

***THE PROVINCE OF
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GENERAL NOTICE

NOTICE 1252 OF 2009

PROVINCIAL GOVERNMENT NOTICE

GAUTENG DEVELOPMENT TRIBUNAL: CASE GDT/LDA/CTMM/1109/04/005 NOTICE IN TERMS OF SECTION 33(4) OF THE DEVELOPMENT FACILITATION ACT, 1995

Notice is hereby given in terms of the provisions of section 33(4) of the Development Facilitation Act, 1995 (Act 67 of 1995), that the Gauteng Development Tribunal approved the land development application on Portion 41 (a portion of Portion 3) of the Farm Vlakfontein 494 JQ, subject to certain conditions.

Conditions to be complied with in the establishment of the Land Development Area.

(1) NAME

The name of the Land Development Area shall be MONAGHAN EXTENSION 3.

(2) DESIGN

The Land Development Area shall consist of erven as indicated on General Plan SG 10322/2007

(3) LAND FOR MUNICIPAL PURPOSES

Erf 234 shall be transferred to the Municipality within a period of 6 months after proclamation of the township or when the first erven in the township becomes transferable whichever ever the sooner, by and at the expense of the township owner

(4) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven in the Land Development Area shall be made subject and, where relevant, entitled to existing conditions and servitudes as stipulated in the approved conditions of establishment.

(5) THE LAND DEVELOPMENT AREA APPLICANT'S OBLIGATIONS

5.1 The Applicant shall properly and legally constitute a Section 21 company (home owners' association) who will be responsible for the upkeep and maintenance of all engineering services.

5.2 Erven 180, 235 up to and including 240 shall, prior to or simultaneously with the registration of the first erven in the Land Development Area, be transferred to the Homeowners' Association who shall take full responsibility for the maintenance of the above-mentioned erven

5.3 The Applicant shall, to the satisfaction of the Municipality, construct access ways on Erven 239 and 240 and then transfer such infrastructure to the Home Owners Association who shall be responsible for the maintenance thereof.

(6) NOISE ATTENUATION MEASURES

The applicant shall comply to all recommendations contained in a noise impact assessment undertaken in accordance with the procedure as prescribed by SANS 10328: 2003 and SANS 10101: 2003 to the satisfaction of the Municipality

(7) CONDITIONS RELATING TO EXTERNAL ROADS

Access to the township will be provided from Lanseria Road, which turns off the R512.

The access to the development area on the township will be designed by a professional engineer and constructed in accordance with the latest requirements as laid down by the Department of Public Transport, Roads and Works (hereafter referred to as Gautrans).

(8) CONDITIONS OF TITLE

ERVEN 181 - 233

The owner of the erven shall become and shall remain a member of the Section 21 Company (Home Owners Association).

ERVEN 239 AND 240

The erf is subject to a servitude over its entire extent in favour of all other erven in the township for right of way.

ERVEN 233 AND 235 – 238

The erf is subject to a Right of Way servitude(s) in favour of erven 180, 185, 186, 190, 194, 195, 197, 198, 204 and 232 for access.

ERF 236

The erf is subject to a servitude in favour of all properties in the township as well as all properties in Mogaghan, Monaghan X1, Monaghan X2, Monaghan X4 and Monaghan X5 for the use as a refuse area in the area.

ERF 211 – 214

The properties cannot be transferred without the consent of and/or until the conditions of the Gauteng Department of Agriculture, Conservation and Environment in terms of the Record of Decision dated 21 May 2006 have been complied with.

ERVEN 235 – 238 AND 240

The erven are subject to a servitude(s) in favour of the City of Tshwane Metropolitan Municipality for storm water provision.

ERF 236 AND 237

The erven are subject to a Pipeline Servitude 2,00 metres wide.

(9) AMENDMENT OF TOWN PLANNING SCHEME

The amendment of the Peri-Urban Town Planning Scheme, 1975, in terms of Amendment Scheme 45PU subject to the conditions in Annexure numbers 93 – 99 of the said town planning scheme.

**Gauteng Development Tribunal (GDT)
Clegg House, C/O Fox Street & Simmonds Street,
Marshalltown**
