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PROCLAMATION • PROKLAMASIE

PROCLAMATION 115 OF 2019**MOGALE CITY LOCAL MUNICIPALITY****DECLARATION OF GREENGATE EXTENSION 57 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 Greengate Extension 57 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 AFROPROP PROPRIETARY LIMITED, REGISTRATION NUMBER 1992/003634/07 (HEREINAFTER 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 675 OF THE FARM RIETFONTEIN 189 IQ, HAS BEEN APPROVED

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWN AS AN APPROVED TOWNSHIP**1.1 PROVISION AND INSTALLATION OF SERVICES**

The township owner shall enter into an agreement with the local municipality and other applicable service providers regarding the provision of essential and other engineering services to the proposed township, the payment of bulk services contributions and the delivery of guarantees for engineering services.

1.2 GENERAL

The applicant / township owner must satisfy the local municipality that:

- (a) the applicable amendment scheme is in order and could be published simultaneously with the declaration of the town as an approved township;
- (b) the 1:100 year flood line is indicated on the lay out plan of the township and has been certified by a professional engineer;
- (c) the provisions of sections 72, 75 and 101 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) have been complied with;
- (d) Environmental Authorisation has been obtained from the Gauteng Department of Agriculture and Rural Development for the development of the township.

2. CONDITIONS OF ESTABLISHMENT**2.1 NAME**

The name of the township shall be **Greengate Extension 57**.

2.2 DESIGN

The township shall consist of erven and streets as indicated on **General Plan S.G. No. 1166/2018**.

2.3 ROADS AND SURFACE DRAINAGE

- (a) The township owner shall at the request of the local municipality supply the local municipality with a detailed scheme including plans, cross sections and specifications as compiled by a civil engineer approved by the local 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 rain storm and must ensure that the runoff of a 1:100 year rain storm be guided to the nearest defined watercourse without flooding any adjacent properties. The design of the drainge 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 local 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 local 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 local municipality, under the supervision of a civil engineer approved by the local municipality.
- (c) No internal road or storm water services will be taken over by the local municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance of the internal roads and storm water network.
- (d) The township owner must provide access to the proposed township to the satisfaction of the Gauteng Department of Public Roads and the local municipality.

2.4 SEWERAGE

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

2.5 WATER

- (a) The township owner must, at the request of the local municipality submit a detailed scheme with plans, cross sections and specifications for the provision of a water reticulation 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 by the local municipality. All materials to be used in the proposed water network must be approved by the

local municipality.

- (c) No internal water services will be taken over by the local municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance of the internal water network.

2.6 ELECTRICITY

- (a) The applicant shall apply to Eskom for an electricity connection for the proposed township.
- (b) A copy of the agreement between the applicant and Eskom regarding the provision of electricity services to the township shall be submitted to the municipality for record purposes.

2.7 FORMATION, DUTIES AND RESPONSIBILITIES OF THE PROPERTY OWNERS ASSOCIATION

- (a) The applicant shall legally and properly constitute a Property Owners Association or similar institution in terms of the provisions of Section 10 of the Companies Act, 2008 (Act 71 of 2008) prior to the transfer of any erf or sectional title unit in the township.
- (b) Erven 151 and 152 and all 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 bear full responsibility for the development and maintenance of said Erven 151 and 152 and all 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.

2.8 REMOVAL OF REFUSE

Where no municipal refuse removal services are available the township owner shall enter into a contract with a suitable alternative services provider to the satisfaction of the local municipality.

The township owner must at own cost remove all rubble, refuse and unused building materials within the township to the satisfaction of the local municipality, if and when required by the local municipality.

2.9 REMOVAL OR REPLACEMENT OF SERVICES

If the establishment of the township results in existing municipal, Eskom, Telkom or any other service to be removed, relocated or replaced the costs of such removal, relocation or replacement must be borne by the township owner.

2.10 RELOCATION OF INFORMAL SETTLEMENTS

The applicant shall, at his/her own expense relocate all informal settlements, which may be located on the property concerned, to the satisfaction of the local municipality.

2.11 REGISTRATION OF SERVITUDES

The applicant shall, at his own cost, register servitudes to provide access or protect infrastructure in the proposed township if required.

3. DISPOSAL OF EXISTING TITLE CONDITIONS

3.1 All erven must be made subject to existing title conditions, excluding the following servitudes which only affect Erven 147, 148, 149, 150, 151 and in the township:

"E. Subject to a servitude in favour of Eskom Holdings Ltd, with ancillary rights, as indicated by the figure jBCa'lkj on the annexed SG Diagram No 5902/2014 as will more fully appear from Notarial Deed of Servitude K4113/2011S which route is defined in Deed of Route Servitude K5883/2011S, subject to conditions as will more fully appear on reference to the said Notarial Deed of diagram."

4. CONDITIONS OF TITLE

4.1 CONDITIONS OF TITLE IMPOSED IN FAVOUR OF THE PROPERTY OWNERS ASSOCIATION IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

4.1.1 ALL ERVEN

(a) The erf is subject to a servitude 2 metres wide for engineering services and other purposes in favour of the Property Owner's Association along any two boundaries other than a street boundary and in the instance of a panhandle erf an additional 2 metres wide servitude for such purposes over the access portion of the stand if and when required by the Property Owner's Association: provided that the Property Owner's Association may dispose of the right to any such servitude.

(b) No buildings or any structures may be erected within the servitude area and no large rooted trees may be planted within the area of such servitude or within a distance of 2 metres thereof.

(c) The Property Owner's Association is entitled to temporarily place any material excavated during the installation, maintenance or removal of a sewerage pipeline or any other works that is deemed necessary on the land adjacent to the servitude and furthermore the Property Owner's Association is entitled to reasonable entry to the property on which the servitude is situated for the stated purpose, on the condition that the Property Owner's Association will be liable for any damage caused during the installation, maintenance or removal of engineering services infrastructure and other works.

4.1.2 ERVEN 146, 147, 151 AND 152

The erf is subject to a servitude, 2 metres wide for the purpose of a water pipeline as indicated on the lay out plan of the township.

4.1.3 ERF 151

The whole of Erf 151 is subject to a right of way servitude in favour of Portion 10 of the farm Nooitgedacht 534 JQ for access purposes.

Mr M P Raedani
MUNICIPAL MANAGER

October 2019

MOGALE CITY LOCAL MUNICIPALITY**KRUGERSDORP AMENDMENT SCHEME 1893**

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 **Greengate Extension 57** 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 1893**.

Mr M P Raedani
MUNICIPAL MANAGER

October 2019