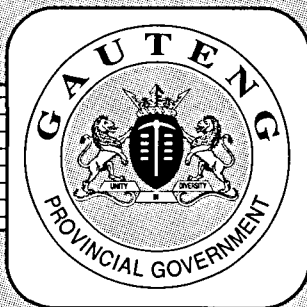


**THE PROVINCE OF
GAUTENG**



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JUNIE 2004

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1084

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY PJJ VAN VUUREN BELEGGINGS (PROPRIETARY) LIMITED (HEREAFTER REFERRED TO AS THE APPLICANT), IN TERMS OF THE PROVISIONS OF PART C OF THE ORDINANCE ON TOWN-PLANNING AND TOWNSHIPS, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 418 (A PORTION OF PORTION 71) OF THE FARM HARTEBEESTFONTEIN NO 324-J.R, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS TO BE COMPLIED WITH IN TERMS OF THE PROVISIONS OF SECTION 103 OF THE ORDINANCE ON TOWN-PLANNING AND TOWNSHIPS, 1986 (ORDINANCE 15 OF 1986) (HEREAFTER REFERRED TO AS ORDINANCE 15 OF 1986), PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP.

1.1 GENERAL

- (a) The applicant shall satisfy the Local Authority that –
- (i) the relevant amendment scheme (in terms of section 125 of Ordinance 15 of 1986) is in order and may be published simultaneously with the declaration of the township as an approved township;
 - (ii) satisfactory access to the township will be available and a public street system will be available to all the erven in the township;
 - (iii) a favourable geo-technical report has been submitted;
 - (iv) the portions of the road reserves adjoining the proposed township, and which are required for the proper installation and maintenance of the Council's services, must be acquired by the township owner; and
 - (v) the name of the township and the streetnames have been approved.
- (b) The applicant shall comply with the provisions of sections 72; 75 and 101 of Ordinance 15 of 1986.

2. CONDITIONS OF ESTABLISHMENT (CONDITIONS THAT WILL BE APPLICABLE ON THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)

2.1 NAME

The name of the township will be MAGALIESKRUIN EXTENSION 57.

2.2 DESIGN

The township will consist of erven and streets as indicated on PLAN S.G. NO 9247/2003".

2.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of the rights to minerals, including condition IV contained in Deed of Transfer T118985/2002 which only affects Erf 889, but excluding condition III in Deed of Transfer T118985/2002, which does not affect the township.

2.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay to the City of Tshwane Metropolitan Municipality as endowment a total amount of R 350 000,00 which amount shall be used by the City of Tshwane Metropolitan Municipality for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

2.5 REMOVAL AND/OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to remove and/or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the applicant.

2.6 REMOVAL AND/OR REPLACEMENT OF ESKOM POWERLINES

Should it become necessary to remove and/or replace any existing Eskom powerlines as a result of the establishment of the township, the cost thereof shall be borne by the applicant.

2.7 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing Telkom Services as a result of the establishment of the township, the cost thereof shall be borne by the applicant.

2.8 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Road K14 and he shall receive and dispose of the stormwater running off or being diverted from the road.

3. CONDITIONS OF TITLE

- 3.1 THE ERVEN MENTIONED BELOW WILL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY, IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986).

3.1.1 ALL ERVEN.

- (a) The erf shall be subject to a servitude, 2m wide, for municipal services (water/sewerage/electricity/stormwater) (hereafter referred to as "the services"), in favour of the local authority, along any two boundaries, excepting a street boundary and, in case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the local authority. Provided that the local authority may waive any such servitude.
- (b) No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m from it.

- (c) The local authority shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the local authority shall be entitled to reasonable access to the said property for aforesaid purposes, subject to the provision that the local authority shall make good any damage caused during the laying, maintenance or removal of such services and other works.

3.1.2 ERF 889

- (a) The erf shall be subject to servitudes for municipal services (stormwater and sewer), 4 m wide in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.
- (b) No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m therefrom.
- (c) The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

3.1.3 ERF 889

- (a) The erf shall be subject to servitudes for municipal services (sewer), 3 m wide in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.
- (b) No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m therefrom.
- (c) The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

3.1.4 ERF 888

The erf shall be subject to a servitude of Right of way (16 m wide with a 25 m diameter turning circle) in favour of erf 831 Magalieskruin extension 56, as indicated on the general plan.

4. CONDITIONS WHICH, IN ADDITION TO THE EXISTING PROVISIONS OF THE RULING TOWN-PLANNING SCHEME, HAVE TO BE INCORPORATED IN THE TOWN-PLANNING SCHEME, IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986

4.1 ERVEN 888 AND 889: GROUP HOUSING (USE ZONE II)

- 4.1.1 The erf is subject to the conditions contained in Schedule III C, provided that not more than 30 dwelling-units per hectare of net erf area (i.e. after any part of the erf being cut off for a public street or communal open space) shall be erected on the erf.
- 4.1.2. Proposals to overcome detrimental soil conditions to the satisfaction of the local authority shall be contained in all building plans submitted for approval, and all buildings shall be erected in accordance with the precautionary measures accepted by the local authority.
- 4.1.3. Dwelling units shall be evenly spread over the whole buildable portion of the site and shall not be concentrated on a specific area of the site.
- 4.1.4 The registered owner of the erf shall erect a physical barrier comprising a 1,3 m high wire fence, or a fence of such other material as may be approved by the Municipality according to the latest standards of the Head of Department, Gauteng Department of Transport and Public Works, before or during development of the erf along the boundary of the erf abutting on Provincial Road K-14, to the satisfaction of the Municipality, and shall maintain such fence in a good condition.
- 4.1.5 Except for the physical barrier referred to in condition 4.1.4 hereof, a swimming-pool, any other essential stormwater drainage structure or, with the written consent of the Head of Department, Gauteng Department of Transport and Public Works, connections for essential services, no building, structure or anything attached to the land, even though it does not form part of that land, shall be erected, nor shall anything be constructed or laid under or below the surface of the land of the erf less than 16 m from the boundary of the erf abutting on Road K-14, and no alteration or addition to any existing structure or building situated within such distance from such boundary, shall be made without the written consent of the Head of Department, Gauteng Department of Transport and Public Works.