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LOCAL AUTHORITY NOTICE

PLAASLIKE BESTUURSKENNISGEWING 1277

KUNGWINI LOCAL MUNICIPALITY DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the town-planning and Townships Ordinance 1986 (Ordinance No 15 of 1986) the KUNGWINI LOCAL MUNICIPALITY declares ERASMUS EXTENSION 21 to be an approved township subject to the conditions set out in the Schedule hereto

LOCAL AUTHORITY NOTICE 1277

KUNGWINI LOCAL MUNICIPALITY VERKLARING TOT GOEDGEKEURDE DORP

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe 1986 (Ordonnansie No 15 van 1986) verklaar KUNGWINI LOCAL MUNICIPALITY hierby die dorp ERASMUS UITBREIDING 21 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

CONDITIONS OF ESTABLISHMENT

TOWNSHIP: ERASMUS EXTENSION 21

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY **TAMARRON TRADING 52 (PTY) LTD No 2003/005183/07** (HEREINAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF CHAPTER 3 (PART C) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 71 (A PORTION OF PORTION 18) OF THE FARM NOOITGEDACHT 525JR, GAUTENG PROVINCE, HAS BEEN GRANTED

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP

(a) **AUTHORISATION IN TERMS OF THE PROVISIONS OF THE REGULATIONS TO THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT 73 OF 1989)**

- (i) The applicant shall at his own expense obtain authorisation from the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs in terms of the regulations to the Environment Conservation Act, 1989 (Act 73 of 1989) or National Environment Management Act, 1998 or submit proof to the municipality that such authorisation is not required
- (ii) The applicant shall submit proof of authorisation or confirmation that authorisation is not required to the local authority

(b) **PROVISION AND INSTALLATION OF SERVICES**

The applicant shall make the necessary arrangements with the local authority for the provision and installation of water, electricity, refuse removal and sanitation, as well as roads and stormwater drainage in and for the township, for which purpose a mutually acceptable services agreement, between the local authority and the applicant shall be concluded.

(c) **CANCELLATION OF EXISTING CONDITIONS OF TITLE**

The applicant shall at own expense cause the following conditions and servitudes to be cancelled or the township area to be freed therefrom:

- (i) Condition A on pages 2 and 3 of Deed of Transfer T72969/2004 that reads as follows:

"A. Die voormalige Gedeelte 18 ('n gedeelte van Gedeelte 14) van die Plaas Nooitgedacht 525, JR, Provinsie Gauteng, waarvan die eiendom hiermee getranspoteer 'n gedeelte uitmaak, is onderhewig aan die volgende voorwaardes:

Gedeelte "c" van gedeelte 1 genoem Amstelveld van die plaas Nooitgedacht 525 ('n gedeelte waarvan hierby getranspoteer word) is onderworpen aan een recht van weg 12,59 meter wyd zoals aangetoond op Kaart Nr LG A6962/1947 onder letters FGHJF ten gunste van die teenwoordige en toekomstige eigenaren van gedeelte gemerk "d" getranspoteerd aan Ben Marcus en Abraham Marcus handeldrywend as Marcus Bros, gedeelte gemerk "b" getranspoteerd aan Gert Joachim Jordaan en van het resterende gedeelte van gezegd gedeelte genaamd Amstelveld van gezegd plaats groot respektiewelyk 17,1306 Hektaar, 8,5653 Hektaar en 51,3919 hektaar, en gerechtigd tot een recht van weg 12,59 meter wyd over gezegde gedeelten

gemerkt "a" en "b" en gezegd resterende gedeelte van het gedeelte genaamd Amstelveld voormeld, zoals aangeduid op het generale plan vervaardigde door Landmeter JH Fehrsen in Mei 1917 en verder gerechtigd tot een recht van weg 12,59 meter wyd over het resterend gedeelte van gedeelte B van voorzegde plaats groot als zulks 242,7341 hektaar, gehouden onder Certifikaat van eigendomsrecht No 3638/1917 zoals meer ten volle uiteengezet in Notariele Act No. 277/1917-S geregistreerd op 15 October 1917."

(d) **GENERAL**

The applicant shall satisfy the local authority that -

- (i) a favourable geotechnical report has been submitted.
- (ii) the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (iii) the applicant shall comply with the provisions of sections 72, 75, 76 and 101 of the Town Planning and Townships Ordinance, 1986.

2. CONDITIONS OF ESTABLISHMENT

(a) **NAME**

The name of the township shall be **Erasmus Extension 21**.

(b) **DESIGN**

The township shall consist of erven and streets as indicated on approved layout Plan Number 600/158/02 dated April 2007 and General Plan SG No 10393/2007

(c) **CONSTRUCTION OF SERVICES AND/OR BUILDING WORK**

Before any construction of services and/or building work is undertaken, complete detail plans and specifications of all services must be submitted to the local authority for approval.

(d) **DISPOSAL OF EXISTING CONDITIONS OF TITLE**

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

(e) **OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**

The applicant shall, within such period as the local authority may determine, fulfil his obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, and on completion of construction work, "as built" plans certified by a professional engineer must be submitted to the local authority.

(f) **OBLIGATIONS IN REGARD TO BUILDINGS**

Should the local authority so request, all buildings will, on completion, be subject to the issuing of an engineering certificate by a professional engineer at the expense of the owner.

(g) **FORMATION, DUTIES AND RESPONSIBILITIES OF THE HOMEOWNERS ASSOCIATION**

- (i) The applicant shall properly and legally constitute a Home Owners Association to the satisfaction of the local authority prior to the transfer of any erf.
- (ii) Erf 2129 shall, prior to or simultaneously with the registration of the first erven in the township be transferred to the Home Owners Association. The Home Owners Association shall take full responsibility for the maintenance of such erf.
- (iii) The local authority shall not be liable for any damage to the access way and/or the stormwater drainage system in the township.
- (iv) Owners of Erven 2020 up to and including 2128 or of any subdivision thereof, or of any sectional title unit thereon or of any interest therein, shall automatically become and shall remain members of the Home Owners Association and be subject to its memorandum and articles until such owners cease to be owners as aforesaid. None of the said erven, nor any unit erected thereon, nor any interest therein, shall be transferred to any person who has not bound himself/herself/itself to the satisfaction of the Home Owners Association to become a member thereof and without the prior written confirmation of the Home Owners Association that all amounts due to the Home Owners Association by the owner have been paid.

3. **CONDITIONS OF TITLE**

The erven mentioned hereunder shall be subject to the conditions as imposed by the Local Authority in terms of the provisions of the Town-Planning and Townships Ordinance, 1986 and the Town-Planning Scheme in operation (Bronkhorstspuit Town Planning Scheme, 1980).

(a) **ALL ERVEN**

- (i) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary 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 local authority: Provided that the local authority may dispense with any 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 local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude area such material as may be excavated by them during the course of the construction, maintenance or removal of such 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 works being made good by the local authority.

(b) **ERVEN 2024 AND 2025**

The erf is subject to an electrical powerline servitude in favour of ESKOM as indicated on the General Plan.

4. CONDITIONS TO BE INCORPORATED IN THE TOWN-PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986, IN ADDITION TO THE PROVISIONS OF THE TOWN-PLANNING SCHEME IN OPERATION (BRONKHORSTSPRUIT TOWN PLANNING SCHEME, 1980)

(a) **ERVEN 2020 UP TO AND INCLUDING 2128**

USE ZONE: RESIDENTIAL 1

- The erf shall be used solely for single residential purposes in accordance with the provisions of the Bronkhorstspuit Town Planning Scheme, 1980

(d) **ERF 2129**

USE ZONE: SPECIAL

- The erf shall be used for the purposes of an internal access road and/or access control.
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