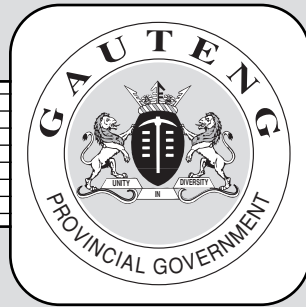


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

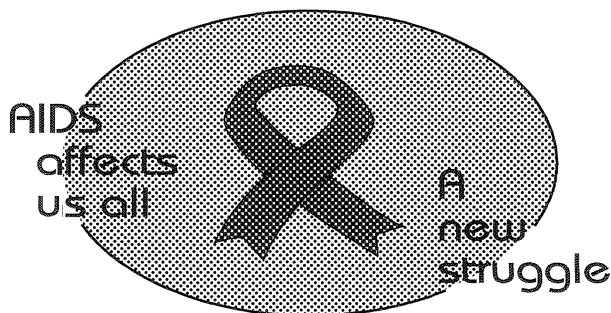
Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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PRETORIA, 25 SEPTEMBER 2013

No. 273

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1296

EKURHULENI METROPOLITAN MUNICIPALITY (SPRINGS CUSTOMER CARE AREA) DECLARATION AS AN APPROVED TOWNSHIP

IN TERMS OF SECTION 103(1) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986), THE EKURHULENI METROPOLITAN MUNICIPALITY (SPRINGS CUSTOMER CARE AREA) HEREBY DECLARES CASSEDALE EXTENSION 4 TO BE AN APPROVED TOWNSHIP, SUBJECT TO THE CONDITIONS SET OUT IN THE SCHEDULE HERETO.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY BLUE CRANE ECO MALL (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP KNOWN AS CASSEDALE EXTENSION 4 LOCATED ON PORTION 170 OF THE FARM DAGGAFONTEIN 125 IR HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)

2.1 NAME

The name of the township shall be Casseldale Extension 4.

2.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No 5430/2012.

2.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

including the following which affects erven 1257 and 1258 in the Township.

“4. (a) *Aangesien hierdie standplaas deel vorm van ‘n gebied wat vlak ondermyn is onderhewig mag wees aan versakking, vassakking. Skokke en krake weens sodanige ondermyning, aanvaar die eienaar daarvan alle verantwoordelikheid vir enige skade aan die grond of geboue daarop as gevolg van sodanige versakking, vassakking, skokke en krake, met dien*

verstande dat die staat of sy werknemers geen aanspreeklikheid vir enige gebeurlikheid wat daarmee verband hou, aanvaar nie.

- (b) *Die volgende voorwaardes gestel die streek-direkteur van die departement van Mineraal-en Energiesake:*
- i. *Geen gebou, pad, spoorweg of struktuur mag op die onderhawige grond opgerig word nie alvorens die nodige vergunning vir die doeleindes van Regulasie 5.3.5 vanaf hierdie Direktoraat verkry is nie.*
 - ii. *'n Ondermyningsplan moet aan enige voornemende koper/s van die onderhawige grond, ter insae beskikbaar gestel word.'*
- (c) *Die volgende voorwaardes en vereistes gestel deur The Grootvlei Proprietary Mines Bpk:*
- i. *Die aansoeker en sy regsopvolgers kan nie uit hoofde van hulle eienaarskap van die grond op 'n direkte of indirekte manier deur die blote okkupasie daarvan of die aanbring en /heining, landerye en/of beddings vir die verbouing van enige gewasse verhoed of poog om te verhoed dat daar weer onder die betrokke grond gemyn word nie. Die aansoeker is daarvan bewus dat sy reg op sydelingse of onderliggende steun genegeer word deur die mynreghouer (Grootvlei) of enige plaasvervanger in titel, se reg om die minerale ongestoord te ontgin.*
 - ii. *Die ontwikkelaar en/of toekomstige eienaars neem kennis dat dele van die eiendom geleë is op dolomitiese gebied en die houer van die kleims sal geensins aanspreeklik gehou word vir enige direkte of indirekte skade en / of verlies van welke aard ookal) wat gely mag word as gevolg van mynbouaktiwiteite nie.*
 - iii. *Die houer van die kleims of enige toepasser van mynbou oor die eiendom sal geensins verplig word om groter stipilare, as wat onder onontwikkelde grond benodig word, te laat nie, en die eenaar of okkupeerder of hul regsopvolgers sal geen eis, van welke aard ookal, teen die mynreghouer of toepasser van mynbou, kan instel nie.*

- iv. *Bogenoemde voorwaardes word geag 'n aftrekking van die dominium van die oppervlakte-eienaar te wees en moet te alle tye teen die tersaaklike onderverdeelde eiendom se titelakte en die dorp se stigtingsakte geregistreer word.*"

including the following which affects erf 1257 in the Township.

"By virtue of Notarial Deed of Servitude K...../2013S the within mentioned property is subject to a servitude for electrical purposes, the centre line of the servitude indicated by the figure AB on diagram S.G. No. 5429/2012, attached to the said Notarial Deed in favour of the Ekurhuleni Metropolitan Municipality, as will more fully appear from the said Notarial Deed which servitude has ancillary rights."

2.4 ENDOWMENT

No endowment is payable to Council for parks and public open spaces.

2.5 REMOVAL AND / OR REPLACEMENT OF MUNICIPAL OR ANY OTHER ENGINEERING OR COMMUNICATION SERVICES INFRASTRUCTURE

Should it become necessary to move and / or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

2.6 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the Council to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the Council all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, dilapidated structures and structures for which a building has not been approved.

2.7 REMOVAL OF LITTER

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

2.8 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

2.9 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing TELKOM services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

2.10 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT (GDARD)

The township owner shall at his own expense comply with, or make satisfactory arrangements to ensure compliance with all the conditions imposed by GDARD, which has given conditional approval for the development of the township, as per their letter dated 14 December 2009 (Ref no. Gaut: 002/07 – 18N0520).

2.11 SOIL CONDITIONS /GEOLOGICAL CONDITIONS

- (a) Proposals for precautionary measures to overcome detrimental soil / geological conditions to the satisfaction of the Council and the National Home Builders Registration Council (NHBRC) shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with such precautionary measures to the satisfaction of the Council and the NHBRC.
- (b) The township owner shall at his own expense, make arrangements with the Council in order to ensure that the recommendations as laid down in the geological report, as well as the provisions of the Dolomite Risk Management Plan are complied with and, when required, engineering certificates for the foundations of the structures and engineering services are submitted.
- (c) The applicant shall comply with the conclusions and recommendations stipulated in the comments from the Director: Civil Works (Infrastructure: Dolomite Risk Management) dated 24 January 2010 with reference number 17/19/9 (Dolom.) Casseldale x3 (Let 2)
- (d) The applicant shall comply with the letter from the Council for Geoscience dated 09 February 2009 Reference number F2761.

2.12 PRE-CAUTIONARY MEASURES AGAINST POTENTIAL NOISE IMPACT

The applicant shall be responsible for any cost involved in the erection of Acoustic Screening, if and when the need arises to erect such screening. The owners of erven which are within 95m from the centreline of the affected road(s) are liable for the erection of such screening.

2.13 PROVISION FOR REFUSE REMOVAL WITHIN THE TOWNSHIP

- (a) Provision must be made for either kerb-side refuse removal or proper refuse holding areas with access from the street must be provided, in a manner that does not detrimentally affect the movement of traffic along the street.
- (b) All streets/roadways along which refuse removal by the Council is required, must be designed in a manner that will allow easy manoeuvring of refuse removal vehicles, to the satisfaction of the Council and any overhanging cables or structures over such street / roadways must be at least 4,5 (four comma five) metres high above the road surface level, to allow for refuse removal vehicles to pass underneath.

2.14 ACCEPTANCE AND DISPOSAL OF STORM-WATER

- (a) The township owner shall ensure that the storm-water drainage of the township fits in with that of the existing and planned roads and storm-water infrastructure in the vicinity and that all storm-water running off or diverted from the roads is received and disposed of in such infrastructure.
- (b) The applicant shall comply with clause 2.9 of the comments from Gauteng Department of Roads and Transport, dated 24 March 2010 reference No. 1/1/3/1/3-2336.

2.15 OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES INFRASTRUCTURE

The township owner shall within such period as the Council may determine (or such period as determined in the engineering services agreement), fulfil his obligations in respect of the installation / construction of engineering service infrastructure (i.e. water, sewerage, electricity, roads and storm-water drainage infrastructure) as per engineering service agreement to be entered into between the Applicant

and the Council. Such engineering service agreement may include payment of contributions, by the Applicant, towards bulk engineering services.

2.16 PROVISION OF ENGINEERING DRAWINGS

The developer shall submit to the Council complete engineering drawings for approval by the Council, prior to commencement with the installation / construction of engineering service infrastructure.

2.17 PROVISION OF AS-BUILT DRAWINGS AND CERTIFICATES BY PROFESSIONAL ENGINEER

Upon completion of the installation / construction of engineering services infrastructure by the Applicant, the Applicant shall supply the Council with as-built drawings and certificates by a professional engineer, in which it is certified that such engineering services infrastructure has been completed and that the engineer accepts liability for such infrastructure.

2.18 MAINTENANCE PERIOD AND GUARANTEE

Unless stated otherwise in the engineering service agreement between the Applicant and the Council, a maintenance period of 12 (twelve) months commences from the date when the last of the engineering services infrastructure (i.e. water, sewerage, electricity and roads and storm-water drainage infrastructure) installed / constructed by the Applicant has been completed and as-built drawings and engineer's certificates have been submitted to the Council. The Applicant must furnish the Council with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or materials, which guarantee must be for an amount that is equal to at least 5% of the contract cost for the installation / construction of such infrastructure.

2.19 RESTRICTION REGARDING REGISTRATION OF ERVEN AND APPROVAL OF BUILDING PLANS

No erf in the township may be registered, nor will building plans be approved, before the Council has certified that the Applicant has complied with all his obligations and all conditions for establishment of the township, to the satisfaction of the Council.

2.20 ACCESS

No ingress to or egress from erven in the township shall be allowed from Road K179 (P41-1) and Road P109 (N17).

2.21 PRECAUTIONARY MEASURES

The township owner shall at his own expense, ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

2.22 NOTARIAL TIE OF ERVEN

Erven 1257 and 1258 shall be notarialy tied after proclamation of the township, before the erven becomes transferable.

3 CONDITIONS OF TITLE

CONDITIONS IMPOSED BY THE EKURHULENI METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

3.1 All Erven

- (a) As this erf forms part of land which may be undermined and which may be liable to substance, settlement, shock and cracking due to mining operations in the past, present or future, the owner thereof accepts all liability for any damages thereto or any structure thereon which may result from such subsidence, settlement, shock or cracking.
- (b) As this erf is situated in an area where dust, pollution and noise occur as a results of the removal or working of the nearby mining area, the owner of the erf accepts that inconvenience may be experienced as a result thereof, and the State or its employees shall accept no responsibility for any such inconvenience which may be experienced.
- (c) The erf is subject to a servitude, 2 metres wide, in favour of the Local Authority, for sewerage and other municipal purposes, along any two boundaries of the erf 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 Authority: Provided that the Local Authority may dispense with any such servitude.
- (d) 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 two metres thereof.

- (e) The Local Authority shall be entitled to temporarily deposit 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 process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Local Authority.

Khaya Ngema: City Manager, Ekurhuleni Metropolitan Municipality, Private Bag X1069
Germiston, 1400

**EKURHULENI METROPOLITAN MUNICIPALITY
(SPRINGS CUSTOMER CARE AREA)
SPRINGS TOWN PLANNING SCHEME 1996: AMENDMENT SCHEME
395/96**

The Ekurhuleni Metropolitan Municipality (Springs Customer Care Area) hereby, in terms of the provisions of section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of Springs Town-planning Scheme 1996, comprising the same land as included in the township of Casseldale Extension 4 Township, Springs.

Map 3 and the scheme clauses of the amendment scheme will be open for inspection during normal office hours at the office of Area Manager: City Planning, Block F, Fourth Floor, Civic Centre, c/o Plantation and South Main Reef Road, Springs and the Office of the Head of Department, Gauteng Provincial Government: Development Planning and Local Government, Johannesburg. This scheme will come into operation on the date of publication of this notice.

This amendment scheme is known as Springs Amendment Scheme 395/96.

Khaya Ngema: City Manager, Ekurhuleni Metropolitan Municipality, Private Bag X1069
Germiston, 1400.
