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PROCLAMATION • PROKLAMASIE

PROCLAMATION 26 OF 2017**MOGALE CITY LOCAL MUNICIPALITY****DECLARATION OF HOMES HAVEN EXTENSION 25 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 25 to be an approved Township, subject to the conditions set out in the Schedule hereto:

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION DONE BY VANFAIR (PROPRIETARY) LIMITED, (REGISTRATION No 2008/005344/07) (HEREIN AFTER 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 373 (A PORTION OF PORTION 76) OF THE FARM ROODEKRANS 183 IQ, HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be **HOMES HAVEN EXTENSION 25**

1.2 DESIGN

The township shall consist of erven and streets as indicated on **General Plan SG No 1558/2015**.

1.3 ENGINEERING SERVICES**1.3.1 STORMWATER DRAINAGE AND STREET DESIGN**

- (a) The township owner shall at the request of the municipality supply the municipality with a detailed scheme including plans, cross sections and specifications as compiled by a civil engineer approved by the municipality for the provision of a underground water drainage system. Such system must be designed in order to dispose off 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 drainage 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 municipality.

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 municipality. 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 municipality, under the supervision of a civil engineer approved by the municipality.
- (c) The engineering design standard for all services shall be based on the "Guidelines for the

Provision of Engineering Services and Amenities (Red Book). The specific engineering designs shall further be subject to approval by the municipality.

- (d) No internal roads and surface drainage services will be taken over by the municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance thereof.

1.3.2 SEWERAGE

- (a) The township owner must, at the request of the municipality, 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.
- (b) The sewerage system must be designed by an approved professional engineer according to the specifications and standards laid down by the municipality, to the satisfaction of the municipality;
- (c) All materials to be used with the construction of the sewerage system is subject to the approval and/or amendment of the municipality.
- (d) No internal sewer services will be taken over by the municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance thereof.

1.3.3 WATER

- (a) The township owner must, at the request of the municipality submit a detailed scheme with plans, cross sections and specifications for the provision of an underground water distribution system, for approval.
- (b) The proposed network must make provision for a pressurised water connection for each individual erf and must be designed by a professional engineer approved by the municipality. All materials to be used in the proposed water network must be approved by the municipality.
- (c) No internal water reticulation services will be taken over by the municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance thereof.

1.3.4 ELECTRICITY

- (a) The township owner must submit to the municipality a detailed scheme with plans, specifications and electricity demand for the provision of an internal electricity reticulation network, including link services, connections and mini-substations, for approval.
- (b) The internal electricity distribution network must be designed according to the minimum requirements and specifications of the municipality and the National Energy Regulator and must cater for the specific after-diversity maximum demand required by the municipality.
- (c) The installation of all electricity infrastructure is subject to the inspection and approval of the municipality.

- (d) No internal electricity services will be taken over by the municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance thereof.
- (e) The applicant shall further make a contribution towards the upgrading of the external bulk electricity networks as determined by the local municipality.

1.3.5 WASTE MANAGEMENT

The township owner shall, at the request of the municipality submit a detailed waste management plan for the township, for approval.

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be subject to the existing conditions of title and servitudes, if any, including the reservation of mineral rights.

1.5 REMOVAL OF REFUSE

The township owner shall at his own expense remove buildings rubble and other refuse in the township to the satisfaction of the local government, if and when required by the local government.

1.6 REMOVAL OR REPLACEMENT OF SERVICES

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal, Eskom or Telkom services, the cost thereof shall be borne by the township owner.

1.7 FORMATION, DUTIES AND RESPONSIBILITIES OF THE BODY CORPORATE

- (a) The applicant shall legally and properly nominate or establish a legal entity in the form of a Property Owners' Association that shall be properly and legally constituted to remain or become the township owner prior to the transfer of any erf or sectional title unit in the township.
- (b) All streets, excluding public roads, and internal engineering services in the township shall, prior to or simultaneously with the registration of the first erven or sectional title units in the township be transferred to the Property Owners' Association who shall take full responsibility for the maintenance of said streets and internal engineering services in the township.
- (c) All owners of stands (or subdivided/consolidated portions thereof) and sectional title units in the township shall become and remain members of the Property Owners' Association and shall be subject to its memorandum and articles until such owners legally cease to be owners as aforesaid.

1.8 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 services and utilities.

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 municipality, when required to do so.

1.10 FILLING IN OF EXISTING EXCAVATIONS AND DONGAS

The township owner shall, at his own expense, cause any excavations and dongas affecting any erf in the township, if any, to be filled in and compacted.

1.11 ENDOWMENT

The township owner shall pay an endowment, as determined by the municipality, in lieu of the provision of parks and/or open spaces in the township.

1.12 RELOCATION OF PERSONS

The township owner must deal with persons that reside on the land where the township is to be established in the following manner:

- (a) No person, formally or informally residing on the application property during or after of the approval of the application may be relocated, evicted or otherwise be displaced by the applicant and/or the land owner without the official involvement of the Municipality.
- (b) The developer/applicant/land owner is encouraged to make provision to house all persons residing on the property as part of the township application process. Should it prove not be possible to house residents in the township to be developed, residents/occupiers must be relocated to a suitable alternative site(s) as close as possible to the application property according to the requirements and to the satisfaction of the municipality at his/her cost on suitable land identified with the co-operation of the municipality.
- (c) Alternative housing to be provided to persons residing on the application site must at least be of RDP standards and is subject to the approval of the municipality.
- (d) The applicant must finalize all arrangements regarding the relocation of residents on site prior to the conclusion of the mandatory Service Level Agreement (SLA) to be entered into between the municipality and the township owner.

1.13 PROVISION OF INCLUSIONARY HOUSING

The developer shall make provision for inclusionary housing in the proposed township development in the following manner:

- (a) Inclusionary housing represents the section of the residential housing market that provides completed residential units of between R150 000,00 and R450 000,00.
- (b) The required inclusionary housing component must be provided in such a way that it blends in with the remainder of the development in an aesthetical and architectural way to the satisfaction of the Municipality.
- (c) The occupiers/residents of the inclusionary housing units must have full access to all facilities and amenities that other residents in the development enjoy.
- (d) Should the developer not be able to provide inclusionary housing within the development a contribution towards the provision of inclusionary housing in the vicinity of the application site will be payable to the Municipality. This contribution will be determined through negotiation between the developer and the Municipality and the payment of such contribution will be

captured in the Services Level Agreement to be entered into between the developer and the Municipality;

- (e) Land use control measures to be imposed in terms of the proposed zoning of the residential erven in the proposed township shall only be applicable to the intended development and not the inclusionary housing component to allow the developer to realize the planned development.

1.14 CONSOLIDATION OF ERVEN

Erven 831 and 832 must be consolidated after proclamation of the Township.

2. CONDITIONS OF TITLE

Conditions imposed by the Local Government in terms of the provisions of the Town Planning and Townships Ordinance, 1986:

2.1 ALL ERVEN

- (a) The erf is subject to a servitude, 2 metres wide, in favour of the township owner, 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 engineering services purposes 2 metres wide accross the access portion of the erf, if and when required by the township owner, provided that the township owner may dispense with 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 township owner 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 township owner.

2.2 ERVEN 831 AND 832

The erf is subject to a road widening servitude of 12,50 metres along Falls Road as indicated on the lay out plan of the township.

Mr M P Raedani
MUNICIPAL MANAGER

February 2017

MOGALE CITY LOCAL MUNICIPALITY**KRUGERSDORP AMENDMENT SCHEME 1752**

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 Ext 25** being an amendment of the Krugersdorp 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 1752**.

Mr M P Raedani
MUNICIPAL MANAGER

February 2017

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