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[PROCLAMATION NO. 07 OF 2018]

DECLARATION OF A TOWN: HEIDEDAL EXTENSION 53

By virtue of the powers vested in me by Section 24 (1) of the Mangaung Municipal Land Use Planning By-Law, 2015, I, Adv. Tankiso Mea, City Manager of Mangaung Metropolitan Municipality, hereby declare the area represented by General Plan S.G. No. 324/2017, as approved by Surveyor General on 31 May 2017, to be an approved township under the name Heidedal Extension 53, subject to the conditions as set out in the Schedule.

Granted under my hand at Bloemfontein this 30th day of May 2018.

ADV. TANKISO MEA
CITY MANAGER:
MANGAUNG METRO MUNICIPALITY

CONDITIONS OF ESTABLISHMENT AND OF TITLE

The township is Heidedal Extension 53, and is situated on Plot 5 Bloemspruit Agricultural Holdings, Administrative District Bloemfontein and consists of 86 erven (numbered 33029 - 33114), and streets (numbered 33115 - 33117), as indicated on General Plan S.G. No. 324/2017.

A. CONDITIONS OF ESTABLISHMENT

A.1 Streets

- a. The Township Owner shall at his costs, provide streets from which access will be given to all erven in the township, in accordance with the plans and specifications of the Local Municipality.
- b. The Township Owner shall at his costs, provide a complete stormwater drainage system for the township, in accordance with the plans and specifications of the Local Municipality. The said system shall be adequate to collect and drain the stormwater caused by rain falling in the township to a point beyond the boundaries of the township.
- c. Upon completion of the streets and stormwater drainage system and after expiry of any period of retention and after proclamation of the township, the Local Municipality shall be responsible for the maintenance and upkeep thereof.

A.2 Electricity

- a. The Township Owner shall arrange with the Local Municipality and/or supplier of electricity in the area, for the supply and installation of electricity to the township on such conditions as agreed upon

A.3 Water

- a. The Township Owner shall arrange with the Local Municipality and/or supplier of water in the area for the supply and installation of water to the township on such conditions as agreed upon.

A.4 Sanitary Services and the Removal of Household Refuse

- a. The Township Owner shall at his cost and in accordance with the plans and specifications of the Local Municipality, provide an internal waterborne sewerage system and an installed sewerage

[PROKLAMASIE NR.07 VAN 2018]

DORPSVERKLARING: HEIDEDAL UITBREIDING 53

Kragtens die bevoegheid my verleen by Artikel 24 (1) van die Mangaung Munisipale Grondgebruiksbeplannings Bywet, 2015, gee ek, Adv. Tankiso Mea, Stadsbestuurder van Mangaung Metropolitaanse Munisipaliteit, hiermee kennis dat die gebied voorgestel deur Algemene Plan L. G. No. 324/2017 soos goedgekeur deur die Landmeter- Generaal op 31 May 2017, tot 'n goedgekeurde dorp onder die naam Heidedal Uitbreiding 53, onderworpe aan die voorwaardes soos in die Bylae uiteen gesit hieronder.

Gegee onder my hand te Bloemfontein op hierdie 30ste dag van Mei 2018.

ADV. TANKISO MEA
STADSBESTUURDER:
MANGAUNG METRO MUNISIPALITEIT

STIGTINGS- EN EIENDOMSVOORWAARDES

Die dorp is Heidedal Uitbreiding 53, en is geleë op Plot 5 Bloemspruit Landbouhoeves, Administratiewe Distrik Bloemfontein en bestaan uit 86 erwe (genommer 33029 - 33114) en strate (genommer 33115 - 33117), soos aangedui op Algemene Plan L.G. No 324/2017.

A. STIGTINGSVOORWAARDES

A.1 Strate

- a. Die Dorpseienaar voorsien op sy koste, strate wat toegang tot alle erwe in die dorp verleen, ooreenkomstig planne en spesifikasies van die Plaaslike Munisipaliteit.
- b. Die Dorpseienaar voorsien op sy koste 'n volledige stormwaterdreineringsstelsel vir die dorp ooreenkomstig die planne en spesifikasies van die Plaaslike Munisipaliteit. Bedoelde stelsel sal voldoende wees om die stormwater wat in die dorp ontstaan as gevolg van reën, te versamel en in af te voer tot op 'n punt buite die grense van die dorp.
- c. Na voltooiing van die strate en stormwaterafvoerstelsel en na verstryking van enige retensie tydperk en na proklamasie van die dorp, is die Plaaslike Munisipaliteit verantwoordelik vir die instandhouding en onderhoud daarvan.

A.2 Elektrisiteit

- a. Die Dorpseienaar tref reëlings met die Plaaslike Munisipaliteit en/of die leweransier van elektrisiteit in die gebied, vir die voorsiening en installering van elektrisiteit in die dorp, ooreenkomstig die voorwaardes soos ooreengekom.

A.3 Water

- a. Die Dorpseienaar tref reëlings met die Plaaslike Munisipaliteit en/of die leweransier van water in die gebied vir die voorsiening van water aan die dorp, ooreenkomstig die voorwaardes soos ooreengekom.

A.4 Saniteitsdiens en Verwydering van Huishoudelike Afval

- a. Die Dorpseienaar voorsien op sy koste en ooreenkomstig die planne en spesifikasies van die Plaaslike Munisipaliteit, 'n volledige interne watergedrewe rioolstelsel en 'n geïnstalleerde

<p>main with pumps if necessary, of an adequate capacity, to ensure the complete disposal of all sewage effluent emanating from the township into the existing sewage purification works.</p> <p>b. The Township Owner is responsible for a proportional contribution towards the necessary extensions to and/or upgrading of the sewage purification works in order to handle the additional sewage effluent as stipulated in the development and services agreements between the Town Owner and the Local Municipality.</p> <p>c. The Township Owner shall arrange with the Local Municipality for the removal of household refuse in the township.</p> <p>A.5 Erven 33065-33072 will have no direct access onto Eeufees Rd and Erven 33073 – 33084 will have no direct access onto Thabanchu Road</p> <p>A.6 Erf 33115 shall be subject to a permanent unobstructed “right of way” servitude in favour of the general public, as indicated on the General Plan S.G. No. 324/2017</p> <p>A.7 Erf 33115 shall be subject to a right of way servitude in favour of “Komitee van Beheer van Bloemspruit” as indicated on LG 1138/63 and Notarial Title of servitude nr. 516S/64.</p> <p>A.8 Arbitration In the event of a dispute arising between the Town Owner and the Mangaung Metro Municipality on the interpretation of and the compliance with any of the conditions A1 to A7, either of the parties shall have the right to appeal to the Appeal Authority as defined in the Municipal Land Use Planning By-Law, whose decision shall be final.</p> <p>A.9 Precautionary Measures All the erven in the Township lie in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the Local Municipality, must show measures to be taken, in accordance with recommendations obtained in the geotechnical report for the township to limit possible damage to buildings and structures as a result of detrimental foundation conditions, unless it is proved to the Local Municipality that such measures are unnecessary or that the same purpose can be achieved by other more effective means.</p> <p>A.10 Endowment The Township Owner shall at his cost, transfer the following erven free of charge to the institutions or authorities concerned: (i) To the Local Municipality: Erf No 33115, 33116 & 33117 as “Street”</p> <p>A.11 Classification The erven of the town will be classified in the under-mentioned use zones and are further subject to the Conditions of Title, as set out in paragraph B below.</p>	<p>rioolpypgeleiding met pompe indien nodig, van voldoende kapasiteit om te verseker dat alle rioolafval wat in die dorp ontstaan, in die rioolsuiweringswerke gestort word.</p> <p>b. Die Dorpseienaar is verantwoordelik om 'n proporsionele bydrae te lewer vir die nodige uitbreidings aan en/of opgradering van die rioolsuiweringswerke ten einde die bykomstige rioolafval te hanteer soos uiteengesit word in die ontwikkelings- en dienste ooreenkoms tussen die Dorpseienaar en die Plaaslike Munisipaliteit.</p> <p>c. Die Dorpseienaar is verantwoordelik om reëlings met die Plaaslike Munisipaliteit te tref vir die verwydering van huishoudelike afval in die dorp.</p> <p>A.5 Erwe 33065 – 33072 sal geen direkte toegang verkry vanaf Eeufees Pad nie en Erwe 33073 – 33084 sal geen driekte toegang verkry vanaf Thabanchu Road nie.</p> <p>A.6 Erf 33115 is onderhewig aan 'n permanente “Reg van Weg” serwituut ten gunste van the algemene publiek, soos aangedui op die Algeme Plan L.G. Nr. 324/2017.</p> <p>A.7 Erf 33115 is onderhewig aan 'n “reg van Weg” serwituut ten gunste van die “Komitee van beheer van Bloemspruit” soos aangedui op LG 1183/63 en Notariele Titel van serwituut nr. 516s/64.</p> <p>A.8 Arbitrasie Indien daar 'n geskil tussen die Dorpseienaar en die Mangaung Metro Munisipaliteit mag ontstaan betreffende die vertolking en uitvoering van enige van voorwaardes A1 tot A7, het enigeen van die partye die reg om appel aan te teken by die Appel Owerheid in terme van die Munisipale Grondgebruik Beplanning By-Wet, wie se beslissing finaal sal wees.</p> <p>A.9 Voorkomende Maatreëls Alle erwe in die dorp is geleë in 'n gebied met bodem eienskappe wat geboue en strukture nadelig kan beïnvloed en skade tot gevolg kan hê. Bouplanne wat by die Plaaslike Munisipaliteit ingedien word, moet maatreëls aantoon in ooreenstemming met aanbevelings vervat in die geotegniese verslag wat vir die dorp opgestel is, om moontlike skade aan die geboue en strukture as gevolg van die ongunstige funderingstoestande te beperk, tensy bewys gelewer word aan die Plaaslike Munisipaliteit dat sodanige maatreëls onnodig is of dieselfde doel op 'n meer doeltreffende wyse bereik kan word.</p> <p>A.10 Skenking Die Dorpseienaar dra op sy koste die volgende erwe gratis aan die betrokke instansies of owerhede oor (i) Aan die Plaaslike Munisipaliteit: Erf No 33115, 33116 & 33117 as “Straat”</p> <p>A.11 Indeling Die erwe van die dorp word in die hierondervermelde gebruiksones verdeel en is verder onderworpe aan die eiendomsvoorwaardes, soos in paragraaf B hieronder uiteengesit.</p>
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Use Zone	Erf No's	Conditions of Title	Gebruiksonse	Erf Nr's	Eiendomsvoorwaardes
Residential	33084, 33029,33030, 33035, 33034, 33041, 33040, 33096	B1, B2, B3 , B4	Residensieel	33084, 33029,33030, 33035, 33034, 33041, 33040, 33096	B1, B2, B3, B4
Residential	33031-33033, 33036-33039, 33042-33083, 33085-33095, 33097-33114	B1, B2, B3,	Residensieel	33031-33033, 33036-33039, 33042-33083, 33085-33095, 33097- 33114	B1, B2, B3
Street	33115 - 33117		Straat	33115 - 33117	

B. CONDITIONS OF TITLE

The Conditions of Title mentioned in paragraph A.8, are as follows:

B.1 In favour of the Local Municipality

- a. This erf is subject to a servitude of 1 metres wide along any two boundaries other than the street boundary for the installation of municipal service mains over or under the erf. The officials of the Local Municipality and/or Township Owner shall at all times have free access thereto for the purposes of construction, maintenance and repair of the services: Provided that the Local Municipality/Township Owner shall have the right to store all material required for the above-mentioned purposes, temporarily on the erf until such time as the installation of the services has been completed.
- b. The owner of this erf shall without compensation permit the building and maintenance of any water and electrical main reticulation as well as the drainage and sewerage of any other erf across this erf along any of its erf boundaries.

B.2 In favour of the Local Municipality

No work connected with the erection of or alteration to buildings on this erf, shall be undertaken before site and building plans depicting the layout, constructions, material and finish thereof, have been approved by the Local Municipality in terms of its Building Regulations.

B.3 In favour of the Local Municipality

- a. Not more than one dwelling may be erected on the erf and the maximum permissible coverage on this erf is 60% which includes a garage but not a carport or veranda. Buildings may not exceed two storeys without the consent of the Municipality.
- b. This erf may only be used for residential purposes, with the understanding that a home industry may be run with the permission of the Municipality.

B.4 In favour of the Local Municipality

This Erf will subject to a 4 metres wide Storm-water servitude as indicated on the General Plan S.G. No. 324/2017

B. EIENDOMSVOORWAARDES

Die Eiendomsvoorwaardes wat in paragraaf A.8 vermeld word, is soos volg:

B.1 Ten gunste van die Plaaslike Munisipaliteit

- a. Hierdie erf is onderhewig aan 'n serwitut van 1 meter wyd oor of onder die erf langs enige twee grense anders as die straat grens vir die installering van munisipale diensgeleidings. Die amptenare van die Plaaslike Munisipaliteit en/of Dorpseienaar het te alle tye vrye toegang daartoe vir die doel van konstruksie, instandhouding en herstel van die dienste: Met dien verstande dat die Plaaslike Munisipaliteit/Dorpseienaar die reg besit om alle materiaal vir bogenoemde doel, tydelik op die erf te berg tot tyd en wyl die installering van die diensgeleidings voltooi is.
- b. Die eienaar van sodanige erf sal verplig wees om sonder vergoeding die oprigting en instandhouding van enige water en elektrisiteit hoofgeleidings asook die dreinerings en riolerings van enige erf oor sodanige erf toe te laat langs enige van die erf grense.

B.2 Ten gunste van die Plaaslike Munisipaliteit

Geen werk aan die oprigting of verandering van geboue op hierdie erf word onderneem, alvorens perseel- en bouplanne wat die uitleg, konstruksie, materiaal en afwekking daarvan aandui, ooreenkomstig die Plaaslike Munisipaliteit se Bouregulasies, deur die Plaaslike Munisipaliteit goedgekeur is nie.

B.3 Ten gunste van die Plaaslike Munisipaliteit

- a. Slegs 1 (een) Huis mag op 'n erf gebou word. Die maksimum dekking is 60% wat 'n motorhuis insluit maar nie 'n afdak nie. Geboue mag nie twee verdiepings oorskry, sonder die toestemming van die Munisipaliteit nie.
- b. Die erf mag slegs vir residensiele doeleindes gebruik word, tensy skriftelike toestemming van die Munisipaliteit ontvang is vir 'n tuisbedryf vanuit die huis.

B.4 Ten gunste van die Plaaslike Munisipaliteit

Hierdie erf is onderhewig aan 'n 4 meter wye Storm Water serwitut soos aangedui op Algemene Plan L.G. No 324/2017.