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**CONTENTS • INHOUD**

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
<b>LOCAL AUTHORITY NOTICES</b>			
1484	Town-planning and Townships Ordinance (15/1986): Emfuleni Local Municipality: Declaration as approved township: Eagle's Nest .....	3	193
1485	do.: Amendment Scheme H1063 .....	6	193
1486	do.: Emfuleni Local Municipality: Declaration as approved township: Eagle's Nest Extension 1 .....	6	193
1487	do.: Amendment Scheme H1064 .....	9	193

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 1484

#### EMFULENI LOCAL MUNICIPALITY DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the Emfuleni Local Municipality hereby declares Eagle's Nest to be an approved township subject to the conditions set out in the Schedule hereto.

#### ANNEXURE

**CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF SECTION 69 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PORTION 203 (A PORTION OF PORTION 1) OF THE FARM ZUURFONTEIN 591-IQ, PROVINCE OF GAUTENG, BY LONG FIELD PROPERTIES (PTY) LTD (REGISTRATION NO. 2005/023817/07) (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, TO ESTABLISH A TOWNSHIP ON SUCH LAND IN ITS OWN NAME, HAS BEEN APPROVED**

#### 1. CONDITIONS OF ESTABLISHMENT

##### (1) NAME

The name of the township shall be Eagle's Nest.

##### (2) LAYOUT / DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 9112/2008.

##### (3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals and real rights, but excluding the following conditions that affect certain erven in the township as registered against Deed of Transfer T9239/2006 in respect of the Remaining Extent of Portion 1 of the farm Zuurfontein 591-IQ:

(i) Erf 252 and proposed public street 1<sup>st</sup> Avenue (Service Road 5):

*"B. Kragtens Notariële Akte No K3379/1981S, gedateer 13 Mei 1981 is die hierin vermelde eiendom onderhewig aan 'n Ewigdurende Servituut vir Riaalpyplyn(e) 5 meter wyd, langs die lyne A B C D E F G H op Diagram No L.G. A2295/1978 ten gunste van die Stadsraad van Vanderbijlpark, soos meer volledig sal blyk uit gemelde Notariële Akte."*

(ii) Proposed public street 1<sup>st</sup> Avenue (Service Road 5):

*"C. By virtue of Notarial Deed No. K4221/1994S, dated 8th August, 1994 the hereinmentioned property is subject to servitudes for water pipeline purposes in favour of the Town Council of Vanderbijl Park, as will more fully appear from reference to the said Notarial Deed."*

##### (4) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace affected or any existing or services required for the establishment of the township, to deregister or register servitudes to accommodate these services, the cost thereof shall be borne by the township applicant.

**(5) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM SERVICES**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office Plant, the cost thereof shall be borne by the township applicant.

**(6) CONSTITUTION OF A HOMEOWNERS' ASSOCIATION**

- (a) The township owner shall provide written proof to the local authority that a Homeowners' Association has been properly and legally constituted in terms of a Section 21 of the Companies Act before the transfer of the first erf.
- (b) Erven 97 (gate house), 250 to 251 (private roads) and 252 and 253 (private open spaces) shall be registered in the name of the Homeowners' Association. Such Homeowners' Association shall have full responsibility for these erven and the essential services serving the township contained therein.
- (c) Each and every owner of Erven 1 to 96 and 98 to 249 shall become members of the Homeowners' Association and be subjected to the Memorandum of Articles of Association upon transfer of the erf until such owner ceases to be owner of the erf.
- (d) The Home Owners' Association shall have full legal power to levy, from each and every member, the costs incurred in fulfilling its function, and shall have legal recourse to recover such fees in the event of a default in payments by any member.
- (e) The local authority shall not be liable for the malfunction of the surfacing of the internal roads and/or the stormwater drainage system, and/or any essential services in the township.
- (f) Access from all the erven in the township to a public road shall be across Erven 97, 250 and 251.
- (g) The local authority shall have unrestricted access across Erven 97, 250 and 251.

**(7) INSTALLATION OF SERVICES**

- (a) The township applicant shall be responsible for the installation and provision of internal engineering services.
- (b) Once water, sewer, electricity and street networks (including storm water) have been installed within the security township, same will be transferred to the home owners' association, free of cost, who shall maintain these networks.
- (c) Once water, sewer, electricity and street networks (including storm water) have been installed outside the security township, same will be transferred to the local authority, free of cost, who shall maintain these networks.
- (d) The local authority shall install and provide external engineering services for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

**2. CONDITIONS OF TITLE**

**(1) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)**

All erven shall be made subject to the following conditions:

- (a) All erven are subject to a servitude, 2 metres 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 2 metre wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may relax or grant exemption from the required servitudes.

- (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 authority 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 local authority.

**(2) ERVEN SUBJECT TO SPECIAL CONDITIONS:**

In addition to the relevant conditions set out above, the undermentioned erven shall be subject to the conditions as indicated:

- (a) Erven 97, 250 and 251

The erf is subject to a right of way servitude in favour of the local authority, as described on the General Plan.

- (b) Erven 250 to 252

The erf is subject to a 3 m electrical servitude in favour of the local authority as indicated on the General Plan.

- (c) Erf 78 and proposed William Nicol Street (Service Road No 1)

The erf is subject to a 1 m electrical servitude in favour of the Homeowners' association as indicated on the General Plan.

- (d) Erven 8 to 12, 16, 20 to 23, 28 to 36, 38, 42 to 61, 64 to 65, 68 to 78, 88 to 96, 106 to 111, 113 to 117, 132 to 145, 148, 150, 153, 160 to 171, 180 to 188, 202, 209 to 211, 216 to 221, 223 to 237 and 244 to 249

The erf is subject to a sewer servitude with varying widths in favour of the Homeowners' association as indicated on the General Plan.

Mr S S Shabalala, Municipal Manager  
PO Box 3, VANDERBIJL PARK 1900  
7/2/Eagle's Nest

## LOCAL AUTHORITY NOTICE 1485

### VANDERBIJL PARK TOWN PLANNING SCHEME OF 1987 AMENDMENT SCHEME H1063

The Emfuleni Local Municipality hereby declares that it has approved an amendment scheme, being an amendment to the Vanderbijl Park Town Planning Scheme of 1987, comprising the same land as included in the township of Eagle's Nest, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3, Annexures and scheme clauses of the amendment scheme are filed with the Deputy Director-General: Gauteng Provincial Government: Department of Development Planning and Local Government, Marshalltown and the Strategic Manager, Development Planning, Emfuleni Local Municipality and are open for inspection at all reasonable times.

The date of this notice is the date on which this Scheme will come into operation.

The amendment scheme is known as the Vanderbijl Park Amendment Scheme H1063 with Annexure 589 to the Scheme.

Mr S S Shabalala, Municipal Manager  
PO Box 3, VANDERBIJL PARK 1900  
7/2/H1063

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## LOCAL AUTHORITY NOTICE 1486

### EMFULENI LOCAL MUNICIPALITY DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the Emfuleni Local Municipality hereby declares Eagle's Nest Extension 1 to be an approved township subject to the conditions set out in the Schedule hereto.

#### ANNEXURE

**CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF SECTION 69 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PORTIONS 204 (A PORTION OF PORTION 1) AND 205 (A PORTION OF PORTION 1), BOTH OF THE FARM ZUURFONTEIN 591-IQ, PROVINCE OF GAUTENG, BY LONG FIELD PROPERTIES (PTY) LTD (REGISTRATION NO. 2005/023817/07) (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, TO ESTABLISH A TOWNSHIP ON SUCH LAND IN ITS OWN NAME, HAS BEEN APPROVED**

#### 1. CONDITIONS OF ESTABLISHMENT

##### (1) NAME

The name of the township shall be Eagle's Nest Extension 1.

##### (2) LAYOUT / DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 9110/2008.

##### (3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals and real rights, but:

- (i) excluding the following condition registered against Deed of Transfer T9239/2006 in respect of the Remaining Extent of Portion 1 of the farm Zuurfontein 591-IQ that does not affect the erven in the township due to the location thereof:

"B. *Kragtens Notariële Akte No K3379/1981S, gedateer 13 Mei 1981 is die hierin vermelde eiendom onderhewig aan 'n Ewigdurende Servituut vir Rioolpylyn(e) 5 meter wyd, langs die lyne A B C D E F G H op Diagram No*

*L.G. A2295/1978 ten gunste van die Stadsraad van Vanderbijlpark, soos meer volledig sal blyk uit gemelde Notariële Akte."*

- (ii) excluding the following condition registered against Deed of Transfer T9239/2006 in respect of the Remaining Extent of Portion 1 of the farm Zuurfontein 591-IQ that does affect Erf 309 and Joubert Street in the township:

*"C. By virtue of Notarial Deed No. K4221/1994S, dated 8th August, 1994 the hereinmentioned property is subject to servitudes for water pipeline purposes in favour of the Town Council of Vanderbijl Park, as will more fully appear from reference to the said Notarial Deed."*

**(4) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace affected or any existing or services required for the establishment of the township, to deregister or register servitudes to accommodate these services, the cost thereof shall be borne by the township applicant.

**(5) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM SERVICES**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office Plant, the cost thereof shall be borne by the township applicant.

**(6) CONSTITUTION OF A HOMEOWNERS' ASSOCIATION**

- (a) The township owner shall provide written proof to the local authority that a Homeowners' Association has been properly and legally constituted in terms of a Section 21 of the Companies Act before the transfer of the first erf.
- (b) Erven 282 (club house), 313 (private roads) and 312 (private open space) shall be registered in the name of the Homeowners' Association. Such Homeowners' Association shall have full responsibility for these erven and the essential services serving the township contained therein.
- (c) Each and every owner of Erven 254 to 281 and 283 to 308 shall become members of the Homeowners' Association and be subjected to the Memorandum of Articles of Association upon transfer of the erf until such owner ceases to be owner of the erf.
- (d) The Home Owners' Association shall have full legal power to levy, from each and every member, the costs incurred in fulfilling its function, and shall have legal recourse to recover such fees in the event of a default in payments by any member.
- (e) The local authority shall not be liable for the malfunction of the surfacing of the internal roads and/or the stormwater drainage system, and/or any essential services in the township.
- (g) Access from Erven 254 to 308 in the township to a public road shall be across Erf 313.
- (g) The local authority shall have unrestricted access across Erf 313.

**(7) INSTALLATION OF SERVICES**

- (a) The township applicant shall be responsible for the installation and provision of internal engineering services.
- (b) Once water, sewer, electricity and street networks (including storm water) have been installed within the security township, same will be transferred to the home owners' association, free of cost, who shall maintain these networks.
- (c) Once water, sewer, electricity and street networks (including storm water) have been installed for erven 309 to 311, same will be transferred to the local authority, free of cost, who shall maintain these networks.
- (d) The local authority shall install and provide external engineering services for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

**2. CONDITIONS OF TITLE****(1) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)**

All erven shall be made subject to the following conditions:

- (a) All erven are subject to a servitude, 2 metres 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 2 metre wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may relax or grant exemption from the required servitudes.
- (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 authority 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 local authority.

**(2) ERVEN SUBJECT TO SPECIAL CONDITIONS:**

In addition to the relevant conditions set out above, the undermentioned erven shall be subject to the conditions as indicated:

- (a) Erf 313

The erf is subject to a right of way servitude in favour of the local authority, as described on the General Plan.

- (b) Erven 281, 309 and 312

The erf is subject to a 3 m electrical servitude in favour of the local authority as indicated on the General Plan.

- (c) Erf 309

The erf is subject to an electrical servitude for a substation in favour of the local authority as indicated on the General Plan.



The erf is subject to a 1 m electrical servitude in favour of the homeowners' association as indicated on the General Plan.

(e) Erven 277 to 281, 283 to 292 and 302 to 307

The erf is subject to a 2 m sewer servitude in favour of the homeowners' association as indicated on the General Plan.

Mr S S Shabalala, Municipal Manager  
PO Box 3, VANDERBIJL PARK 1900  
7/2/Eagle's Nest Extension 1

### **LOCAL AUTHORITY NOTICE 1487**

#### **VANDERBIJL PARK TOWN PLANNING SCHEME OF 1987 AMENDMENT SCHEME H1064**

The Emfuleni Local Municipality hereby declares that it has approved an amendment scheme, being an amendment to the Vanderbijl Park Town Planning Scheme of 1987, comprising the same land as included in the township of Eagle's Nest Extension 1, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3, Annexures and scheme clauses of the amendment scheme are filed with the Deputy Director-General: Gauteng Provincial Government: Department of Development Planning and Local Government, Marshalltown and the Strategic Manager, Development Planning, Emfuleni Local Municipality and are open for inspection at all reasonable times.

The date of this notice is the date on which this Scheme will come into operation.

The amendment scheme is known as the Vanderbijl Park Amendment Scheme H1064 with Annexure 590 to the Scheme.

Mr S S Shabalala, Municipal Manager  
PO Box 3, VANDERBIJL PARK 1900  
7/2/H1064