

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**PROCLAMATION • PROKLAMASIE****PROCLAMATION 105 OF 2019****MERAFONG CITY LOCAL MUNICIPALITY  
PROPOSED TOWNSHIP: FOCHVILLE EXT 8  
DECLARATION OF APPROVED TOWNSHIP**

In terms of the provision of Section 43(15) of the Merafong City Local Municipality Spatial Planning and Land Use Management By-Law, 2016, the Merafong City Local Municipality hereby declares Fochville Ext 8, situated on Portion 84 (Portion of Portion 16) of the Farm Kraalkop 147 Registration Division IQ, Province of Gauteng, to be an approved township, subject to the conditions set out in the schedule hereto.

**SCHEDULE**

**STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY JIDMAC SOCIAL HOUSING FOCHVILLE X8 (PTY) LTD (REGISTRATION NUMBER 2019/105694/07 (HEREINAFTER REFERRED TO AS THE APPLICANT) IN TERMS OF THE PROVISIONS OF PART 3 OF CHAPTER 6 OF THE MERAFONG CITY LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 (HEREINAFTER REFERRED AS THE BY-LAW), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 84 (PORTION OF PORTION 16) OF THE FARM KRAALKOP 147 REGISTRATION DIVISION IQ, PROVINCE OF GAUTENG, HAS BEEN APPROVED**

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be FOCHVILLE EXTENSION 8.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan S.G. No. 540/2019.

**1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

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

**1.4 PRECAUTIONARY MEASURES**

The township owner shall at its own expense, make arrangements with the Local Authority, in order to ensure that-

- (a) Water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen; and
- (b) Trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.

**1.5 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT : ROADS AND TRANSPORT : GAUTENG PROVINCE**

The township owner shall at his own expense comply with all the conditions imposed, by which the Department : Roads and Transport, Gauteng Province, has granted consent for the development.

**1.6 ADVERTISEMENTS**

No advertisement that may be visible from Provincial Road P149-1 shall be displayed without the written approval of the Department : Roads and Transport, Gauteng Province and the local authority.

**1.7 ACOUSTIC SCREENING**

The Township owner shall at its own expense erect an acoustic screening (noise barrier) on the boundary of the township abutting on Provincial Road P149-1 if and when necessary and the township owner shall maintain such screening barrier in good order and repair.

**1.8 ACCESS**

- (a) Ingress to and egress from the township shall be from Road P149-1, as indicated on the Layout Plan to the satisfaction of the local authority.
- (b) No ingress from Provincial Road P149-1 to the individual erven in the township and no egress to Provincial Road P149-1 from the individual erven in the township shall be allowed.

**1.9 RECEIVING AND DISPOSAL OF STORMWATER**

Receiving and disposal of stormwater will be the responsibility of the township owner. All cost thereof will be borne by the township owner.

**1.10 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**

Should it become necessary to move 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.

**1.11 DEMOLITION OF BUILDINGS AND STRUCTURES**

When required by the Merafong City Local Authority to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the Local Authority all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

**1.12 REMOVAL OF LITTER**

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

**1.13 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.

**1.14 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.

**1.15 COMPLIANCE WITH CONDITIONS IMPOSED BY DEPARTMENT AGRICULTURE AND RURAL DEVELOPMENT : GAUTENG PROVINCE**

The township owner shall, at his own expense, comply with all the conditions imposed by the Department of Agriculture and Rural Development : Gauteng Province, including, if applicable, those by which exemption has been granted from compliance with regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

**1.16 NATIONAL HERITAGE RESOURCE ACT**

The township owner shall at his own expense comply with the provisions of the National Heritage Resource Act, 25 of 1999.

**1.17 OBLIGATIONS WITH REGARD TO SERVICES - SECTION 44 OF THE MERAFOG CITY LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016**

- (a) The township owner, shall at its own costs and to the satisfaction of the local authority, design, provide and construct all services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven or units in the township, may not be transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that these services had been provided and installed; and
- (b) The township owner shall within such period as the local authority may determine, fulfill its obligations in respect of the provision of water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems. Erven or units in the township, may not be transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said local authority.

**1.18 CONSOLIDATION OF ERVEN**

The township owner shall, at its own costs, after proclamation of the township, submit an application in terms of Section 48(1) for consent to Consolidate Erven 4137 and 4138.

**2. CONDITIONS OF TITLE****2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY MERAFOG CITY LOCAL AUTHORITY IN TERMS OF CHAPTER 6 PART 3 OF THE MERAFOG CITY LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016****2.1.1 ALL ERVEN**

- (a) The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the Local Authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the Local Authority: Provided that the Local Authority may waive any such servitude.
- (b) No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m from it.
- (c) The Merafong City Local Authority shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the Merafong City Local Authority shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Merafong City Local Authority shall make good any damage caused during the laying, maintenance or removal of such services and other works.

**2.1.2 ERVEN 4137 AND 4138****(a) CONDITION IN FAVOUR OF THIRD PARTY**

All erven abutting on Provincial Road P149-1 shall be subject to a 16m building line measured from the reserve boundary of the said road and no building or structure may be erected within this restriction area without the consent in writing of the Department : Road and Transport, Gauteng Province.

**3. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 76 OF THE BY-LAW, IN ADDITION TO THE PROVISIONS OF THE FOCHVILLE LAND USE MANAGEMENT DOCUMENT, 2000****3.1 RESIDENTIAL 2**

Erven 4137 and 4138 shall be zoned "Residential 2" in terms of the Fochville Land Use Management Document, 2000.

Merafong City Local Municipality herewith, in terms of the provision of Section 76 of the **Merafong City Local Municipality Spatial Planning and Land Use Management By-Law, 2016**, declares that it has approved an amendment scheme being an amendment of the Fochville Land Use Management Document, 2000, comprising the same land as included in the township Fochville Ext 8. Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director : Merafong City Local Municipality and are open for inspection at all reasonable times. The amendment scheme is known as Amendment Scheme F218/2019 with an Annexure known as Annexure 83.

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