

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 13

**PRETORIA, 2 MARCH
MAART 2007**

No. 67

CONTENTS • INHOUD

No.

Page *Gazette*
No. *No.*

GENERAL NOTICE

936 Development Facilitation Act (167/1995): Establishment of a land development area: Gallo Manor Extension 6 3 67

GENERAL NOTICE

NOTICE 936 OF 2007

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION BY NEW FRONTIER PROPERTIES (PROPRIETARY) LIMITED FOR THE ESTABLISHMENT OF A LAND DEVELOPMENT AREA TO BE KNOWN AS GALLO MANOR EXTENSION 6 HAS BEEN APPROVED BY THE GAUTENG DEVELOPMENT TRIBUNAL IN TERMS OF SECTION 33 OF THE DEVELOPMENT FACILITATION ACT 167 OF 1995 ("THE ACT") ON 09 JANUARY 2002

1. **CONDITIONS TO BE COMPLIED WITH PRIOR TO THE APPLICATION FOR THE ESTABLISHMENT OF A LAND DEVELOPMENT AREA BEING DECLARED AN APPROVED LAND DEVELOPMENT AREA**

a. **General Plan**

The land development applicants shall within a period of 12 months, or such further period as may be approved by the Designated Officer, from the date of notification that the development application has been approved, lodge with the Surveyor-General the plans, diagrams and other information which the Surveyor-General requires to approve or provisionally approve the general plan in accordance with the application.

b. **Opening of Townships Register**

The land development applicants shall, within a period of 12 months or such further period as may be approved by the Designated Officer, from the date of notification that the development application has been approved, lodge with the registrar the approved plans and diagrams together with the title deeds and other documents required by the registrar for opening of the subdivision register.

c. **Services Agreement**

Within three months of the date of approval of the conditions of establishment, or such further period as the officer may allow, the applicants shall submit a final services agreement in terms of Section 40 of the Act which shall also detail all services including those of postal and telecommunications, etc.

d. **Other Services**

i. In addition to the services agreement, the applicants shall install the following services :-

- (1) The extension of Kelvin Drive through to the Western Services Road within the 16m Right-of-Way Servitude indicated on the layout plan to a quality and standard of the present road to the satisfaction of the Johannesburg Roads Agency.
- (2) The provision of a 7,0m X 7,0m splay on the north-western corner of the site where Kelvin Drive road reserve intersects with the Western Services Road to the satisfaction of the Johannesburg Roads Agency.
- (3) The installation of a traffic light at the Woodlands / Kelvin Drive intersection.
- (4) The construction of the third phase right turn movement from east to north plus extending the existing short turn on the Western Services Road to 60 metres at the Western Services / South Road intersection.

- (5) On proclamation of the township or on commencement of any development of the property, whichever is the earlier, a sum of R50,000.00 (fifty thousand Rand) is to be contributed to the upgrading (as per proposal by Arcus Gibb (Pty) Limited), of the Woodmead / Woodlands Drive intersection, which contribution is to be paid into a special Council account, which contribution shall be used exclusively for the improvement of the intersection of Woodmead Drive to provide for two exclusive right turn lanes and three through lanes on the southern (north bound) approach. The contribution, with interest if any, shall be released against engineer's certificates certifying that the upgrading work or portions thereof have been completed.

(e) Suspension of existing conditions of title

The following conditions of title and servitudes are suspended in respect of the land development area, upon notice of this condition being given in the Provincial Gazette, or if a later date is stated in such notice, from such later date (the land development applicant must in a separate memorandum list the conditions which it is sought to suspend and steps taken by the applicant in terms of any applicable law for the suspension of such conditions) :-

- i. Conditions 4 (2) (a) to (d) from Deed of Transfer T35116/1963
- ii. Conditions 2 (a) to (d) from Deed of Transfer T43826/2000
- iii. Conditions 2 (a) o (d) from Deed of Transfer T43828/2000

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF REGISTRATION OF OWNERSHIP OF ANY PROPERTY WITHIN THE DEVELOPMENT AREA

- a. The applicant shall pay to the local authority and any other relevant service provider, such contributions as are stipulated in the signed services agreement and proof of such payment shall be submitted to the Designated Officer in this regard.
- b. The application shall prove to the Designated Officer that his responsibilities in respect of the installation of services in and to the development area have been concluded to the satisfaction of the local authority.
- c. When the applicant has complied with conditions 2 (a) and 2 (b) above, the Designated Officer shall inform the Registrar of Deeds accordingly in terms of the provisions of Section 38 of the Act.

CONDITIONS TO BE COMPLIED WITH IN THE ESTABLISHMENT OF THE DEVELOPMENT AREA

a. Name

The land development area shall be known as **Gallo Manor Extension 6**.

b. Layout Plan

The land development area shall consist of two erven and servitudes as indicated on Layout Plan R0134-5 and General Plan SG N° 7712/2006.

CONDITIONS OF TITLE

a. ALL ERVEN

- i. The erf is subject to a servitude, 2m wide, in favour of the Council for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a pan-handle erf, an additional servitude for municipal purposes, 2m across the access portion of the erf, if and when required by the Council: Provided that the Council may dispense with 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 Council shall be entitled to deposit temporarily on the land adjoining the 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 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 Council.
- b. **ERF 866**
 - i. The erf is subject to a servitude for right-of-way purposes as indicated on Plan RR0134-5 (Annexure "A") by the figure A, a, d, e, f, g, D, A being Kelvin Drive and part of Lotus Road.
- c. **ERF 867**
 - i. The erf is subject to a 16m servitude for right-of-way purposes along its northern boundary, being Kelvin Drive.

KENNISGEWING 936 VAN 2007

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR NEW FRONTIER PROPERTIES (PROPRIETARY) LIMITED VIR DIE DAARSTELLING VAN 'N GRONDONTWIKKELINGS AREA WAT BEKEND SAL STAAN AS GALLO MANOR UITBREIDING 6, GOEDGEKEUR IS DEUR DIE GAUTENG DEVELOPMENT TRIBUNAL INGEVOLGE ARTIKEL 33 VAN DIE DEVELOPMENT FACILITATION ACT 167 VAN 1995 ("DIE WET") OP 09 JANUARIE 2002

1. VOORWAARDES WAARAAN VOLDOEN MOET WORD VOOR DIE AANSOEK VIR DIE STIGTING VAN 'N GRONDGEBRUIKSAREA VERKLAAR WORD AS 'N GOEDGEKEURDE GRONDONTWIKKELINGSAREA

a. Algemene Plan

Die grondontwikkelings applikante moet binne 'n tydperk van 12 maande, of sodanige verdere tydperk, soos wat goedgekeur mag word deur die Designated Officer, vanaf die datum van kennisgewing dat die ontwikkelingsaansoek goedgekeur is, by die Landmeter Generaal die planne, diagramme en ander inligting wat die Landmeter Generaal benodig om die Algemene Plan goed te keur of voorlopig goed te keur in ooreenkoms met die aansoek, indien.

b. Opening van die Dorpsregister

Die grondontwikkelings applikante moet binne 'n tydperk van 12 maande, of sodanige verdere tydperk, soos wat goedgekeur mag word deur die Designated Officer, vanaf die datum van kennisgewing dat die ontwikkelingsaansoek goedgekeur is, by die Registrateur die planne, diagramme, tesame met die titelaktes en ander inligting wat die Registrateur benodig vir die opening van die onderverdelings register.

c. Dienste Ooreenkoms

Bine drie maande vanaf die datum van goedkeuring van die Stigtingsvoorwaardes, of sodanige verdere tydperk as wat die Designated officer msg toelaat, moet die applikante 'n finale dienste ooreenkoms ingevolge Artikel 40 van die Wet indien wat ook die details moet gee van alle dienste insluitend pos en telekommunikasie.

d. Ander Dienste

- i. Bykomend tot die dienste ooreenkoms, moet die applikante die volgende dienste instsalleer :-
 - (1) Die verlenging van Kelvinweg deur tot by die Western Service Road binne die 16m reg van weg serwituut aangetoon op die uitlegplan op die standaar en met die kwaliteit van die bestaande pad tot bevrediging van die Johannesburg Roads Agency.

- (2) Die voorsiening van 'n 7,0m X 7,0m uitskuinsing op die noord-westelike hoek van die terrein waar Kelinweg pad reserve wissel met die Western Services Road tot bevrediging van die Johannesburg Roads Agency.
- (3) Die installasie van 'n verkeerslig by die Woodlands/Kelvinweg kruising.
- (4) Die konstruksie van die derde fase regsdraai beweging van oos na noord plus die verlenging van die bestaande kort draai op die Western Service Road tot 60 meter by die Western Service Road/South Road kruising.
- (5) By proklamasie van die dorp of by die aanvang van enige ontwikkeling op die eiendom, welke een ookal eerste is, moet 'n bedrag van R50,000.00 (Vyftigduisend Rand) bygedra word tot die opgradering (soos per die voorstel van Arcus Gibb (Pty) Ltd), van die Woodmead/Woodlandsweg kruising, welke bydrae in 'n spesiale Raadsrekening inbetaal moet word en welke bydrae eksklusief gebruik moet word vir die verbetering van die kruising van Woodmeadweg, om vir twee eksklusiewe regsdraailane en drie deurlane op die suidelike (noordwaardse) nadering voorsiening te maak. Die bydrae, met rente, indien enige, sal beskikbaar gestel word teen ingenieurs sertifikate wat sertifiseer dat die opgraderingswerk of gedeeltes daarvan voltooi is.

(e) Opheffing van bestaande titel voorwaardes

Die volgende tittle voorwaardes en serwitute is ophef in terme van die grondontwikkelings area, met kennisgewing van hierdie voorwaardes in die Provinsiale Gazette, of indien 'n later datum in sodanige kennisgewing vermeld word, vanaf sodanige later datum (die grondontwikkelings applikant moet in 'n aparte memorandum die voorwaardes wat hy wil ophef aantoon, asook stappe wat geneem is deur die applikant ingevolge enige toepaslike wet vir die opheffing van sodanige voorwaardes):-

- i. Voorwaardes 4 (2) (a) tot (c) van Titel Akte T35116/1963
- ii. Voorwaardes 2 (a) tot (d) van Titel Akte T43826/2000
- iii. Voorwaardes 2 (a) o (d) van Titel kte T43828/2000

VOORWAARDES WAARAN VOLDOEN MOET WORD VOOR DIE AANVANG VAN REGISTRASIE VAN EIENAARSKAP VAN ENIGE EIENDOM IN DIE ONTWIKKELINGSAREA

- a. Die applikant moet aan die plaaslike bestuur en enige ander relevante diensteverskaffer sodanige bydraes soos uiteengesit in die getekende diensteooreenkoms, betaal en bewys van sodanige betaling in hierdie verband moet ingedien word by die Designated Officer.
- b. Die applikant moet aan die Designated Officer bewys dat sy verantwoordelikhede ten opsigte van die instalering van dienste in en vir die ontwikkelingsarea voltooi is tot bevrediging van die plaaslike bestuur.
- c. Wanneer die applikant aan voorwaardes 2(a) en 2(b) hierbo voldoen het, sal die Designated officer die Registrateur van Aktes diensooreenkomstig inlig, ingevolge die bepalings van Artikel 38 van die Wet.

VOORWAARDES WAARAAN VOLDOEN MOET WORD IN DIE STIGTING VAN DIE ONTWIKKELINGSAREA

a. Naam

Die grondontwikkelings area sal bekend wees as **Gallo Manor Uitbreiding 6.**

b. Uitlegplan

Die grondontwikkelings area sal bestaan uit twee erwe en serwitute soos aangetoonop Uitlegplan R0134-5 en Algemene Plan SG No 7712/2006.

I. TITELVOORWAARDES**a. ALLE ERWE**

- i. Die erf is onderworpe aan 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad. Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
- ii. Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
- iii. Die Raad 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 is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak word.

b. ERF 866

- i. Die erf is onderworpe aan 'n serwituut vir reg-van-weg doeleindes soos aangetoon op Plan RR0134-5 (Annexure "A") deur die syfers A,a,d,e,f,g,D,A wat Kelvinweg en 'n deel van Lotusweg is.

c. ERF 867

Die erf is onderworpe aan 'n 16m serwituut vir reg-van-weg doeleindes langs sy noordelike grens wat Kelvinweg is.
