

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 15

**PRETORIA, 4 FEBRUARY
FEBRUARIE 2009**

No. 328

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 202

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 Extension 10 to be an approved township subject to the conditions as set out in the Schedule hereto:

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE WESTONARIA LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 4 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 11 OF THE FARM PANVLAKTE 291 IQ, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township is Westonaria Extension 10.

(2) DESIGN

The township shall consist of erven and street as indicated on plan 4467/1996.

(3) AMENDMENT OF TOWN PLANNING SCHEME

The township owner shall take the necessary steps to have the town-planning scheme amended by including the township herein.

(4) LAND FOR MUNICIPAL PURPOSES

Erf 3916 shall be reserved by the township owner as a park.

2. CONDITIONS OF TITLE

(1) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes , if any, including the reservation of rights to minerals and real rights, but:

(a) excluding servitude no K1721 / 1985s which affects only erf 3796 and a street in the township, and

(b) By virtue of Notarial Deed of Servitude K2152 /95s dated 15-3-95 the owner of the withinmentioned property has agreed to grant the Western Areas Gold Mining Company Limited the right to withdraw support from the property and certain other rights, all as will more fully appear from the said Notarial Deed.

(c) excluding the following servitudes which do not affect the township area because of the location thereof:

A. BY NOTARIAL DEED 882 / 1940S the right has been granted to Electricity Supply Commission to convey electricity over the said farm (portion whereof is hereby transferred) together with ancillary rights subject to conditions as will more fully appear from the said Deed. The route thereof has been defined and shown by the line ab on Diagram A7402 / 38, annexed to aforesaid Notarial Deed.

B.II. The former Remaining Extent of the aforesaid farm Panvlakte, measuring as such 3592, 2037 hectares (a portion whereof is hereby transferred is subject to the following conditions:-

1. By virtue of Notarial Deed of servitude No K3207 / 1976S; and
2. By virtue of Notarial Deed of Servitude No K3208 / 1976S

The right has been granted to ESKOM to convey electricity over the property together with ancillary rights and subject to conditions as will more fully appear on reference to the aforesaid Deeds.

B.III.1 By virtue of Notarial Deed of Servitude No K1657 / 1982s-

III.1 (a) The right has been granted to Eskom to convey electricity over the property together with ancillary rights and subject to conditions as will more fully appear on reference to the aforesaid Deed. The centre line of the overhead electricity power line with underground cables traverses the property along the route indicated by the line Aba on Diagram 2006/72.

(b) To cancel Notarial Deed of Servitude as far as indicated by the line kh on Diagram 1577 / 59 annexed to Notarial Deed K3207 / 1976.

B.III.2. By virtue of Notarial Deed K1658 / 1982S the right has been granted to ESKOM to convey electricity over the said property together with ancillary rights and subject to condition as will more fully appear on reference to the said Deed.

B. III.3 By virtue of Notarial Deed of Servitude No K2426 / 1983S the right has been granted to Eskom to erect a substation on the property together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

B. III. 4 By virtue of Notarial Deed K 2427 / 1983S the right has been granted to Eskom to convey electricity over the said property together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

B III.5 By virtue of Notarial Deed K836 / 1984S the right has been granted to ESCOM to convey electricity over the said property together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

B.V By Notarial Deed K1154/90 the right has been granted to ESKOM to convey electricity over the Remaining Extent of the said farm measuring 3530,3817 hectares (a portion whereof is hereby transferred) together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed, and

(d) excluding the following conditions which are not applicable:

VI (a) The land is sold to the Transferee for the purpose of township development and for use as an old age home and shall not be used for any other purpose without the prior written consent of RANDFONTEIN ESTATES.

VI. (b) Notwithstanding the provisions of the Fencing Act No. 31 / 1963 as amended, the Transferee shall be solely responsible for the erection and maintenance of suitable fencing on the common boundary of the land and the said farm, provided that upon transfer to a third party of any adjoining portion of the said farm this condition shall lapse insofar as concerns the common boundary with such adjoining portion.

- VI (c) the foregoing conditions (a) to (b) are made and imposed for the benefit of and shall be enforceable or may be waived or relaxed by RANDFONTEIN ESTATES or its successors-in-title to the rights as contained therein, or to the right to enforce the said conditions, or its or their assigns, and it/they shall at all times in their absolute discretion be entitled to allow any third party/ies to participate either jointly or severally in the said rights. In particulars and without limitation to the foregoing,

RANDFONTEIN ESTATES shall be entitled to require the Council to grant and register a servitude in favour of the Western Areas Gold Mining Company Limited (Company Registration No 59 03209 06), mutatis mutandis in accordance with the provisions of clause (a)(ii) above, should RANDFONTEIN ESTATES in its sole discretion and at any time after registration of transfer of the Land consider this to be necessary or desirable. RANDFONTEIN ESTATES or its successors-in-title and its/their assigns shall, in addition, at all times be entitled to lease, cede or assign, its/their rights, wholly or in part, to any third party/ies.

- VI (e) The foregoing reservation is made subject to condition (c) more fully set out above.

2. GENERAL

- (a) In order to deal with rain water run off from the roofs of structures, the following must be adhered to:-
 - If guttering is required, the down-pipes should discharge into a line or precast furrow. This furrow should discharge the water at least 1,5m away from the structure.
 - If no guttering is utilized then a 1,5m sealed surface must be cast along those walls of the structure where water will be discharged from the roof. Roof water will cascade off this sloping roof onto the slab and be distributed away from the foundations.
 - (b) Water-borne sewerage reticulation must be installed.
 - (c) Storm water pipes and channels must be constructed of non-erodible materials and jointed in such a way as to minimize water ingress into the underlying soils.
 - (d) Where entering buildings, pipes must be kinked with a Z to allow for relative movement.
 - (e) All laid drainage and sewerage pipes must be tested for leakage using the air test at installation, and thereafter at regular intervals.
 - (f) All trenches and excavation works must be properly backfilled and compacted.
3. Erven 3794, 3795 and 3796 are subject to a three (3) meter wide servitude wide for the purposes of a water pipeline to be registered in favour of the local authority
4. Erf 3796 is subject to a servitude four (4) meters by five (5) meters for the purposes of an electrical sub-station to be registered in favour of the local authority.

3. CONDITIONS IMPOSED BY THE MINISTER OF MINERAL AND ENERGY AFFAIRS IN TERMS OF THE PROVISION OF SECTION 184 (2) IF THE MINING RIGHTS ACT NO 20 OF 1967

All erven shall be subject to the following condition:

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

4. CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986)

- (a) The erf is subject to servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along 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 boundaries 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.
- (d) 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 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

**M. G. SEITISHO
MUNICIPAL MANAGER
WESTONARIA LOCAL MUNICIPALITY**

LOCAL AUTHORITY NOTICE 203

WESTONARIA TOWN PLANNING SCHEME, 1981: AMENDMENT SCHEME 98

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 Extension 10, 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 Head of Department, Corporate Services, Westonaria, 1st Floor, Municipal Offices, Westonaria and are open for inspection at all reasonable times.

The date this scheme will come into operation is 4 February 2009.

This amendment is known as the Westonaria Amendment Scheme 98

**M. G. SEITISHO
MUNICIPAL MANAGER
WESTONARIA LOCAL MUNICIPALITY**