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MOGALE CITY LOCAL MUNICIPALITY

DECLARATION OF HOMES HAVEN EXTENSION 23 AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Mogale City Local Municipality hereby declares the township **Homes Haven Extension 23** to be an approved Township, subject to the conditions set out in the Schedule hereto:

SCHEDULE

STATEMENT OF THE FINAL CONDITIONS UNDER WHICH THE APPLICATION DONE BY NICAUD COMPANIES 107 (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 41 (PORTION OF PORTION 6) OF THE FARM ROODEKRANS 183 IQ, HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township is **Homes Haven Extension 23**.

1.2 DESIGN

The township shall consist of erven and streets as indicated on **General Plan SG No. 2951/2006.**

1.3 STORMWATER DRAINAGE AND STREET DESIGN

(a) The township owner shall at the request of the local government supply the local government with a detailed scheme including plans, cross sections and specifications as compiled by a civil engineer approved by the local government for the provision of a underground water drainage system. Such system must be designed in order to dispose of the runoff of a 1:10 year rainstorm and must ensure that the runoff of a 1:50 year rainstorm be guided to the nearest defined watercourse without flooding any adjacent properties. The design of the drainge system must contain and describe aspects like tar macadamization, kerbing and canalization of roads as well as the provision of retaining walls if required by the local government.

The drainage system must, where necessary, make provision for the catchment of stormwater in catchment pits from where it must be disposed of in water tight pipes in such a way that no water collections or seepage shall occur on or near the ground surface. The mentioned water pipes must be manufactured from durable material and must be approved by the local government. The scheme must also indicate the route and gradient of access to each individual erf from the adjoining street.

(b) The township owner must construct roads according to the approved scheme at own costs and to the satisfaction of the local government, under the supervision of a civil engineer approved by the local government.

(c) The township owner is responsible for the maintenance of streets to the satisfaction of the local government until the streets are completed according to sub clause (b) above.

(d) The township owner shall further pay a contribution towards the upgrading of Furrow Road and Falls Road, as well as the upgrading of the intersection of Furrow Road and Hendrik Potgieter Drive

(e) The township owner shall provide ingress and egress to the erven in the proposed township to the satisfaction of the Executive Manager: Infrastructure Management and the Executive Manager: Social Services: Public Safety (Traffic Section).

(f) If the township owner fails to comply with the stipulations of sub clauses (a) to (e) above, the local government will be entitled to do the required construction at the cost of the township owner.

1.4 SEWERAGE

The township owner must, at the request of the local government, supply the following detail regarding the sewerage system of the proposed township:

(i) Comprehensive lay-out plans;
(ii) Cross sections; and
(iii) Specifications of materials and equipment to be used during the construction of such sewerage system.

The sewerage system must be designed by an approved professional engineer according to the specifications and standards laid down by the local government, to the satisfaction of the municipality.

All materials to be used with the construction of the sewerage system is subject to the approval and/or amendment of the municipality.

1.5 WATER

The township owner must, at the request of the local government submit a detailed scheme with plans, cross sections and specifications for the provision of an underground water reticulation system, for approval.

1.6 DISPOSAL OF EXISTING TITLE CONDITIONS

All erven must be made subject to existing conditions and servitudes, if any, including the reservation of Mineral Rights with the exception of the following conditions which must not be transferred to the erven in the township:

Conditions A1, A2, B1, B2, C(i) to C(iv), D(a) to D(c), E and F in Deed of Transfer T1436/1981.

1.7 FORMATION, DUTIES AND RESPONSIBILITIES OF THE HOME OWNERS ASSOCIATION

(a) The applicant shall legally and properly constitute a Home Owners Association prior to the transfer of any erf in the township.

(b) Erven 502 and 503 as well as all internal services in the township shall, prior to or simultaneously with the registration of the first erven in the proposed township be transferred to the Home Owners Association who shall take full responsibility for the maintenance of the above-mentioned erven and services.

(c) The owners of the erven (or any subdivision thereof, or any sectional title to be registered thereon) in the proposed township shall automatically become and shall remain members of the Home Owners Association and shall be subject to its memorandum, articles and rules until such owners cease to be owners as aforesaid.

1.8 REMOVAL OF REFUSE

The township owner shall at his own expence remove refuse within the township to the satisfaction of the local government, if required by the local government.

1.9 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If the establishment of the township results in any municipal services to be removed or replaced the costs of such removal/replacement must be borne by the township owner.

1.10 RELOCATION OF POWERLINES

If the establishment of the township results in any ESKOM equipment or services to be relocated the costs of such relocation must be borne by the township owner.

1.11 RELOCATION OF TELKOM EQUIPMENT

If the establishment of the township results in any TELKOM equipment or services to be relocated, the costs of such relocation must be borne by the township owner

1.12 SERVITUDES

The township owner shall, at his own expense, cause the necessary servitudes to be registered regarding erven in the township, in order to protect existing and/or future engineering infrastructure.

1.13 DEMOLITION OF BUILDINGS AND STRUCTURES

The township applicant shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required to do so.

1.14 FILLING IN OF EXISTING EXCAVATIONS AND DONGAS

The township applicant shall at his own expense cause any existing excavations and dongas, (if any) affecting any erf, to be filled in and compacted.

1.15 RELOCATION OF INFORMAL SETTLEMENTS

The applicant shall, at his/her own expence relocate all informal settlements on the property concerned, to the satisfaction of the local authority, if applicable

2. CONDITIONS OF TITLE

CONDITIONS IMPOSED BY THE LOCAL GOVERNMENT IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986):

2.1 ALL ERVEN

(a) The erf is subject to a servitude, 2 metres wide, in favour of the local government, 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 2 metres wide across the access portion of the erf, if and when required by the local government, provided that the local government may dispose of 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 2 metres thereof;

(c) The local government is entitled to temporarily place any material excavated during the installation, maintenance or removal of a sewerage pipeline or any other works that is deemed necessary on the land adjacent to the servitude and furthermore the local government is entitled to reasonable entry to the property on which the servitude is situated for the stated purpose, on the condition that the local government will be liable for any damage caused during the installation, maintenance or removal of sewerage pipelines and other works

(d)(i) The erven is situated on land with soil characteristics that may cause damage to buildings and structures to be erected thereon. Building plans submitted to the local government must

indicate preventative measures in accordance with the recommendations contained in the engineerng geology report which was done for the township, in order to limit damage to buildings or structures due to the unfavourable foundation conditions. Preventative measures need not be contained in the building plans if proof can be given by the developer that such measures are not required;

(ii) In order to limit such damage the foundations and other structure elements of buildings and structures must be designed by a competent professional engineer. It is recommended that a specific foundation investigation be done for each individual erf prior to any construction taking place thereon;

(e) Prior to commencing any construction on the property concerned, Building Plans for each portion shall be submitted to the Executive Manager Economic Services (Building Control Section) for consideration and approval.

(f) All roofing materials are subject to the approval of the Executive Manager Economic Services (Building Control Section).

(g) All fences to be erected in the township must be environmentally friendly and are subject to the approval of the Executive Manager Integrated Environmental Management.

(h) No dynamite blasting shall be done without the written consent of the local government.

2.2 ERVEN 492, 493, 494, 495 AND 502

The erven are subject to a line of no access along Falls Road.

2.3 ERF 503

The whole of the erf is subject to a servitude of right of way in the township.

D M MASHITISHO
MUNICIPAL MANAGER

28 November 2008
(Notice No.43/2008)

PLAASLIKE BESTUURSKENNISGEWING 365

PLAASLIKE BESTUURSKENNISGEWING
43 VAN 2008

MOGALE CITY PLAASLIKE MUNISIPALITEIT

VERKLARING VAN HOMES HAVEN UITBREIDING 23 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Mogale City Plaaslike Munisipaliteit hierby die dorp **Homes Haven Uitbreiding 23** tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae:

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR NICAUD COMPANIES 107 (PROPRIETARY) LIMITED (HIERIN NA VERWYS AS DIE DORPSTIGTER), INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNASIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 41 ('n GEDEELTE VAN GEDEELTE 6) VAN DIE PLAAS ROODEKRANS 183 IQ, GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES

1.1 **NAAM**

Die naam van die dorp is **Homes Haven Uitbreiding 23**.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op **Algemene Plan LG No 2951/2006**.

1.3 STORMWATERDREINERING EN STRAATBOU

(a) Die dorpseienaar moet op versoek van die plaaslike regering 'n gedetailleerde skema, volledig met planne, deursnee en spesifikasies, opgestel deur 'n siviele ingenieur wat deur die plaaslike regering goedgekeur is, voorsien vir die daarstelling van 'n ondergrondse waterdreineringsisteem. Sodanige sisteem moet so ontwerp word sodat dit die afloop van 'n 1:10-jaar reënstorm kan hanteer en moet verder verseker dat die afloop van 'n 1:50-jaar-reënstorm na die naaste gedefinieerde waterafloop gelei kan word sonder om aanliggende eiendomme te oorstroom. Die ontwerp van die dreineringsisteem moet aspekte soos teermacadamisering. beranding en kanalisering van strate bevat en omskryf, asook die voorsiening van keermure wat deur die plaaslike regering nodig geag mag word.

Die dreineringsisteem moet, waar nodig, voorsiening maak vir die opvang van stormwater in opvangputte, vanwaar dit weggevoer moet word in waterdigte pype, op so 'n wyse dat water op geen wyse sal opgaar of insypel op of naby die oppervlakte van die grond nie. Die genoemde waterpype moet van 'n duursame materiaal gemaak wees en moet deur die plaaslike regering goedgekeur word. Verder moet die skema die roete en helling aandui deur middel waarvan elke erf toegang tot die aangrensende straat verkry.

(b) Die dorpseienaar moet paaie bou ingevolge die goedgekeurde skema op eie koste, namens en tot bevrediging van die plaaslike regering, onder die toesig van 'n siviele ingenieur deur die plaaslike regering goedgekeur.

(c) Die dorpseienaar is verantwoordelik vir die instandhouding van strate tot bevrediging van die plaaslike regering totdat die strate ooreenkomstig subklousule (b) gebou is.

(d) Die dorpseienaar moet 'n bydrae maak ten opsigte van die opgradering van Furrowweg en Fallsweg asook die inteseksie van Furrowweg met Hendrik Potgieter Rylaan.

(e) Die dorpseienaar moet ingang na en uitgang van die erwe in die voorgestelde dorp voorsien tot die bevrediging van die Uitvoerende Betuurder: Infrastruktuurbestuur en die Uitvoerende Bestuurder: Sosiale Dienste (Verkeersafdeling).

(f) Indien die dorpseienaar versuim om aan die bepalings van subklousules (a) tot (e) hiervan te voldoen, is die plaaslike regering geregtig om die werk op die onkoste van die dorpseienaar te doen

1.4 RIOOL

Die aansoekdoener moet op versoek van die plaaslike regering die volgende detail van die voorgestelde dorp se rioolstelsel voorsien -

(i) Volledige uitlegplanne;
(ii) lengtesnitte; en
(iii) spesifikasies van materiale en toerusting wat gebruik gaan word by die aanleg van sodanige rioolstelsel;

Die rioolstelsel moet deur 'n goedgekeurde professionele ingenieur ontwerp word, volgens spesifikasies en standaarde deur die plaaslike regering neergelê tot die bevrediging van die plaaslike regering.

Verder is alle materiale wat gebruik word by die aanleg van die rioolstelsel onderworpe aan die goedkeuring en/of wysiging deur die plaaslike regering.

1.5 WATER

Die dorpseienaar moet op versoek van die plaaslike regering 'n gedetailleerde skema, volledig met planne, lengtesnitte en spesifikasies vir die voorsiening van 'n ondergrondse waternetwerk vir goedkeuring voorlê.

1.6 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande titelvoorwaardes en serwitute, indien enige, met inbegrip van Regte op Minerale, en die uitsluiting van die volgende voorwaardes wat nie aan die erwe van die dorp oorgedra moet word nie:-

Voorwaardes A1, A2, B1, B2, C(i) tot C(iv), D(a) tot D(c), E en F in Akte van Transport T1436/1981.

1.7 DAARSTELLING, PLIGTE EN VERANTWOORDELIKHEDE VAN DIE HUISEIENAARS-VERENIGING

(a) Die applikant sal regtens en behoorlik 'n Huiseienaarsvereniging tot stand bring voor die oordrag van enige erf in die dorp.

(b) Erwe 502 en 503 en alle interne ingenieursdienste in die dorp sal, voor of gelyktydig met die registrasie van die eerste erwe in die dorp oorgedra word na die Huiseienaarsvereniging wat volle verantoordelikheid sal aanvaar vir sodanige erwe en interne ingenieursdienste in die dorp;

(c) Alle eienaars van die erwe (of onderverdeelde/gekonsolideerde gedeeltes daarvan) in die dorp sal lede van die Huiseienaarsvereniging word en bly en sal as sodanig onderhewe wees aan die grondwet en reëls daarvan, totdat sodanige eienaars hul eienaarskap opsê.

1.8 VERWYDERING VAN VASTE AFVAL

Die dorpseienaar moet op eie koste alle vaste afval binne die dorp laat verwyder tot bevrediging van die plaaslike regering, soos en wanneer die plaaslike regering dit mag vereis.

1.9 VERSKUIWING OF VERVANGING VAN MUNISIPALE DIENSTE

Indien die stigting van die dorp daartoe sou lei dat munisipale dienste verskuif of vervang moet word sal die koste van sodanige verskuiwing of vervanging deur die dorpseienaar gedra word.

1.10 VERSKUIWING VAN KRAGLYNE

Indien die stigting van die dorp daartoe sou lei dat ESKOM toerusting of dienste verskuif moet word sal die dorpseienaar verantwoordelik wees vir alle kostes daaraan verbonde.

1.11 VERSKUIWING TELKOM TOERUSTING

Indien die stigting van die dorp daartoe sou lei dat TELKOM toerusting of dienste verskuif moet word sal die dorpseienaar verantwoordelik wees vir alle kostes daaraan verbonde.

1.12 SERWITUTE

Die dorpseienaar sal, op eie onkoste, die vereiste serwitute registreer ten opsigte van die erwe in die dorp ten einde bestannde en/of toekomstige ingenieursinfrastruktuur te beskerm.

1.13 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar sal, op eie onkoste, alle geboue en strukture wat binne boulynreserwes, syspasies of oor gemeenskaplike grense val laat sloop tot bevrediging van die plaaslike regering soos vereis.

1.14 OPVULLING VAN BESTAANDE UITGRAWINGS EN DONGAS

Die dorpseienaar sal, op eie onkoste, enige bestaande uitgrawings en dongas (indien enige) wat erwe in die dorp affekteer opvul en kompakteer.

1.15 VERSKUIWING VAN INFORMELE NEDERSETTINGS

Die aansoeker moet, op eie onkoste, alle informele nedersettings op die betrokke eiendom hervestig tot bevrediging van die plaaslike regering, indien van toepassing.

2. TITELVOORWAARDES

VOORWAARDES NEERGELê DEUR DIE PLAASLIKE REGERING IN TERME VAN DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1 ALLE ERWE

(a) Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir riolering en ander munisipale doeleindes, ten gunste van die plaaslike regering langs enige twee grense, uitgesondered 'n straatgrens en in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes twee meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike regering: Met dien verstande dat die plaaslike regering van sodanige serwituut mag afsien.

(b) Geen gebou 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 twee meter daarvan geplant word nie.

(c) Die plaaslike regering is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleididings en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die plaaslike regering geregtig tot redelike toegang tot die genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike regering enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolpypleidings en ander werke veroorsaak word.

(d)(i) Die erwe is geleë in 'n gebied met bodemeienskappe wat geboue en strukture nadelig kan beïnvloed en skade tot gevolg kan hê. Bouplanne wat by die plaaslike regering ingedien word, moet maatreëls aantoon in ooreenstemming met aanbevelings vervat in die ingenieurs geologiese verslag wat vir die dorp opgestel is, om moontlike skade aan die gebou en struktuur as gevolg van die ongunstige fonderings toestande te beperk, tensy bewys gelewer word aan die plaaslike regering dat sodanige maatreëls onnodig is.

(d)(ii) Ten einde skade aan geboue en strukture weens nadelige grondtoestande te beperk moet die fondamente en ander struktuur elemente van geboue en strukture deur 'n bevoegde professionele ingenieur ontwerp word. Dit word aanbeveel dat 'n fondasie ondersoek vir elke individuele erf onderneem word voor konstruksie.

(e) Voordat enige konstruksie in die dorp plaasvind moet bouplanne vir elke erf ingedien word by die Uitvoernde Bestuurder: Ekonomiese Dienste (Boubeheerafdeling) vir oorweging en goedkeuring.

(f) Alle dakbedekkingsmateriale is onderworpe aan die goedkeuring van die Uitvoernde Bestuurder: Ekonomiese Dienste (Boubeheerafdeling)

(g) Alle heinings wat opgerig staan te word in die dorp moet omgewingsvriendelik wees en is onderworpe aan die goedkeuring van die Uitvoerende Bestuurder: Geintegreerde Omgewingsbestuur

(h) Geen dinamiet skietwerk mag gedoen word sonder die toestemming van die plaaslike regering nie.

2.2 ERWE 492, 493, 494, 495 EN 502

Die erwe is onderworpe aan 'n lyn van geen toegang langs Fallsweg.

2.3 ERF 503

Die erf in geheel is onderworpe aan 'n reg-van-weg serwituut in die dorp.

D M MASHITISHO
MUNISIPALE BESTUURDER

28 November 2008
(Kennisgewing No.43/2008)

LOCAL AUTHORITY NOTICE 366

LOCAL AUTHORITY NOTICE
44 OF 2008

MOGALE CITY LOCAL MUNICIPALITY

KRUGERSDORP AMENDMENT SCHEME 1358

It is hereby notified in terms of the provisions of section 125(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Mogale City Local Municipality has approved an amendment scheme with regard to the land in the township **Homes Haven Extension 23** being an amendment of the Krugerdorp Town Planning Scheme, 1980.

The Map 3 documents and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Mogale City Local Municipality and the Director General: Gauteng Provincial Government, Department of Development Planning and Local Government, Corner House, Marshalltown, and are open for inspection during normal office hours.

This amendment scheme is known as Krugersdorp **Amendment Scheme 1358.**

D M MASHITISHO
MUNICIPAL MANAGER

28 November 2008
(Notice No. 44/2008)

PLAASLIKE BESTUURSKENNISGEWING 366

PLAASLIKE BESTUURSKENNISGEWING
44 VAN 2008

MOGALE CITY PLAASLIKE MUNISIPALITEIT

KRUGERSDORP WYSIGINGSKEMA 1358

Hierby word ingevolge die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Mogale City Plaaslike Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp **Homes Haven Uitbreiding 23** synde 'n wysiging van die Krugersdorp Dorpsbeplanningskema, 1980, goedgekeur het.

Die Kaart 3 dokumentasie en die skemaklousules van hierdie wysigingskema word deur die Munisipale Bestuurder van die Mogale City Plaaslike Munisipaliteit en die Direkteur-generaal : Gauteng Provinsiale Regering, Departement Ontwikkelingsbeplanning en Plaaslike Regering, Corner House, Marshalltown, gehou en is gedurende gewone kantoorure ter insae.

Hierdie wysigingskema staan bekend as Krugersdorp **Wysigingskema 1358**

D M MASHITISHO
MUNISIPALE BESTUURDER

28 November 2008
(Kennisgewing No. 44/2008)