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GENERAL NOTICE

NOTICE 5261 OF 2008

GAUTENG DEVELOPMENT TRIBUNAL

NOTICE IN TERMS OF SECTION 3(4) OF THE DEVELOPMENT FACILITATION ACT, 1995

It is hereby notified in terms of Section 33(4) of the Development Facilitation Act (Act No 67 of 1995) that the Gauteng Development Tribunal has approved the Land Development Application in respect of Chartwell Extension 10, subject to the following conditions as set out in the schedule hereto.

1. CONDITIONS OF ESTABLISHMENT

- 1.2 The land development area shall be known as Chartwell Extension 10 and shall consist of the erven as shown on General Plan 1156/2008.

2. PROVISIONS AND INSTALLATION OF SERVICES

- 2.1 The land development area shall provide and install engineering services in the land development area as provided for in the services agreement concluded between the Land Development Applicant and the Local Authority in terms of Section 40 of the Development Facilitation Act, 1995 and no transfer of any erven in the land development area or any subdivision of such erven shall commence until such time as services, in terms of the relevant agreement, have been duly installed or arrangements for such installation have been made to the satisfaction of the Local Authority.

2.3 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If by reason of the establishment of the land development area it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the Land Development Applicant.

2.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

3. CONDITIONS OF TITLE

The erven in the land development area shall be subject to the following conditions, imposed by the Gauteng Development Tribunal in terms of the provisions of the Development Facilitation Act, 1995.

- (a) 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 the street boundaries 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 Council: Provided that the Council may dispense with any such servitude.
- (b) 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.
- (c) The Council shall be entitled to deposit temporarily on the land adjoining the aforesaid 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 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 Council.

4. CONDITIONS TO BE INCORPORATED INTO THE PERI URBAN TOWN PLANNING SCHEME, 1975

In terms of Section 33(2) the Gauteng Development Tribunal has approved the amendment of the Peri Urban Areas Town Planning Scheme, 1975 in respect of Erven 82 and 83 Chartwell Extension 10 by the rezoning from "Undetermined" to "Special". The amendment scheme is known as Peri Urban Areas Amendment Scheme 15-7460

W Khanye: Designated Officer
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