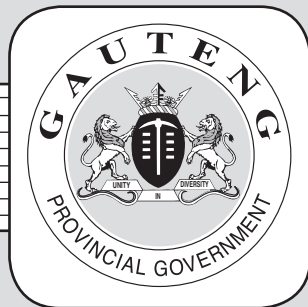


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE VAN
GAUTENG**

Provincial Gazette Provinsiale Koerant

EXTRAORDINARY • BUITENGEWOON

Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

Vol. 23

PRETORIA
21 JULY 2017
21 JULIE 2017

No. 182

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4525



9 771682 452005

00182



IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

CONTENTS

	<i>Gazette</i>	<i>Page</i>
	<i>No.</i>	<i>No.</i>
LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS		
998	Development Facilitation Act, 1995: Case No. GDT/LDA/CJMM/0607/032	182 3

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 998 OF 2017**NOTICE IN TERMS OF SECTION 33(4) OF THE DEVELOPMENT FACILITATION ACT, 1995:
CASE NO. GDT/LDA/CJMM/0607/032**

Notice is hereby given in terms of the provisions of Section 33(4) of the Development Facilitation Act, 1995 (Act No 67 of 1995) read with Section 60(2) of the Spatial Planning and Land Use Management Act, 2013, that the applicant has complied with the conditions approved by the Gauteng Development Tribunal for the land development application known as Witkoppen Extension 53 comprising of 35 residential erven numbered 1620 to 1654 and an access erf numbered 1655, situated on the Remaining Extent of Portion 415 of the farm Witkoppen No 194-IQ. The said township and related Amendment Scheme, Amendment Scheme 02-7083 shall come into effect on the date of this notice. The approval includes the following conditions:

1. CONDITIONS TO BE COMPLIED IN THE ESTABLISHMENT OF THE DEVELOPMENTAL AREA**a) Name:**

The name of the developmental area shall be Witkoppen Extension 53.

b) Design

The development area shall consist of erven and internal private roadways as indicated on the approved layout plan GDT/LDA/CJMM/0607/04/032/plan 01 and General Plan SG 2729/2006.

c) Open Space Endowment

The applicant is required to pay an amount in lieu of the provision of open space determined in the Record of Decision of the Tribunal, subject to escalation.

d) Disposal of Existing Conditions of Title

All erven in the development area shall be made subject to and where relevant entitled to existing conditions and servitudes if any.

e) Formation, Duties and Responsibilities of the Homeowners Association

- i. The applicant shall, by registration of a Section 21 Company, constitute a homeowners association to the satisfaction of the local authority, prior to the transfer of any erf.
- ii. Erf 1655 shall, prior to or simultaneously with the registration of the first erven in the development area be transferred to the homeowners association, which association shall take full responsibility for the maintenance of such erf.
- iii. The applicant shall, to the satisfaction of the local authority, construct access ways and related engineering services over Erf 1655 and then transfer such infrastructure to the homeowners association who shall be responsible for the ongoing maintenance thereof.
- iv. Owners of erven in Witkoppen Extension 53 or any subdivision thereof or any sectional title unit thereon or of any interest therein, shall automatically become and shall remain members of the homeowners association and be subject to its memorandum and articles until such owner cease to be an owner as aforesaid. None of the said erven nor any unit erected thereon nor any interest therein, shall be transferred to any person who has not bound himself/herself/itself to the satisfaction of the homeowners association to become a member thereof and without the prior written confirmation of the homeowners association that all amounts due to the homeowners association by the owner had been paid in full.

- v. The applicant must register the Section 21 Company (homeowners association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered deed of association (CM 4) and the Company Statutes must be submitted to the local authority. The association and statutes must clearly state that the main objective of the homeowners association is the maintenance of the internal engineering services of the development (i.e. water, sewage, electricity and road and stormwater) and that the local authority shall not be liable for the malfunctioning of the surfacing of the access way and the essential services located within the property of the homeowners association.

2. CONDITIONS OF TITLE

The following conditions shall be registered against the title of each of the identified erven in the development area:

a) All erven

- i. The erf is subject to a servitude, 2m wide, in favour of the Municipality, for sewerage and other engineering services, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal services, 1m wide across the access portion of the erf, if and when required by the Municipality: Provided that the Municipality 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 Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude area any material as may be excavated by them during the course of the construction, maintenance or removal of such 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 works being made good by the Municipality.

b) Erf 1655

The erf is subject to a servitude over its entire extent in favour of all other erven in Witkoppen Extension 53, the Municipality and other service providers for right of way access and the conveyance of engineering services, as indicated on the General Plan.

Hector Bheki Makhubo

Deputy Director: Legal Administration

City of Johannesburg Metropolitan Municipality

Notice No. T107/2017

Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,
for the **Gauteng Provincial Administration**, Johannesburg.

Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065