

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NOTICE 1026 OF 2018****RAND WEST CITY 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 Rand West City Local Municipality hereby declares the Township of Westonaria Borwa Extension 2 to be an approved township subject to the conditions as set out in the Schedule hereto:

**SCHEDULE**

**STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE WESTONARIA SOUTH PROPERTY HOLDING (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT) IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTIONS 44 AND 45 OF THE FARM PANVLAKTE 291-IQ, PROVINCE OF GAUTENG, HAS BEEN GRANTED**

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Westonaria Borwa Extension 2.

**1.2 DESIGN**

The township shall consist of erven, parks and streets as indicated on General Plan S.G. No. 3653/2015.

**1.3 ACCESS**

a) The township applicant shall at his own expense (if required), submit a geometric design layout plan of the ingress and egress points, and specifications for the construction of the accesses, to the Local Authority, for approval. The township applicant shall after approval of the layout and specifications, construct the said ingress and egress points at its own expense to the satisfaction of the Local Authority.

**1.4 ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township applicant shall arrange for the drainage of the township to fit in with that of existing roads and for all stormwater running off or being diverted from the roads to be received and disposed of.

**1.5 PRECAUTIONARY MEASURES**

The township owners shall with respect to the dolomite areas and at its own expense, make arrangements in order to ensure that –

- a) Water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen or to the satisfaction of the Town Engineer; and
- b) Trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.

**1.6 RESTRICTION OF THE DISPOSAL OF ERVEN**

The township applicant shall not offer for sale or alienate erven 2725 or 4478 within the period of six (6) months after the erven became registrable or approval/exemption has been granted by the Administrator, to any person or body other than the State unless the Department of Education has indicated in writing that the Department does not wish to acquire the erven.

**1.7 RESTRICTION ON THE SUBDIVISION OF ERVEN**

The layout plan of the township is in accordance with the provisions and requirements of the engineering geological report and no erf be subdivided without the written approval of the Council of Geoscience or their successors in title due to dolomite in the townships area.

**2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE****INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall install and provide appropriate, affordable and upgradable internal and external services in or for the township.

**3. DISPOSAL OF EXISTING CONDITIONS OF TITLE**

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

**3.1 But excluding the following which only affects the following erven in the township only:**

The following condition which only affects Erven 4583 (PARK), 4584 (PARK), 4585 (PARK), 4586 (PARK), Albert Luthule Avenue, Tsessesbe and Otter Streets in the township:

“By virtue of Notarial Deed of servitude K3207/1976S dated 9 November 1976 as amended by Notarial Deed of servitude K1657/1982S dated 23 June 1982, the right has been granted to ESKOM, in perpetuity to convey electricity over the property, the centre line of the electric power line servitude with underground cable 30,48 meters wide, of which is represented by the lines ab, cd, ef and gh on General Plan S.G. No. General Plan SG3653/2015, as will more fully appear from reference to the said Notarial Deeds.

**3.2 The following servitudes which do not affect the township due to its locality:**

By virtue of Notarial Deed of Servitude K2102/1988S dated 15 July 1988 the property hereby transferred is subject to the following servitude in favour of Rand West City Local Municipality:

- (i) A servitude of Right of Way as indicated by the figure Aabc on Diagram S.S. No. 1132/2004, and
- (ii) A servitude of Right of Way as indicated by the figure aBCDEFGHJdefghjklb in Diagram S.S. No. 1132/2004, as will more fully appear from reference to the said Notarial Deed.

**3.3 The following servitudes which do affect all the erven in the township, which will be made applicable to all the erven in the township:**

- (i) Notarial Deed of Servitude K1154/1930S dated 26 March 1990, including ancillary rights, in favour of Eskom to convey electricity.
- (ii) Notarial Deed of Servitude K1656/1982S dated 23 June 1982, including ancillary rights, in favour of Eskom to convey electricity.

- (iii) Notarial Deed of Servitude K1658/1982S dated 23 June 1982, including ancillary rights, in favour of Eskom to convey electricity.
- (iv) Notarial Deed of Servitude K2426/1983S dated 13 October 1983, including ancillary rights, in favour of Eskom to convey electricity.
- (v) Notarial Deed of Servitude K2427/1983S dated 13 October 1983, including ancillary rights, in favour of Eskom to convey electricity.
- (vi) Notarial Deed of Servitude K3208/1976S dated 9 November 1976, including ancillary rights, in favour of Eskom to convey electricity.
- (vii) Notarial Deed of Servitude K3613/1982S dated 28 December 1982, including ancillary rights, in favour of Eskom to convey electricity.
- (viii) Notarial Deed of Servitude K748/1995S dated 14 February 1995, including ancillary rights, in favour of Eskom to convey electricity.
- (ix) Notarial Deed of Servitude K836/1984S dated 1 March 1984, including ancillary rights, in favour of Eskom to convey electricity.
- (x) Notarial Deed of servitude K1247/2011 S by virtue of which the property shall not be transferred without the written consent of the Department of Local Government and Housing; Gauteng Province; which consent shall not be unreasonably withheld, as will more fully appear with reference to the aforesaid Notarial Deed of Servitude.

#### **4. CONDITIONS OF TITLE**

##### **4.1 CONDITIONS IMPOSED BY THE MINISTER OF MINERAL AND ENERGY AFFAIRS**

All erven shall be subject to the following condition:

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

##### **4.2 CONDITIONS AS INDICATED, LAID DOWN BY RAND WEST CITY LOCAL MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)**

All erven mentioned hereunder shall be subject to the conditions indicated:

###### **a) ALL ERVEN**

Due to dolomite in the township area, no erf be subdivided without the written approval of the council of Geoscience or their successors in title.

###### **b) ALL ERVEN**

- (i) The erf is subject to a servitude, 2 metres wide along any one boundary other than a street boundary in favour of the local authority for sewerage and other municipal purposes 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 relax or grant exemption from the required servitudes.
- (ii) No buildings or other structures may be erected within the aforesaid servitude area and not trees with large roots may be planted within the area of such servitude or within a distance of 1 metre thereof.

- (iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such materials which 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.
- (iv) The township is affected by dolomite and all conditions and precautions as outlined in the relevant geotechnical report/s must be adhered to.

## 5. ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out above, the under-mentioned erven shall be subject to the conditions as indicated:

**i) ERVEN 2754, 3741, 4323, 4325, 4327 AND 4347-4352**

The erf is subject to a building restriction area, as depicted on the General Plan due to adverse dolomitic conditions.

No buildings or other structure shall be erected within the aforesaid building restriction area.

No French drain shall be permitted on the erf.

All pipes which carry water shall be watertight and shall be provided with watertight flexible couplings.

The entire surface of the erf shall be drained to the satisfaction of the local authority in order to prevent surface water from damming up, and water from roof gutters shall be discharged away from the foundations.

Neither the owner nor any person shall sink any wells or boreholes under the erf or extract any subterranean water there from.

**ii) ERVEN 2816, 2817, 2786, 2787, 2833, 2834, 2907, 2908, 2974, 2975, 3049, 3050, 3106, 3107, 3177, 3178, 3184, 3185, 3257, 3270, 3349, 3350, 3470, 3471, 3506, 3507, 3602, 3603, 3650, 3651, 3688, 3689, 3718, 3719, 3883, 3884, 3965, 3966, 3982, 3983, 4066, 4067, 4101, 4102, 4254, 4255, 4266, 4267, 4353, 4360, 4361, 4373, 4406, 4407, 4430 AND 4431.**

The erf is subject to a 2m x 3m electrical servitude, as depicted on the General Plan.

**iii) ERVEN 2834, 2848, 2881, 2894, 3031, 3040, 3055, 3066, 3111, 3120, 3128, 3130, 3209, 3252, 3294, 3307, 3368, 3602, 3607, 3643, 3660, 3729, 3833, 4024, 4054, 4063, 4226, 4255, 4445, 4533, 4572 AND 4577**

The erven are subject to a 3m wide storm water servitude, as depicted on the General Plan.

**iv) ERVEN 4326, 4327, 4531, 4532 AND 4533**

The erven are subject to a 3m wide servitude for municipal services (storm water berm), as depicted on the General Plan.

**v) ERF 2750**

The erf is subject to a 3m wide electrical servitude in favour of the municipality, as depicted on the General Plan.

**THEMBA GOBA  
MUNICIPAL MANAGER  
RAND WEST CITY LOCAL MUNICIPALITY**

**WESTONARIA TOWN PLANNING SCHEME, 1981: AMENDMENT SCHEME 247**

The Rand West City 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 Borwa Extension 2, 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 Town Planning Section, Department of Infrastructure Services, Westonaria, 33 Saturn Street, Westonaria and are open for inspection at all reasonable times.

The date this scheme will come into operation is 4 July 2018.

This amendment is known as Westonaria Amendment Scheme 247.

**THEMBA GOBA  
MUNICIPAL MANAGER  
RAND WEST CITY LOCAL MUNICIPALITY**

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