of six (6) months after the erven became registrable or approval/exemption has been granted by the Administrator, to any person or body other than the State unless the Department of Education has indicated in writing that the Department does not wish to acquire the erven.

**7) RESTRICTION ON THE SUBDIVISION OF ERVEN**

The layout plan of the township is in accordance with the provisions and requirements of the engineering geological report and no erf be subdivided without the written approval of the Council of Geoscience or their successors in title due to dolomite in the townships area.

**2 CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE****1) INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall install and provide appropriate, affordable and upgradable internal and external services in or for the township.

**3 CONDITIONS OF TITLE****3.1 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

**3.1.1** All erven shall be made subject to the existing conditions and servitudes indicated in Certificate of Consolidated Title T30869/2013, if any, but excluding the following conditions which do not affect the proposed Township due to its locality:

- (a) Conditions A4 and B2 relating to Notarial Deed of Servitude K1154/1930S dated 26 March 1990, including ancillary rights, in favour of Eskom to convey electricity.
- (b) Conditions A5 and B3 relating to Notarial Deed of Servitude K1656/1982S dated 23 June 1982, including ancillary rights, in favour of Eskom to convey electricity.
- (c) Conditions A6 and B4 relating to Notarial Deed of Servitude K1658/1982S dated 23 June 1982, including ancillary rights, in favour of Eskom to convey electricity.
- (d) Conditions A7 and B5 relating to Notarial Deed of Servitude K2426/1983S dated 13 October 1983, including ancillary rights, in favour of Eskom to convey electricity.
- (e) Conditions A8 and B6 relating to Notarial Deed of Servitude K2427/1983S dated 13 October 1983, including ancillary rights, in favour of Eskom to convey electricity.
- (f) Conditions A9 and B7 relating to Notarial Deed of Servitude K3208/1976S dated 9 November 1976, including ancillary rights, in favour of Eskom to convey electricity.
- (g) Conditions A10 and B8 relating to Notarial Deed of Servitude K3613/1982S dated 28 December 1982, including ancillary rights, in favour of Eskom to convey electricity.
- (h) Conditions A11 and B9 relating to Notarial Deed of Servitude K748/1995S dated 14 February 1995, including ancillary rights, in favour of Eskom to convey electricity.
- (i) Conditions A12 and B10 relating to Notarial Deed of Servitude K836/1984S dated 1 March 1984, including ancillary rights, in favour of Eskom to convey electricity.

**3.1.2** Subject to the following conditions in the aforesaid Certificate of Title:

- 3.1.2.1** Condition A2 and B1 which affects erven 1527, 1570, 1577, 1579 and 1580 and Thubela, Bazooka, Masibuko and Nelson Mandela Streets and Oliver Tambo Avenue, namely: "By virtue of Notarial Deed of Servitude K1657/1982S dated 23 June 1982, the right has been granted to Eskom in perpetuity, to convey electricity over the property hereby transferred:
- (a) of an overhead electrical power line servitude with underground cables, of which is represented by the line ab on annexed diagram SG 1578/2011, as will more fully appear from reference to the said Notarial Deed, and
  - (b) of an electric power line servitude with underground cables, 30,48 metres wide, the northern boundary

which is represented by the line gh on annexed diagram SG 1578/2011, as will more fully appear from reference to the said Notarial Deed.”

- 3.1.2.2 Condition A3 which affects Erf 1591 as well as Govan Mbeki and Oliver Tambo Avenues, namely: “By virtue of Notarial Deed of Servitude K1721/1985S dated 12 June 1985, the within mentioned property hereby transferred is subject to a servitude for sewer and water reticulation purposes, in favour of the Town Council of Westonaria, the servitude area of which is represented by the figure cdef on annexed diagram SG No A1578/2011, as will more fully appear from reference to the said Notarial Deed”;
- 3.1.2.3 Conditions A13 and B11 which affects all erven, namely: “By virtue of Notarial Deed of Servitude K1247/2011S, the property shall not be transferred without the written consent of the Department of Local Government and Housing: Gauteng Province; which consent shall not be unreasonably withheld, as will more fully appear with reference to the aforesaid Notarial Deed of Servitude;
- 3.1.2.4 Condition A14 which affects Erven 81, 109 to 120, 152, 153, 1588 and 1589, namely: “The property hereby held is subject to a waterpipeline servitude in favour of the Westonaria Local Municipality, 3 (three) metres wide the centre line of which is indicated by the line hj on annexed diagram SG no. 1578/2011”.

**3.2 CONDITIONS IMPOSED BY THE MINISTER OF MINERAL AND ENERGY AFFAIRS**

All erven shall be subject to the following condition:

As the erf forms part of land which is or may be undetermined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accept all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock of cracking.

**3.3 CONDITIONS AS INDICATED, LAID DOWN BY THE WESTONARIA LOCAL MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)**

All erven mentioned hereunder shall be subject to the conditions indicated:

a) ALL ERVEN

Due to dolomite in the township area, no erf be subdivided without the written approval of the council of Geoscience or their successors in title.

b) ALL ERVEN

- (i) The erf is subject to a servitude, 2 metres wide along any one boundary other than a street boundary in favour of the local authority for sewerage and other municipal purposes 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 relax or grant exemption from the required servitudes.
- (ii) No buildings or other structures may be erected within the aforesaid servitude area and not trees with large roots may be planted within the area of such servitude or within a distance of 1 metre thereof.
- (iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such materials which may be excavated by it during the course 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.

- (iv) The township is affected by dolomite and all conditions and precautions as outlined in the relevant geotechnical report/s must be adhered to.

#### **4. ERVEN SUBJECT TO SPECIAL CONDITIONS**

In addition to the relevant conditions set out above, the under-mentioned erven shall be subject to the conditions as indicated:

**i) ERF 1430**

The erf is subject to a building restriction area, as depicted on the General Plan due to adverse dolomitic conditions.

No buildings or other structure shall be erected within the aforesaid building restriction area.

No French drain shall be permitted on the erf.

All pipes which carry water shall be watertight and shall be provided with watertight flexible couplings.

The entire surface of the erf shall be drained to the satisfaction of the local authority in order to prevent surface water from damming up, and water from roof gutters shall be discharged away from the foundations

Neither the owner nor any person shall sink any wells or boreholes under the erf or extract any subterranean water therefrom.

**T. C. NDLOVU  
MUNICIPAL MANAGER  
WESTONARIA LOCAL MUNICIPALITY**

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### **LOCAL AUTHORITY NOTICE 1800**

#### **WESTONARIA TOWN PLANNING SCHEME, 1981: AMENDMENT SCHEME 196**

The Westonaria Local Municipality, hereby declares that it has approved an amendment scheme, being an amendment of the Westonaria Town Planning Scheme, 1981, comprising the same land as included in the township of Westonaria Borwa, 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 Town Planning Section, Department of Infrastructure Services, Westonaria, 33 Saturn Street, Westonaria and are open for inspection at all reasonable times.

The date this scheme will come into operation is ... December 2013.

This amendment is known as the Westonaria Amendment Scheme 196

**T. C. NDLOVU  
MUNICIPAL MANAGER  
WESTONARIA LOCAL MUNICIPALITY**

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