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Government Printing Works

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take note!

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GPW has a **2-working day turnaround time for processing notices** received according to the business rules and deadline submissions.

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- Single notice, single email – with proof of payment or purchase order.
- All documents must be attached separately in your email to GPW.
- 1 notice = 1 form, i.e. each notice must be on a separate form
- Please submit your notice **ONLY ONCE**.
- Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 629 OF 2016**EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK CUSTOMER CARE CENTRE)
DECLARATION AS AN APPROVED TOWNSHIP**

IN TERMS OF SECTION 103(1) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986), THE EKURHULENI METROPOLITAN MUNICIPALITY (KEMPTON PARK CUSTOMER CARE CENTRE) HEREBY DECLARES **WITFONTEIN EXTENSION 77** 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 CATERPILLAR (AFRICA) PROPRIETARY LIMITED REGISTRATION NUMBER 1962/002063/07 (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP KNOWN AS WITFONTEIN EXTENSION 77 SITAUTED ON PORTION 133 (A PORTION OF PORTION 28) OF THE FARM WITFONTEIN 15 IR HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be **Witfontein Extension 77**.

1.2 DESIGN

The township shall consist of erven and streets as indicated on the General Plan S.G. No.890/2016.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing title conditions and servitudes, if any,

(a) but excluding the following, which do not affect the township due to its locality:

A. *Die voormalige resterende gedeelte van die gemelde plaas, groot as sodanig 1723,5742 (EEN DUISEND SEWE HONDERD DRIE EN TWINTIG komma VYF SEWE VIER TWEE) hektaar (waarvan die eiendom hiermee getransporeer deel uitmaak), is onderworpe aan 'n reg ten gunste van die VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED om elektrisiteit te vervoer oor hierdie eindom soos meer ten volle sal blyk uit Notariële Akte Nr. 646/1928 S.*

B. *Die voormalige resterende gedeelte van die gemelde plaas, groot as sodanig 1691,3170 (EEN DUISEND SES HONDERD EEN EN NEGENTIG komma DRIE EEN SEWE NUL) hektaar (waarvan die eiendom hiermee getransporeer 'n deel uitmaak), is onderworpe aan die reg aan die Elektrisiteitsvoorsieningskommissie om elektrisiteit oor die gemelde eiendom te vervoer langs sodanige lyn as wat op gemelde L.G. kaart Nr. A1772/1967 aangedui word deur die figuur X'Y tesame met bykomende regte en soos meer ten volle sal blyk uit Notariële Akte Nr. 789/1959-S gedateer 29 Julie 1959.*

C. *Kragtens Notariële Akte Nr. 193/1965-S gedateer 22 Januarie 1965 is die voormalige resterende gedeelte van die gemelde plaas, groot as sodanig 1691,3170 (EEN SES NEGE EEN komma DRIE EEN SEWE NUL) hektaar (hierna genoem die dienende eiendom) waarvan die gedeelte hiermee getransporeer, deel uitmaak:*

- a) *Onderhewig aan 'n ooreenkoms betreffende waterverdeling met sekere Gedeelte D van die plaas Witfontein voormeld, (hierna die heersende eiendom), gehou kragtens Transportakte Nr. 907/1934, gedateer 1 Februarie 1934, in terme waarvan vanaf Maandagoggend om sesuur voormiddag in elke week die eienaar van die dienende eiendom geregtig sal wees om die water in die hiernavermelde watervoor te neem en sal die eienaar van die heersende eiendom geregtig wees om vanaf sesuur voormiddag Donderdagoggend tot sesuur voormiddag Sondagoggend in elke week die water in die gemelde voor te neem. Vir die oorblywende dag van elke week vanaf sesuur voormiddag Sondagoggend tot sesuur voormiddag Maandagoggend, sal die partye die water ongehinderd in die spruit laat vloei met die reg aan die eienaar van die dienende eiendom om na gelang van die toestand van die vlei, die water so af te keer dat dit of in die vlei of laer af in die spruit ingekeer word.*
- b) *Ten einde die eienaar van die heersende eiendom in staat te stel om water vanaf die stuwal na die heersende eiendom te neem, verleen die eienaar van die dienende eiendom aan die eienaar van die heersende eiendom 'n serwituut van waterleiding langs die bestaande watervoor aangedui deur die lyn A'B' op Kaart Nr. L.G. 2905/1953 geheg aan Notariële Akte Nr. 193/1965-S en op Kaart Nr. L.G. 2453/1983 deur die figuur S1 geheg aan Grondbrief gedateer 11 Julie 1859. Die gemelde watervoor sal nie wyer as die huidige wydte gemaak word tensy die partye skriftelik andersins ooreenkom. Die bestaande afmetings van die gesementeerde gedeelte van die voor is 39,37 sentimeter wyd op die bodem, 49,53 sentimeter wyd bo en 35,56 sentimeter diep.*
- c) *Elk van die partye sal verantwoordelik wees vir die instandhouding van een-helfte van die gemelde watervoor, te wete, die eienaar van die heersende eiendom vir helfte nader aan haar eiendom geleë en die eienaar van die dienende eiendom die ander helfte wat strek tot by die stuwal. Die eienaar van die heersende eiendom en/of haar werknemers sal te alle tye toegang tot die betrokke voor hê om haar regte en verpligtinge uit te oefen. Die partye sal gesamentlik verantwoordelik wees vir die herstel en instandhouding van die bogenoemde stuwal, wanneer nodig.*
- d) *Die partye wie se beurt aanbreek sal die sluise verander sodat die water vir haar eiendom aangewend word en die plig om die verandering aan te bring wanneer die beurt omruil, sal nie op die persoon rus wie se beurt dan verstreke is nie.*
- D *Die voormalige resterende gedeelte van die gemelde plaas groot 1691,3170 (EEN DUISEND SES HONDERD EEN EN NEGENTIG komma DRIE EEN SEWE NUL) hektaar, waarvan die eiedom hiermee getranspoteer deel uitmaak, is onderhewig aan 'n ondergrondse elektriese kabelroete 3,15 meter wyd ten gunste van die Regering van die Republiek van Suid-Afrika (in sy Spoorweë en Hawens Administrasie), tesame met sodanige bykomstige regte soos meer ten volle sal blyk uit Notariële Akte van Serwituut Nr. 1071/1953-S gedateer 14 November 1953.*

- E Die voormalige RESTANT VAN GEDEELTE 28 VAN DIE PLAAS WITFONTEIN NO. 15 GROOT 538,7373 (VYF DRIE AGT komma SEWE DRIE SEWE DRIE) HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n deel uitmaak) is onderhewig aan 'n ewigdurende serwituut van reg van weg en vrye en onbelemmerde toegang, vier meter breed soos meer volledig sal blyk uit Notariële Akte van Serwituut Nr. K.2661/1978-S gedateer 1 November 1978.
- F Kragtens Notariele Akte van Serwituut Nr. K.2051/1984S is die voormalige RESTANT VAN GEDEELTE 28 VAN DIE PLAAS WITFONTEIN NO. 15, GROOT 530,8440 (VYF DRIE NUL komma AGT VIER VIER NUL) HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n deel uitmaak), onderhewig aan ewigdurende serwitute vir:
- (i) Die installering en onderhoud van 'n rioolpylyn;
en
 - (ii) Die installering en onderhoud van watergeleiding ten gunste van die Stadsraad van Kempton Park soos meer volledig sal blyk uit gemelde Notariele Akte met kaarte daarby aangeheg.
- G The former REMAINING EXTENT OF PORTION 28 OF THE FARM WITFONTEIN NO. 15, REGISTRATION DIVISION I.R., PROVINCE OF GAUTENG IN EXTENT 530,8440 (FIVE HUNDRED AND FIFTY) comma EIGHT FOUR FOUR ZERO) HECTARES, (whereof the withinmentioned property forms a part) is subject to the following servitudes:
- (i) BY virtue of Notarial Deed No. K9504/2007S dated 1 November 2007 the withinmentioned property is subject to a pipeline servitude already laid and which may hereafter be laid along a strip of ground 1860 (ONE THOUSAND EIGHT HUNDRED AND SIXTY) square metres in extent as depicted by the figure ABCD on servitude diagram No. S.G. 8513/1999 in favour of Rand Water Board. As will more fully appear from the said Notarial Deed.
 - (ii) BY virtue of Notarial Deed No. K3965/2010S dated 13 September 2006 the withinmentioned property is subject to an outfall sewer line servitude, 5 (FIVE) metres wide, which centre line is depicted by the line ab on servitude diagram No. S.G. 2115/2000, annexed to the said Notarial Deed, in favour of the Local Authority. As will more fully appear from the said Notarial Deed.
 - (iii) BY virtue of Notarial Deed No. K5309/2012S dated 20 September 2012 the withinmentioned property is subject to a right-of-way servitude for access and services 4,1551 (FOUR comma ONE FIVE FIVE ONE) hectares in extent, in favour of the Local Authority over the REGISTERED PROPERTY, which servitude is indicated by the figure ABCDEFGHJKLMNPQRST on servitude diagram S.G. No. 4859/2011 annexed to said Notarial Deed. As will more fully appear from the said Notarial Deed, which servitude has ancillary rights."
- (b) including the following condition which affects all the erven in the in the Township.
- "H AND FURTHER SUBJECT to the following special conditions imposed in favour of RIVERFIELDS MANAGEMENT ASSOCIATION (RF) NPC:
- (i) Every Owner of the property, or of any subdivision thereof, or any person who has an interest therein shall become and remain a Member of the Riverfields Management Association and be subject to its constitution until he\she ceases to be an owner as aforesaid. Neither the property nor any subdivision thereof nor any

interest therein shall be transferred to any person who has not bound himself/herself to the satisfaction of the Riverfields Management Association to become a Member of the Association.

(ii) The owner of the property, or of any subdivision thereof, or any person who has an interest, shall not be entitled to transfer the property or any subdivision thereof or any interest without a clearance certificate from the Association that the provisions of the Articles of Association of the Riverfields Management Association have been complied with.

(iii) The term "Association" in the aforesaid conditions of the title shall mean the RIVERFIELDS MANAGEMENT ASSOCIATION (RF) NPC (a Home Owners Association, established in terms of Item 1(1) of Schedule 1 of the Companies Act, Act 71 of 2008.)"

1.4 ENDOWMENT

No endowment is payable to Council for parks and public open spaces.

1.5 PRECAUTIONARY MEASURES

The township owner shall at his own expense make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report of the township must be complied with and, when required, engineer certificates for the foundations of the structures must be submitted.

1.6 ACCESS

No ingress or egress to erven in the township shall be allowed from Road P157-2 (R21) and K60 (Road P90-1).

1.7 ENGINEERING SERVICES

- (i) The applicant shall be responsible for the installation and provision of internal engineering services.
- (ii) Once water, sewer and electrical networks have been installed, same will be transferred to the Local Council, free of cost, who shall maintain these networks

1.8 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.

1.9 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the existing road and storm water infrastructure in the vicinity and for all storm water running off or diverted from the roads to be received and disposed of.

1.10 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.

- 1.11 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES**
Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.
- 1.12 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES**
Should it become necessary to remove and/or replace any existing TELKOM services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.
- 1.13 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDARD)**
The township owner shall at his own expense comply with all the conditions imposed by GDARD, which has given conditional approval for the development of the township, as will more fully appear in "Environmental Authorisation" dated 2 March 2015, with reference GAUT002/13-14E0106.
- 1.14 PRECAUTIONARY MEASURES**
The township owner shall at his own expense, ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.
- 1.15 NOTARIAL TIE OF ERVEN**
Erven 1855 and 1856 shall be notarialy tied on proclamation of the township.

2 CONDITIONS OF TITLE

CONDITIONS IMPOSED BY THE EKURHULENI METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

- 2.1 All Erven**
- (a) The erf is subject to a servitude, 2 metres wide, in favour of the Local Authority, for sewerage and other municipal purposes, along any two boundaries of the erf 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.
- (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 two metres thereof.
- (c) The Local Authority shall be entitled to temporarily deposit 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 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 process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Local Authority.

2.2 Erf 1856

The erf is subject to a servitude of right of way and municipal purposes in favour of the local authority as indicated on the general plan

Khaya Ngema: City Manager, Ekurhuleni Metropolitan Municipality,
Private Bag X1069 Germiston, 1400

**EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK CUSTOMER CARE CENTRE)
EKURHULENI TOWN PLANNING SCHEME 2014: AMENDMENT SCHEME K0239**

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of Ekurhuleni Town-Planning Scheme 2014, comprising the same land as included in the township of **Witfontein Extension 77**.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: Mr. Tshepo Ramokoka, Kempton Park Civic Centre; as well as at the Gauteng Provincial Government, Office of the Premier, Gauteng Planning Division.

This amendment scheme is known as Ekurhuleni Amendment Scheme K0239

Khaya Ngema: City Manager, Ekurhuleni Metropolitan Municipality,
Private Bag X1069 Germiston, 1400.

Notice No. DP.19.2016 [15/7/3/W5x77]

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