

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
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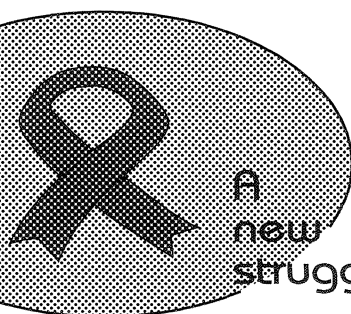
Vol. 18

**PRETORIA, 4 JULY 2012
PRETORIA, 4 JULIE 2012**

No. 191

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 927

DECLARATION AS APPROVED TOWNSHIP

In terms of section 103 of the Town planning and Townships Ordinance, 1986 (ordinance 15 of 1986) the Ekurhuleni Metropolitan Municipality hereby declares **CHLOORKOP EXTENSION 66**, to be an approved township, subject to the conditions set out in the Schedule hereto.

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE TRUSTEES FOR THE TIME BEING OF THE LORD TRUST (HEREAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III PART C OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 147 (FORMERLY REMAINDER OF PORTION 36 AND PART OF PORTION 39) OF THE FARM KLIPFONTEIN 12-IR HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Chloorkop Extension 66.

1.2 DESIGN

The township shall consist of erven and streets as indicated on the General Plan SG No. 3587/2011.

1.3 STREET NAMES

The streets within the township shall be named in conjunction with the local authority.

1.4 ENDOWMENT AND ENGINEERING SERVICES CONTRIBUTIONS

The township owner shall, in terms of the provisions of Section 121 of the Town Planning and Townships Ordinance, 15 of 1986 (as amended), pay a contribution to the City Council for the provision of services.

1.5 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

1.6 ACCESS

1.6.1 The figure "KABCDEFGHIJK" represents a servitude over Remaining Extent of Portion 123 of the farm Klipfontein 12-IR for access purposes as shown on SG Diagram 269/2009 .

1.6.2 Access to and egress from the township to the public street system shall be to the satisfaction of the Local Authority.

1.6.3 No ingress from Road D 51(future Road K58) and no egress to Road D 51(future Road K58) from Erf 5505 shall be allowed.

1.7 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the existing and planned road and storm water infrastructure in the vicinity and for all storm water running off or diverted from the roads to be received and disposed of.

1.8 PRECAUTIONARY MEASURES

- 1.8.1 The township owner shall at his own expense, make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report of the township are complied with and, when required, engineer certificates for the foundations of the structures must be submitted.
- 1.8.2 A detailed plan or report in respect of all building structures, signed by a professional engineer must be submitted to the local authority together with any building plans if required by the local authority.
- 1.8.3 If required by the local authority a certificate that is signed by a professional geological engineer to confirm that the buildings comply to the findings and recommendations of the geological report, must be submitted to the local authority together with any building plans.

1.9 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner 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 by the local authority to do so.

1.10 REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

1.11 REPOSITIONING OF CIRCUITS

If, by reason of the establishment of the township, it should become necessary to reposition any existing circuits of ESKOM, the cost thereof shall be borne by the township owner.

1.12 ENGINEERING SERVICES

The township owner is responsible for making the necessary arrangements for the provision of all engineering services.

1.13 DEPARTMENT OF AGRICULTURE

All conditions laid down by the Department of Agriculture must be complied with.

1.14 GAUTENG DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDARD)

All conditions laid down by GDARD must be complied with.

1.15 GAUTENG DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS (GAUTRANS)

All conditions laid down by GAUTRANS must be complied with.

1.16 PRE-REGISTRATION CONDITIONS**1.16.1 CONSOLIDATION OF ERVEN 5506 TO 5515**

- 1.16.1.1 The applicant may submit diagrams for the consolidation of Erven 5506 to 5515 (inclusive) of the township to the Surveyor-General for approval prior to registration of transfer of the first property in the township.

- 1.16.1.2 In the event that the applicant exercises this option for consolidation [as per paragraph 1.16.1.1) above] the 3m wide servitude over Erven 5511 to 5514 for storm-water purposes in favour of the Property Owners Association, as shown on the General Plan, shall no longer be required and engineering services infrastructure in the township shall be designed in a manner that recognises such consolidation.
- 1.16.1.3 In the event that a consolidation of Erven 5506 to 5515 [as per paragraph 1.16.1.1 above] is not approved by the Surveyor-General prior to registration of transfer of the first property in the township, or in the event that the approved consolidation diagram [as provided for in paragraph 1.16.1.1 above] is cancelled after registration of the transfer of the first property in the township, then any subsequent consolidation of the relevant erven shall be subject to a normal application for consolidation, in terms of the relevant legislation.

1.17.1 ERVEN TO BE TRANSFERRED TO PROPERTY OWNERS ASSOCIATION

- 1.17.1.1 Prior to or simultaneous with registration of transfer of the first property in the township, Erf 5521 ("Private Open Space"-erf, for purposes of storm-water management) must be transferred to the Property Owners Association (that was established for the administration and maintenance of communal facilities and infrastructure in the township).

1.17.2 CONSTITUTION AND DUTIES OF A PROPERTY OWNERS ASSOCIATION

- 1.17.2.1 The township owner shall at his own expense, prior to the registration of transfer of the first property in the township, properly and legally constitute a Property Owners Association for purposes of the administration and maintenance of communal facilities and infrastructure in the township.
- 1.17.2.2 Each and every owner of a property in the township, except Erf 5521 ("Private Open Space"-erf), shall become a member of the said Property Owners Association upon registration of ownership of such property into his/her/its name.
- 1.17.2.3 The Property Owners Association contemplated above, shall be responsible for the administration and maintenance of communal facilities and infrastructure in the township. Such administration and maintenance shall at all times be undertaken to the satisfaction of the local authority.
- 1.17.2.4 The township owner shall be responsible for the construction of such communal facilities and infrastructure and the proper maintenance thereof, until such facilities and infrastructure have been legally transferred to and taken over by the said Property Owners Association.

1.17.2.5 The said Property Owners Association shall be legally entitled to levy and claim, from each and every member of the Property Owners Association, the costs incurred in the execution of its duties / responsibilities – if necessary, by means of legal action.

1.17.2.6 The Property Owners Association shall be known as "LORDS VIEW PROPERTY OWNERS ASSOCIATION" or such other name as approved by the Companies and Intellectual Property Commission, with registration number 2010/013384/08.

2. CONDITIONS OF TITLE

2.1 CONDITIONS AND SERVITUDES IN FAVOUR OF THE LOCAL AUTHORITY

2.1.1 ALL ERVEN

2.1.1.1 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.

2.1.1.2 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.

2.1.1.3 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 purposes, 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.

2.1.2 ERVEN 5500 TO 5505

The above erven are subject to a 2m wide servitude for sewer purposes in favour of the local authority, as shown on the General Plan.

2.2 CONDITIONS AND SERVITUDES IN FAVOUR OF THIRD PARTIES TO BE REGISTERED / CREATED ON TRANSFER OF THE RELEVANT ERVEN

2.2.1 ALL ERVEN (EXCEPT ERF 5521)

2.2.1.1 Every owner of the erf, or of any subdivision thereof, or of any interest therein, or of any unit thereon as defined in the Sectional Titles Act, shall automatically upon registration of the property into his/her/its name become a member of the Property Owners Association (established for the administration and maintenance of communal facilities and infrastructure in the township) and be subject to its constitution until he/she/it ceases to be an owner, provided that the rules of the Property Owners Association shall become binding upon the owner on the earlier of the date on which he/she/it occupies the property or the date on which it is registered in his/her/its name.

2.2.1.2 Every owner of the erf, or any subdivision thereof, or of any interest therein, or of any unit thereon as defined in the Sectional Titles Act, shall not be entitled to sell, donate, exchange or transfer the erf, or any subdivision thereof, or any interest therein, or any unit thereon, without the prior written consent of the Property Owners Association, which consent the Property Owners Association will be entitled to withhold unless:-

- (i) in the deed of sale, donation or exchange, the party to whom the property is transferred is informed of the existence of the Property Owners Association and the transferee undertakes in the said deed of sale to become a member of the Property Owners Association and to be bound by the rules and regulations of the Property Owners Association;
- (ii) all amounts due by the owner to the Property Owners Association have been paid to the Property Owners Association; and
- (iii) the owner is materially in compliance with the provisions of the articles of association of the Property Owners Association.

2.2.2 ERVEN 5500 TO 5505

The above erven are subject to a 3m wide servitude for storm-water purposes in favour of the Property Owners Association, as shown on the General Plan.

2.2.3 ERVEN 5511 TO 5514 AND 5520

The above erven are subject to a 3m wide servitude for storm-water purposes in favour of the Property Owners Association, as shown on the General Plan. In the event that the applicant exercises the option for consolidation of Erven 5506 to 5515 [as provided for in paragraph 1.16.1.1 above] the above 3m wide servitude over Erven 5511 to 5514 for storm-water purposes in favour of the Property Owners Association, as shown on the General Plan, shall no longer be required and engineering services infrastructure in the township shall be designed in a manner that recognises such consolidation.

2.2.4 ERF 5520

- 2.2.4.1 The erf is subject to a servitude for turning circle purposes in favour of the Property Owners Association, as shown on the General Plan.
- 2.2.4.2 The erf is subject to a 4m wide right-of-way servitude in favour of Erf 5521, as shown on the General Plan.

2.2.5 ERF 5521

- 2.2.5.1 Erf 5521 shall be entitled to a 4m wide right-of-way servitude over Erf 5520, as shown on the General Plan.
- 2.2.5.2 The whole Erf 5521 is subject to a servitude for storm-water purposes in favour of the Remainder of Portion 39 of the farm Klipfontein 12-IR.

Khaya Ngema, City Manager

LOCAL AUTHORITY NOTICE 928**EKURHULENI METROPOLITAN MUNICIPALITY****LETHABONG TOWN PLANNING SCHEME, 1998: AMENDMENT SCHEME 47**

The Ekurhuleni Metropolitan Municipality hereby declares that it has approved an amendment Scheme, being the amendment of the Lethabong Town Planning Scheme, 1998, comprising the same land as included in the township of Chloorkop Extension 66 in terms of the provisions of section 125 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

Map 3 and the scheme clauses of the amendment scheme are filed with the Area Manager, City Development, Edenvale Customer Care Centre, Ekurhuleni Metropolitan Municipality, Edenvale Civic Centre, 1st Floor, Entrance 3, corner Hendrik Potgieter road and Van Riebeeck Avenue, Edenvale, and are open for inspection at all reasonable times.

This amendment is known as Lethabong Amendment Scheme 47 and shall come into operation from the date of publication of this notice.

Khaya Ngema, City Manager

**Edenvale Civic Centre, corner Hendrik Potgieter Road and Van Riebeeck Avenue,
Edenvale.**
