

**THE PROVINCE OF
GAUTENG**



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GAUTENG**

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 127 OF 2018**LOCAL AUTHORITY NOTICE OF APPROVAL:
RAND WEST CITY LOCAL MUNICIPALITY
RANDFONTEIN TOWN PLANNING SCHEME, 1988, AMENDMENT SCHEME 884**

The Rand West City Local Municipality hereby declares that it has approved an amendment of the Randfontein Town Planning Scheme, 1988, in terms of Section 125(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with Section 2(2) of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) comprising the same land area included in the township of **Mohlakeng Extension 16**

Map 3's and the scheme clauses of the amendment scheme are available for inspection during normal office hours from 07:30 to 16:00 at the offices of the Executive Manager: Economic Development, Human Settlements & Planning, c/o Sutherland Avenue and Stubbs Street, Randfontein (Library Building, First floor, Office No. 1.)

This amendment is known as Randfontein Amendment Scheme 884 and shall come into operation on the date of the publication of this notice.

Municipal Manager:

Rand West City Local Municipality

Notice No. 12/2018

Date:

LOCAL AUTHORITY NOTICE 12 OF 2018**RAND WEST CITY LOCAL MUNICIPALITY
DECLARATION OF MOHLAKENG EXTENSION 16 AS AN APPROVED TOWNSHIP**

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with Section 2(2) of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013), the Rand West City Local Municipality hereby declares the township **MOHLAKENG EXTENSION 16** 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 ZEKWAKOR INVESTMENTS (PTY) LTD (HEREINAFTER REFERRED TO AS THE "APPLICANT/TOWNSHIP OWNER") IN TERMS OF THE PROVISIONS OF CHAPTER 4 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 113 (PORTION OF PORTION 109) OF THE FARM MIDDELVLEI 255 IQ, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWN AS AN APPROVED TOWNSHIP:**1) ENVIRONMENTAL AUTHORIZATION IN TERMS OF ACT 107 OF 1998**

Authorization for the proposed township establishment in terms of the National Environmental Management Act, 1998, shall be submitted to the local authority.

2. GENERAL

- 1) The Section 125 Amendment Scheme shall be published simultaneously with the declaration of the township as an approved township.
- 2) The provisions of Sections 109 and 110 of the Town Planning and Townships Ordinance, 1986 shall be complied with.

3. CONDITIONS OF ESTABLISHMENT

1) TOWNSHIP NAME

The name of the township shall be **Mohlakeng Extension 16**.

2) DESIGN

The township shall consist of erven as indicated on the approved S.G. Plan No. 1631/2017.

3) PROVISION AND INSTALLATION OF SERVICES

- a) The township owner shall, to the satisfaction of the local authority, make the necessary arrangements for the design and provision of all engineering services required for the development.
- b) The township developer will enter into a written service level agreement with the Rand West City Local Municipality, covering all engineering services.

4) ACCESS

- a) Access to and egress from the site shall be to the satisfaction of the Local Authority and the Gauteng Department of Public Transport, Roads and Works (Gautrans).
- b) No access to or egress from the township shall be permitted along the R28/K11 and portion of the southern boundary along the proposed PWV 16 Road Reserve.
- c) Temporal access from the R28 be provided by Gautrans of 690m from the R559. When the PWV 16 is constructed in the future and the K11 is upgraded to a full K route standard, the access should and will have to be removed;

5) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

- a) Should the development of the township not been commenced within the next 5 years from 01 June 2017 the application to establish the township, shall be resubmitted to the Department: Mineral Resources for reconsideration.

6) ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The developer shall at his own expense erect a fence or physical barrier along the boundary of the township with the Provincial Roads K-11 to the satisfaction of the Gauteng Provincial Government: Department of Transport and Public Works, as and when required to do so, and shall maintain such fence or physical barrier in good order and repair until such time as this responsibility is taken over by the local authority.

7) DISPOSAL OF EXISTING TITLE CONDITIONS

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

(a) Excluding the following which do not affect the township due to its locality:

Condition 4 : The property is subject to a sewer pipeline servitude 3.15 metres wide, the centre line of which is represented by the line **cdefg** indicated on diagram S.G. No. **12627/1997** annexed hereto in favour of the TOWN COUNCIL OF RANDFONTEIN as more fully will appear from the Notarial Deed No. **974/1961S** and diagram **S.G. A217/58** annexed thereto.

(b) Including the following which do affect the township and shall be made applicable to the individual erven in the township:

Condition 3 : Notwithstanding the provision of the Fencing Act No. 31/1963 as amended, THE RANDFONTEIN ESTATES GOLD MINING COMPANY, WITWATERSRAND, LIMITED shall not be responsible for any costs relating to the erection and maintenance of fencing on the common boundary of the property and the Remaining Extent of Portion 1 of the Farm Middelvlei No. 255.

4. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions as indicated, imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986.

ALL ERVEN

- a. The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewage and other municipal purposes, along any two boundaries other than the 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 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 2m 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 aforesaid purposes, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other construction works, being made good by the local authority.
- d. With the consent of Gauteng Provincial Government: Roads and Transport, alternative access in part to the Township Mohlakeng Extension 16 from the provincial road P45/1 (R28) may, on a temporary basis, be utilised, provided that such access may at any time, upon 30 (thirty) days written notice by Gauteng Provincial Government: Roads and

Transport or any other controlling authority, be closed. Closure of such access shall bind the Township developer and all current or future owners of erven in the Township and shall not be dependent upon or subject to the implementation of the proposed PWV 16 freeway.

5. CONDITIONS TO BE INCORPORATED INTO THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986, IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION.

5.1 GENERAL CONDITIONS

The erven in the township lie in an area where soil conditions can affect and damage buildings and structures. Building plans submitted to the local authority for approval shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. These measures shall be in accordance with the recommendations contained in the Geotechnical Report for the township, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

5.2 CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986.

5.3

**ERVEN 16872-16873
USE ZONE 5: "BUSINESS 1"**

The erf shall be zoned "Business 1" in terms of the Randfontein Town Planning Scheme of 1988, and shall be subject to the following further conditions:

Primary Rights :	As per Scheme
Consent Use Rights :	As per Scheme
No Rights :	As per Scheme
Height :	4 Storeys, which may be increased with Council's consent
Coverage :	40 %, which may be increased with Council's consent
FAR : Business	0,4, which may be increased with Council's Consent
FAR : Residential	0,6, which may be increased with Council's consent
Density :	140/ha
Parking :	4 parking bays per 100m ² gross leasable business floor area 0.7 parking bays per residential unit if developed for social housing Standard parking requirements as per the relevant Town Planning Scheme, shall be applicable if developed for non-subsidised residential development.

Building lines :	5m building line along the northern boundary 6m building line along Ralerata Street 16m building line along the R28/K11 20m for single storeys along the Proposed PWV16 30m for double storeys along the Proposed PWV 16
Line of no access :	Along the R28/K11 and portion of the southern boundary along the proposed PWV 16 Road Reserve

- 1) The siting of buildings, including outbuildings to be erected on the erf and entrances and exits from the erf shall be to the satisfaction of the local authority in terms of the approved Site Development Plan.
- 2) The erf shall be landscaped and maintained to the satisfaction of the local authority.
- 3) The natural flow of storm water shall not be obstructed or inhibited in any manner and stormwater received onto or originating from the property shall be handled to comply with clause 16.1.2 of the Randfontein Town Planning Scheme.

5.3 CONDITIONS IMPOSED BY THE CONTROLLING AUTHORITY IN TERMS OF ACT 21 OF 1940.

ALL ERVEN

- 1) The registered owner of the erf shall erect a physical barrier consisting of a 1.3m high wire fence, or a fence of such materials as may be approved by the local authority in accordance with the most recent standards of Gauteng Provincial Government: Department of Transport and Public Works, before or during the development of the erf, along the boundary thereof abutting on Provincial Road K-11.
- 2) Except for the physical barrier referred to in paragraph 4.2(1) above, a swimming pool or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 16m from the existing structures or buildings situated within such distance from the said boundary be made except with consent in writing of the Gauteng Provincial Government : Department of Transport and Public Works.

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