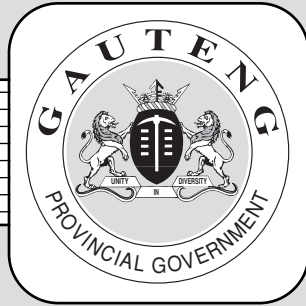


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

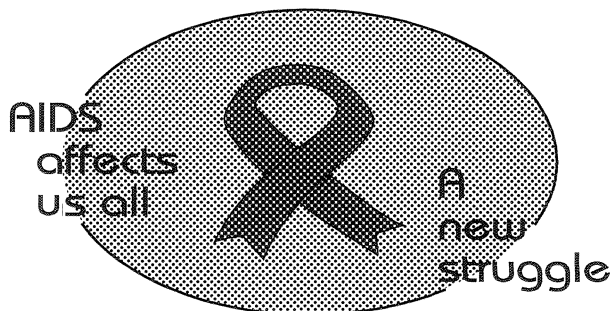
Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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PRETORIA, 5 MAY
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No. 142

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PLAASLIKE BESTUURSKENNISGEWING 675

PLAASLIKE BESTUURSKENNISGEWING 277 VAN 2015

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 13 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR BALWIN PROPERTIES (EIENDOMS) BEPERK (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 186 ('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 13.

(2) ONTWERP

Die dorp bestaan uit erwe en 'n straat soos aangedui op Algemene Plan L.G. Nr 1741/2014.

(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 tevredenheid 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 27 Oktober 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).

(6) 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.

(7) 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.

(8) 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.

(9) BEPERKING OP DIE OORDRAG VAN 'N ERF

Erwe 46, 47 en 45 mag slegs gesamentlik ontwikkel word as 'n ontwikkelings skema soos voorsien word ingevolge die bepalings van die Wet op Deeltitels, Wet Nr 95 van 1986 soos gewysig.

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

(a) Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle vullis, bourommel en/of ander materiale vanaf Erf 47 verwyder.

(b) Die dorpseienaar sal op sy eie koste, na proklamasie van die dorp, 'n aansoek by die plaaslike bestuur indien om Erf 47 notarieel te verbind met die aangrensende "Privaat Oop Ruimte" erf 24 Westlake View X 14. Die Notariele verbinding mag nie geregistreer word alvorens die plaaslike bestuur gesertifiseer het aan die Registrateur van Aktes dat voldoende waarborge/kontant bydraes betaal is met betrekking tot die voorsiening van ingenieursdienste aan die dorp en die erwe om notarieel te verbind, ingedien of betaal is aan die genoemde plaaslike bestuur.

(c) Die dorpseienaar moet op sy/haar eie koste, na proklamasie van die dorp, 'n aansoek by die plaaslike bestuur indien vir toestemming om Erwe 45, 46 en 47 notarieel te verbind. Die notariele verbinding mag nie geregistreer word, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste aan die dorp en die erwe wat notarieel verbind staan te word, aan die plaaslike bestuur gelewer of betaal is.

(d) 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 retikulاسie. 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, wat sertifiseer aan die Registrateur van Aktes dat die ingenieursdienste voorsien en geïnstalleer is nie; en

(e) 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 en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper of 'n sertifikaat van titel uitgeneem word in die naam van die dorpseienaar 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

(f) 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 installer 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. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

A. Uitgesonderd die volgende serwitute wat slegs Erwe en Centenaryweg in die dorp raak weens die ligging daarvan:

- (i) Die 3m wye serwituut vir riool doeleindes ten gunste van Johannesburg Stad Metropolitaanse Munisipaliteit soos aangedui op diagram S.G. No 1740/2014 en meer duidelik voorkom op Notariele Akte van serwituut K5942/2014 S wat Erwe 46, 47 en Centenary weg in die dorp raak.
- (ii) Die 3m wye serwituut vir elektriese doeleindes ten gunste van Johannesburg Stad Metropolitaanse Munisipaliteit soos aangetoon op diagram S.G. Nr 1740/2014 en meer duidelik voorkom op Notariele Akte van Serwituut K 5942/2014 S wat Erwe 46 en 47 in die dorp raak.
- (iii) Die 5m wye serwituut vir elektriese doeleindes ten gunste van Johannesburg Stad Metropolitaanse Munisipaliteit soos aangetoon op diagram S.G. Nr 1740/2014 en meer duidelik voorkom op Notariele Akte van Serwituut K 5944/2014 S wat slegs Erf 46 in die dorp raak.
- (iv) Die serwituut van reg van weg en toegangs doeleindes ten gunste van Johannesburg Stad Metropolitaanse Munisipaliteit soos aangetoon op diagram S.G. Nr 1740/2014 en meer duidelik voorkom op Notariele Akte van Serwituut K 5945/2014 S wat slegs Centenaryweg in die dorp raak.

B. Insluitend die volgende serwitute wat al die erwe en Centenaryweg in die dorp raak:

- (i) Die serwituut om water te gelei ten gunste van Rand Water wat geregistreer is in terme van Notariele Akte van Serwituut K2169/2000S en 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 S A1 A op Diagram S.G. Nr 9520/1999 soos aangetoon op Notariele Akte van Serwituut.
- (ii) Die serwituut vir kables ten gunste van Rand Water Raad wat 2128 vierkante meter meet en aangetoon word deur die figuur A B C D op Diagram S.G. Nr 13080/1996 en geregistreer is in terme van Notariele Akte van Serwituut K9040/2004 soos aangetoon op Notariele Akte van Serwituut.
- (iii) Deur middle van Notariele Akte van Serwituut K 1299/2014S gedateer 10 Maart 2014, die genoemde eiendom is onderworpe aan die volgende voorwaardes ten gunste van AECI Beperk Registrasie Nommer 1924/002590/06:

Geen boorgate mag op die eiendom gesink word nie sonder die skriftelike toestemming van AECI Beperk Registrasie Nommer 1924/002590/06;
- (iv) Onderworpe aan die volgende voorwaardes wat opgelê is deur Zendai Ontwikkeling (Suid Afrika) Eiendoms Beperk (Registrasie Nommer 2013/127568/07)(Zendai) wanneer die eiendom oorgedra word-

1. "Every owner (and its successors-in-title) of the property or any subdivision or consolidation thereof any interest therein (collectively hereinafter referred to as "the property") shall upon taking transfer of the property automatically become and remain a member of Westlake Meadow Homeowners Association (RF) NPC, Registration Number 2014/166154/08 ("the Association").

2. The owner (and its successors-in-title) shall remain a member of the Association and be subject to the Memorandum of Incorporation ("MOI") of the Association and all rules and guidelines issued in terms thereof, until such owner ceases to be an owner of the property.
3. The owner of the property shall not be entitled to transfer the property without a clearance certificate issued by the Association stating that-
 - (a) the owner of the property has discharged all of its financial obligations to the Association in respect of the period up to and including the date specified in such certificate; and
 - (b) the owner of the property has complied with all of its obligation to the Association in terms of the MOI of the Association and all rules and guidelines passed by the directors of the Association in terms thereof; and
 - (c) the Association consents to the transfer of the property."

3. TITELVOORWAARDES

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

(1) ALLE ERWE

(a) Die erwe is geleë in 'n area waar grondtoestande skade aan geboue en strukture kan aanrig. Bouplanne wat by die plaaslike bestuur ingedien word moet aandui dat die nodige stappe geneem is met betrekking tot die aanbevelings soos vervat in die (Omvattende)Ingenieurs-Geologiese verslag vir die dorp om sodanige skade aan die geboue en strukture te beperk wat as gevolg van nadelige fondasie toestande kan ontstaan, tensy daar aan die plaaslike bestuur bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op 'n meer effektiewe wyse bereik kan word. Die NHRR kode vir fundamente word geklassifiseer as C1-C2/H1/R.

(b)(i) 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.

(ii) 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.

(iii) 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 goeddunke 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 rioolhoofpypleidings en ander werke veroorsaak word.

(2) Erwe 46 en 47

(i) Die erf is onderworpe aan 'n 2m wye serwituut vir munisipale doeleindes, ten gunste van die plaaslike bestuur soos op die Algemene Plan aangetoon.

(ii) Die erwe is onderworpe aan serwitute vir stormwater doeleindes ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(3) Erf 46

(i) Die erf is onderworpe aan 'n serwituit vir private reg van weg doeleindes, ten gunste van die plaaslike bestuur soos op die Algemene Plan aangetoon.

(ii) Die erf is onderworpe aan 'n 5m wye serwituit vir stormwater doeleindes, ten gunste van die plaaslike bestuur soos op die Algemene Plan aangetoon.

(iii) Die erf is onderworpe aan 'n 5m wye elektriese serwitute ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

B. Titellovoorwaardes 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 Geregistreeerde Titel nie geregistreer word nie, tensy die volgende voorwaardes en/of serwitute geregistreer is:

(1) ALLE ERWE

Iedere en elke eienaar van 'n erf of eienaar van enige onderverdeelde gedeelte van die erf of enige eenheid daarop, sal tydens oordrag outomaties 'n lid word en bly van Westlake Meadow Huiseienaars Vereeniging RF NPC 2014/166154/08.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.

LOCAL AUTHORITY NOTICE 675

LOCAL AUTHORITY NOTICE 277 OF 2015

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 13 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 BALWIN PROPERTIES (PROPRIETARY) LIMITED, (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 196 (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 13.

(2) DESIGN

The township consists of erven and a road as indicated on General Plan SG No.1741/2014.

(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 27 October 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).

(6) 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.

(7) 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.

(8) 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.

(9) RESTRICTION ON THE TRANSFER OF ERVEN

Erf 46, 47 and 45 may only be developed jointly as a development scheme as provided for in terms of the Sectional Titles Act, Act No 95 of 1986 as amended.

(10) 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, remove all refuse, building rubble and/or other materials from Erf 47.

(b) The township owner shall, at its own costs, after proclamation of the township, submit an application to the local authority for consent to notarially tie Erf 47 with the adjoining "Private Open Space" erf 24 Westlake View X 14. The Notarial tie may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering

services to the township and the erven to be notarially tied, have been submitted or paid to the said local authority.

(c) The township owner shall, at its own costs, after proclamation of the township, submit an application to the local authority for consent to notarially tie Erven, 45, 46 and 47. The Notarial tie may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be notarially tied, have been submitted or paid to the said local authority.

(d) 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 storm water 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

(e) 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 storm water 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

(f) 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:-

A. Excluding the following servitudes which only affect Erven and Centenary Way in the township due to their locality:

- (i) The 3 metre wide servitude for sewer purposes in favour of the City of Johannesburg Metropolitan Municipality indicated on diagram S.G. No 1740/2014 and as will more fully appear from Notarial Deed of servitude K 5942/2014 S which affects Erven 46, 47 and Centenary Way in the township only.
- (ii) The 3 metre wide servitude for electrical purposes in favour of the City of Johannesburg Metropolitan Municipality indicated on diagram S.G. No 1740/2014 and as will more fully appear from Notarial Deed of Servitude K 5943/2014 S which affect Erven 46 and 47 in the township only.
- (iii) The 5 metre wide servitude for electrical purposes in favour of the City of Johannesburg Metropolitan Municipality indicated on diagram S.G. No 1740/2014 and as will more fully appear from Notarial Deed of servitude K 5944/2014 S which affects Erf 46 in the township only.
- (iv) The servitude of right of way and access purposes in favour of the City of Johannesburg Metropolitan Municipality indicated on diagram S.G. No 1740/2014 and as will more fully

appear from Notarial Deed of Servitude K 5945/2014 S which affects Centenary Way in the township only.

B. Including the following servitudes which affect all the Erven and Centeneray Way in the township:

- (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 cables in favour of Rand Water Board measuring 2128 square metres and indicated by the figure A B C D on diagram S.G. No 13080/1996 and registered in terms of Notarial Deed of Servitude K9040/2004S as will more fully appear from the said Notarial Deed of Servitude.
- (iii) By virtue of Notarial Deed of Servitude K1299/2014S dated 10 March 2014, the within mentioned property is subject to the following conditions in favour of AECI Limited, Registration Number 1924/002590/06:

No boreholes may be sunk on the property without the prior written consent of AECI Limited Registration Number 1924/002590/06;

- (iv) Subject to the following conditions imposed by Zendai Development (South Africa) Proprietary Limited (Registration Number 2013/127568/07)(“Zendai”) when disposing of the property-
 1. Every owner (and its successors-in-title) of the property or any subdivision or consolidation thereof any interest therein (collectively hereinafter referred to as “the property”) shall upon taking transfer of the property automatically become and remain a member of Westlake Meadow Homeowners Association (RF) NPC, Registration Number 2014/166154/08 (“the Association”).
 2. The owner (and its successors-in-title) shall remain a member of the Association and be subject to the Memorandum of Incorporation (“MOI”) of the Association and all rules and guidelines issued in terms thereof, until such owner ceases to be an owner of the property.
 3. The owner of the property shall not be entitled to transfer the property without a clearance certificate issued by the Association stating that-
 - (a) the owner of the property has discharged all of its financial obligations to the Association in respect of the period up to and including the date specified in such certificate; and
 - (b) the owner of the property has complied with all of its obligation to the Association in terms of the MOI of the Association and all rules and guidelines passed by the directors of the Association in terms thereof; and
 - (c) the Association consents to the transfer of the property.

4. 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

- (a) The erven lies in an area where soil condition can affect buildings and structures and result in damage to them. Building plans submitted to the Local Authority must show measures to be taken, in

accordance with recommendations contained in the (Comprehensive) Engineering-Geological Report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions unless it is proved to the Local Authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means. The NHBRC classification is considered as being C1-C2/H1/R for foundations.

(b)(i) 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.

(ii) 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.

(iii) 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) ERVEN 46 AND 47

i) The erven are subject to a 2m wide servitude for municipal purposes in favour of the local authority, as indicated on the General Plan.

ii) The erven are subject to servitudes for storm water purposes in favour of the local authority, as indicated on the General Plan.

(3) ERF 46

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

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

iii) The erf is subject to a 5m wide electrical 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

Each and every owner of the erf 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 Meadow Homeowners Association RF NPC 2014/166154/08, incorporated for the purpose of 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.

LOCAL AUTHORITY NOTICE 676**LOCAL AUTHORITY NOTICE 277 OF 2015****MODDERFONTEIN TOWN PLANNING SCHEME, 1994: AMENDMENT SCHEME 11-11262**

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 13.

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.

This amendment is known as Amendment Scheme 11-11262

XXXXXXXXXXXXXXXXXXXX

H B Makhubo: Deputy Director: Legal Administration
City of Johannesburg Metropolitan Municipality
Notice No.277/2015
Date: 5 May 2015

PLAASLIKE BESTUURSKENNISGEWING 676**PLAASLIKE BESTUURSKENNISGEWING 277 VAN 2015****MODDERFONTEIN DORPSBEPLANNINGSKEMA, 1994: WYSIGINGSKEMA 11-11262**

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 13 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.

Hierdie wysiging staan bekend as Wysigingskema 11-11262

XXXXXXXXXXXXXXXXXXXX

H B Makhubo: Adjunk Direkteur: Regsadministrasie
Stad van Johannesburg Metropolitaanse Munisipaliteit
Kennisgewing Nr 277/2015
Datum: 5 Mei 2015

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