

***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
12 OCTOBER 2017
12 OKTOBER 2017

No. 250

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ISSN 1682-4525



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 1563 OF 2017**RIVERSIDE VIEW EXTENSION/UITBREIDING 80**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Riverside View Extension 80** to be an approved township subject to the conditions set out in the Schedule hereunder.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY CENTURY RIVERSANDS DEVELOPMENT (PROPRIETARY) LIMITED REGISTRATION NUMBER: 2009/022660/07 (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 558 (A PORTION OF PORTION 7) OF THE FARM DIEPSLOOT NO. 388, REGISTRATION DIVISION J.R., GAUTENG PROVINCE HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT.**(1) NAME**

The name of the township is Riverside View Extension 80.

(2) DESIGN

The township consists of erven and roads as indicated on General Plan No.1228/2017.

(3) DESIGN AND PROVISION OF ENGINEERING SERVICES IN AND FOR THE TOWNSHIP

- (a) The township owner shall, to the satisfaction of the local authority, make the necessary arrangements for the design and provision of all engineering services of which the local authority is the supplier.
- (b) The township owner shall not install or construct any engineering services unless the necessary written agreement has been entered into with the local authority, after proclamation of the township.
- (c) Failure by the township owner to enter into the agreement contemplated in (b) above, shall result in the forfeiture of the off-setting of external contributions payable and any claims against the local authority, resulting from the installation of the bulk infrastructure.

(4) ELECTRICITY

The local authority is not the bulk supplier of electricity to or in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make the necessary arrangements with ESKOM, the licensed supplier of electricity for the provision of electricity.

(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)

Should the development of the township not been commenced with before 18 February 2018 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.

(6) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)

(a) Should the development of the township not been completed before 20 October 2023 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).

(c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township, No.03-9370/1/3. The erection of such physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.

(d) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 21 October 2013.

(7) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Roads and Transport.

(b) No access to or egress from the township shall be permitted via the lines of no access as indicated on the approved layout plan of the township No.03-9370/1/3.

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

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

(9) 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.

(10) 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.

(11) 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.

(12) **RESTRICTION ON THE TRANSFER OF AN ERF/ERVEN**

Erf 4228 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to TP Hentiq 6422 NPC Registration Number: 2011/008012/08 which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the engineering services within the said erf. All refuse, building rubble and/or other materials shall be removed from the erf/erven prior to the transfer thereof to the mentioned Association.

(13) **OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND INSTALLATION OF ENGINEERING SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OR TRANSFER OF ERVEN**

(a) The township owner shall, after compliance with clause 2.(3) above, at its own costs and to the satisfaction of the local authority, construct and install all engineering services including the internal roads and the stormwater 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, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been constructed and installed.

(b) The township owner shall fulfil its obligations in respect of the installation of water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as agreed between the township owner and the local authority in terms of clause 2.(3) above. 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, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the engineering services have been submitted or paid to the said local authority.

(c) The township owner shall submit to the local authority, a certificate issued by ESKOM that acceptable financial arrangements with regard to the supply of electricity, have been made by the township owner to the local authority. 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 such certificate had been issued by ESKOM.

(14) **OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES**

The township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the constructed/installed services. 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, 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 which does affect Erf 4227 in the township only:

- (a) By Notarial Deed No 195/1953s dated 5 February 1953 the within mentioned property is subject to a perpetual right of way in favour of the City of Johannesburg as will more fully appear from reference to the said Notarial Deed and indicated on Diagram S.G. No A8057/1951 which affects Erf 4227 in the township only.

B. Excluding the following which do not affect the township due to its locality:

- (a) By Notarial Deed No 1002/1955S the right has been granted to Escom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to said Notarial Deed and diagram.

- (b) By Notarial Deed No. K690/1962 the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear from reference to the said Notarial deed.
- (c) By virtue of Notarial Deed No K1278/1963S dated 19 June 1963 the within mentioned property is subject to a servitude of right of way to convey and transmit electrical impulses changes or currents through signal cables in favour of the City Council of Johannesburg, as will more fully appear from the said Notarial Deed.
- (d) By Notarial Deed No. 134/1965 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed and Diagram.
- (e) By Notarial Deed No. K2951/2013S dated 21 September 2012 the withinmentioned property is subject to a personal servitude in favour of the Inanda Club of use in perpetuity for access purpose (including ancillary rights) over portions of the property with the other servitude areas and to the Century Property Facilities (as more fully defined in the said Notarial Deed), the routes of which is/are to be determined at a later date in terms hereof ("the Access Servitude Area") as will more fully reflect from the said notarial Deed of Servitude."

C. Including the following which does affect all erven in the township:

- (a) By Notarial Deed No. K1476/2013S the right has been granted to Eskom to convey electricity over the property hereby conveyed with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial deed and diagram.

3. 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 in the township lie in an area where soil conditions can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of the buildings and structures must be designed by a competent professional Engineer unless it can be 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 C2/S2 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) ERF 4228

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

B. Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.

(1) ERF 4227 (EXCEPT ERF 4228)

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 TP Hentiq 6422 NPC Registration Number : 2011/008012/08, incorporated for the purpose of the community scheme ("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.

C. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.

(1) ERF 4227

(a) The registered owner of the erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erf boundary abutting Road PWV 5.

(b) Except for the physical barrier referred to in clause (a) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erf within a distance less than 20m for single storey and 30m for double storey buildings from the boundary of the erf abutting Road PWV 5 neither shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).

B. 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 Peri-Urban Area Town Planning Scheme, 1975, comprising the same land as included in the township of **Riverside View Extension 80**. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 03-93370/1.

PLAASLIKE OWERHEID KENNISGEWING 1563 VAN 2017

- C. Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad van Johannesburg Metropolitaanse Munisipaliteit hiermee die dorp **Riverside View Uitbreiding 80** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

BYLAE

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR CENTURY RIVERSANDS DEVELOPMENT (EIENDOMS) BEPERK REGISTRASIE NOMMER: 2009/022660/07 (HIERNA DIE DORPSEIENAAR 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 558 ('N GEDEELTE VAN GEDEELTE 7) VAN DIE PLAAS DIEPSLOOT NR. 388, REGISTRASIE AFDELING J.R., GAUTENG PROVINSIE GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is **Riverside View Uitbreiding 80**.

(2) ONTWERP

Die dorp bestaan uit erwe en 'n straat soos aangedui op Algemene Plan LG Nr 1228/2017.

(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE

(a) Die dorpseienaar moet tot bevrediging van die plaaslike bestuur, die nodige reëlins met die plaaslike bestuur tref vir die ontwerp en voorsiening van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is.

(b) Die dorpseienaar sal nie voortgaan met die konstruksie of installeering van enige ingenieursdienste tensy die nodige geskrewe ooreenkoms aangegaan is met die plaaslike bestuur na proklamasie van die dorp nie.

(c) Indien die dorpseienaar versuim om sodanige ooreenkoms aan te gaan soos vermeld in (b) hierbo, sal dit tot lei tot die verbeuring van die kompensasië vir eksterne bydraes betaalbaar en enige eise teen die plaaslike bestuur wat mag ontstaan as gevolg van die installeering van die oorhoofse infrastruktuur.

(4) ELEKTRISITEIT

Die plaaslike bestuur is nie die grootmaatverskaffer van elektrisiteit aan of in die dorp nie. Die dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie 15 van 1986), die nodige reëlins tref met ESKOM, die gelisensieëde verskaffer, vir die voorsiening van elektrisiteit.

(5) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN LANDBOU EN LANDELIKE ONTWIKKELING)

Indien die ontwikkeling van die dorp nie voor 18 Februarie 2018 in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou en Landelike Ontwikkeling vir magtiging ingevolge die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), soos gewysig.

(6) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)

(a) Indien die ontwikkeling van die dorp nie voor 20 oktober 2023 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer 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 bepalinge van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

(c) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 11-11261/2, oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(d) Die dorpseienaar moet voldoen aan die vereistes van die Departement soos uiteengesit in die Departement se skrywe gedateer 5 November 2009.

(7) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Roads Agency (Edms) Bpk en/of die Departement van Openbare Vervoer, Paaie en Werke.

(b) Geen toegang tot of uitgang vanuit die dorp, sal toegelaat word via die lyn/lyne van geen toegang, soos aangedui op die goedgekeurde uitlegplan van die dorp Nr 03-9370/1/3

(8) ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpseienaar moet reël dat die stormwaterdreinerings van die dorp inpas by dié van die aangrensende pad/paaie en dat alle stormwater wat van die pad/paaie afloop of afgelei word, ontvang en versorg word.

(9) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(10) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE

Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, TELKOM en/of ESKOM dienste te verwyder of te vervang, moet die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(11) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op sy eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot die tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(12) **BEPERKING OP DIE OORDRAG VAN 'N ERF/ ERWE**

Erf 4228 moet voor of gelyktydig met registrasie van die eerste oordrag van 'n erf/eenheid in die dorp en op koste van die dorpseienaar, slegs aan TP Hentiq 6442 NPC registrasie nommer: 2011/008012/08 oorgedra word, welke Vereniging volle verantwoordelikheid sal dra vir die funksionering en behoorlike instandhouding van die gemelde erf/erwe en die ingenieursdienste binne die gemelde erf/erwe, tot die tevredenheid van die plaaslike bestuur.

(13) **VERPLIGTINGE TEN OPSIGTE VAN DIE KONSTRUKSIE EN INSTALLERING VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING OF OORDRAG VAN ERWE**

(a) Die dorpseienaar moet nadat hy voldoen het aan die vereistes van klousule 1(3) hierbo, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstruktuer, insluitend die interne paaie en die stormwaterretikulasie. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste voorsien en geïnstalleer is.

(b) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water en sanitêre ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom in terme van klousule 1(3) hierbo. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is nie.

(c) Die dorpseienaar moet 'n sertifikaat uitgereik deur ESKOM wat bevestig dat aanvaarbare finansiële reëlings met betrekking tot die voorsiening van elektrisiteit, getref is, by die plaaslike bestuur indien. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat sodanige sertifikaat deur ESKOM uitgereik is.

(14) **VERPLIGTINGE MET BETREKKING TOT DIE BESKERMING VAN INGENIEURSDIENSTE**

Die dorpseienaar sal op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle servitute opmeet en registreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

A. Uitgesluit die volgende voorwaarde wat slegs Erf 4227 in die dorp raak:

- (a) "By Notarial Deed No 195/1953s dated 5 February 1953 the within mentioned property is subject to a perpetual right of way in favour of the City of Johannesburg as will more fully appear from reference to the said Notarial Deed and indicated on Diagram S.G. No A8057/1951 which affects Erf 4227 in the township only."

B. Uitgesluit die volgende wat nie die dorp raak nie weens die ligging daarvan:

- (a) "By Notarial Deed No 1002/1955S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to said Notarial Deed and diagram.
- (b) By Notarial Deed No. K690/1962 the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear from reference to the said Notarial deed.
- (c) By virtue of Notarial Deed No K1278/1963S dated 19 June 1963 the within mentioned property is subject to a servitude of right of way to convey and transmit electrical impulses changes or currents through signal cables in favour of the City Council of Johannesburg, as will more fully appear from the said Notarial Deed.
- (d) By Notarial Deed No. 134/1965 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed and Diagram.
- (e) By Notarial Deed No. K2951/2013S dated 21 September 2012 the withinmentioned property is subject to a personal servitude in favour of the Inanda Club of use in perpetuity for access purpose (including ancillary rights) over portions of the property with the other servitude areas and to the Century Property Facilities (as more fully defined in the said Notarial Deed), the routes of which is/are to be determined at a later date in terms hereof ("the Access Servitude Area") as will more fully reflect from the said notarial Deed of Servitude."

C. Ingesluit die volgende wat al die erwe in die dorp raak:

- (a) "By Notarial Deed No. K1476/2013S the right has been granted to Eskom to convey electricity over the property hereby conveyed with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial deed and diagram."

3. TITELVOORWAARDES**A. Titelvoorwaardes opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).****(1) ALLE ERWE**

(a)(i) Die erwe is geleë in 'n area waar grondtoestande ernstige skade aan geboue en strukture kan aanrig. Ten einde sulke skade te beperk, moet fundamente en strukturele elemente van die geboue en strukture deur 'n bevoegde professionele ingenieur ontwerp en onder sy toesig opgerig word, tensy aan die plaaslike bestuur bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word. Die NHRR kode vir fundamente word geklassifiseer as C2-S2 .

(b)(i) Elke erf is onderworpe aan 'n serwituut 2m breed, ten gunste van die plaaslike bestuur, vir riolerings- en ander munisipale doeleindes, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.

(ii) Geen gebou of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 2m 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 goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(2) Erf 4228

Die totale erf is onderworpe aan 'n serwituut vir munisipale doeleindes en reg van weg ten gunste van die plaaslike bestuur soos op die algemene plan aangetoon.

B. Titelloorwaardes opgelê ten gunste van derde partye wat geregistreer /geskep moet word op die eerste registrasie van die betrokke erwe.

(1) ERF 4227 (BEHALWE ERF 4228)

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 TP Hentiq 6422 NPC Registrasie nommer: 2011/008012/08 en sal onderworpe wees aan sy Artikels en/of Memorandum van Assosiasie tot dat 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.

C. Titelloorwaardes opgelê deur die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinsiale Regering) ingevolge die bepalings van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001), soos gewysig:

(1) Erf 4227

(a) Die geregistreeerde eienaar van die erf, moet die fisiese versperring wat langs die erfrens aangrensend aan Provinsiale Pad PWV5 opgerig is, tot tevredenheid van die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinsiale Regering) instandhou.

(b) Behalwe vir die fisiese versperring waarna in klousule (a) hierbo verwys word, 'n swembad of enige noodsaaklike stormwaterdreineringsstruktuur, mag geen gebou, struktuur of ander ding wat aan die grond geheg is, selfs al vorm dit nie deel van die grond nie, opgerig word nie of sal niks gebou word op of gelê word binne of onder die oppervlakte van die erf binne 'n afstand van minder as 20m vir enkelverdieping en 30m vir dubbelverdieping vanaf die erfrense aangrensend aan Pad PWV5. Geen verandering of aanbouing mag aan enige bestaande struktuur of gebou geleë binne die vermelde afstand, gedoen word nie, behalwe met die skriftelike toestemming van die Departement van Openbare Vervoer, Paaie en Werke (Gauteng Provinsiale Regering).

D. 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 hy 'n wysigingskema synde 'n wysiging van die Peri-Urban Areas Dorpsbeplanningskema, 1975 wat uit dieselfde grond as die dorp **Westlake View Uitbreiding 12** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 03-9370/1

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr 129/2017

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

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