

LIMPOPO PROVINCE
LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 52

LEPHALALE MUNICIPALITY

LEPHALALE AMENDMENT SCHEME 83

It is hereby notified in terms of the provisions of section 125 (1) of the Town-planning and Townships Ordinance, 1986, that the Lephalale Municipality has approved an amendment scheme with regard to the land in the Ellisras Extension 70, being an amendment of the Lephalale Town-Planning Scheme, 2005.

Map 3 and the scheme clauses of the amendment scheme are filed with the Directorate, Department of Developmental Local Government and Housing, Limpopo Provincial Administration, Lephalale and the Municipal Manager, Lephalale Municipal Offices, corner of Joe Slovo- en Douwaterstrate, Private Bag X136, Lephalale, 0555, and are open for inspection during normal office hours.

This amendment is known as Lephalale Amendment Scheme 83.

M.P. SEBATJANE, Municipal Manager

LOCAL AUTHORITY NOTICE 53**LOCAL MUNICIPALITY OF LEPHALALE****DECLARATION OF ELLISRAS EXTENSION 70 AS APPROVED TOWNSHIP**

In terms of Section 111(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Local Municipality of Lephalale hereby declares **Ellisras Extension 70** situated on Portion 3 of the farm Paarl 522 LQ, Limpopo Province, to be an approved township, subject to the conditions set out in the Schedule hereto.

SCHEDULE**1. CONDITIONS OF ESTABLISHMENT****(1) NAME**

The name of the township shall be ELLISRAS EXTENSION 70.

(2) LAYOUT / DESIGN

The township shall consist of erven and streets as indicated on general Plan SG No 1686/2008

2. CONDITIONS OF TITLE**(1) DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven must be made subject to existing conditions of title and servitudes, if any, including the reservation of rights to minerals in a separate certificate of mineral rights in favour of the State.

(2) The following rights shall not be passed on to the erven in the township:

- (i) *"B: ONDERWORPE aan die regte van die Staatspresident soos in Artikel vier-en-dertig van die Kroongrond-Nedersettings, 1912, bepaal."*
- (ii) The following servitude which only effects ERF 5732.

"C: Kragtens Notariële Akte van Serwituut K,2278/1977 S soos gewysig kragtens Notariële Akte van Serwituut K.1080/1978S, is die plaas PAARL 522, Registrasie Afdeling L.Q. Provinsie van Limpopo ('n gedeelte waarvan hierkragtens gehou word) onderhewig aan 'n serwituut ten gunste van ESKOM om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte en onderworpe aan voorwaardes soos meer volledig sal blyk uit gesegde Notariële Akte, die hartlyn van welke serwituut aangedui word deur die lyne abc en def op kaart L.G. Nr. 1684 /2008 hierby aangeheg.."

(iii) *“D: Kragtens Notariële Akte K2552/1987 S is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Notariële Akte.”*

(iv) The following servitude which only effects ERVEN 5732, 5735, 5736 and STREETS

“E: Kragtens Notariële Akte van Serwituut is die reg aan LEPHALALE LOCAL MUNICIPALITY verleen vir ‘n ewigdurende substasie, kraglyn en rioolwerke vir munisipale doeleindes, 50,5562 (VYFTIG komma VYF VYF SES TWEE) hektaar, tesame met bykomende regte en onderworpe aan voorwaardes, soos meer volledig sal blyk uit Notariële Akte van Serwituut K.5550/07 geregistreer op 31 Julie 2007 en aangedui deur die figuur gBCkmnfcg op kaart L.G. Nr. 1684/2008 hierby aangeheg.

(3) The following servitude which only effect ERF 5736

“F: Kragtens Notariële Akte van Serwituut is die reg aan LEPHALALE LOCAL MUNICIPALITY verleen vir ‘n ewigdurende serwituut vir munisipale doeleindes, 564 (VYFHONDERD VIER EN SESTIG) vierkante meter, tesame met bykomende regte en onderworpe aan voorwaardes, soos meer volledig sal blyk uit Notariële Akte van Serwituut K.5551/2007 geregistreer op 31 Julie 2007 en aangedui deur die figuur pqrs op Kaart L.G. Nr. 1684/2008 hierby aangeheg.

3. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE ERVEN IN THE TOWNSHIP

(a) HOME OWNERS ASSOCIATION

- (i) A home owners association or similar institution must be established in terms of the conditions of Section 21 of the Companies Act 1973 (Act 61 of 1973).
- (ii) The home owners association or similar institution shall bear full responsibility for the functioning and proper maintenance of the private street (Erf 1629 and 1630), according to the services agreement and the erf must be transferred to the association. The Local Government accepts no responsibility or liability in this regard.
- (iii) Every owner of an erf or subdivision or consolidation thereof shall become and shall remain a member of the home owners association or similar institution and be subject to its memorandum and articles of association until he ceases to be an owner as aforesaid. The erf shall not be transferred to any person that has not become a member of the association.

- (iv) The owner of the erf shall not be entitled to transfer the erf without a clearance certificate from the association that all amounts payable by such owner to the association have been paid.

4. *CONDITIONS IMPOSED UNDER THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986).*

(a) ALL ERVEN

- i. The erf is subject to a servitude, 2 metres wide, in favour of the local authority, for sewerage and other municipal purposes, along any one of the boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude of 2 metres wide across the access portion of the erf, if and when required by the local authority, provided that the local authority may relax or grant exemption from the required servitudes.
- ii. 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 meters thereof.
- iii. 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 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 local authority.

(b) ERVEN SUBJECT TO SPECIAL CONDITIONS

- i. ERF 5284 shall be subject to the following conditions:

The erf is subject to a 3 meter servitude in favour of the local authority for electricity provisions, as indicated on the General Plan.

- ii. ERVEN 5725 TO 5731

The erf is subject to a servitude of right of way and access in favour of the Local Authority as provided for in the services agreement

5. *CONDITIONS THAT, IN ADDITION TO THE EXISTING PROVISIONS OF THE TOWN PLANNING SCHEME, IN RESPECT OF ARTICLE 125 OF ORDINANCE 15 OF 1986, ALSO TO BE INCLUDED IN THE TOWN PLANNING SCHEME*

- (1) ERVEN 5285 – 5636, 5640 – 5724

The use zone of these erven shall be "Residential 1".
The density of these erven shall be "one dwelling per erf".

- (2) ERVEN 5638 AND 5639

The use zone of these erven shall be "Residential 2".

- (3) ERF 5284

The use zone of the erf shall be "Institutional".

- (4) ERVEN 5637

The use zone of the erf shall be "Business".

- (5) ERVEN 5725 TO 5731

The use zone of these erven shall be "Private Streets".

- (6) ERVEN 5732 TO 5737

The use zone of these erven shall be "Private Open Space".

M.P. SEBATJANE, Municipal Manager
Municipal Manager, Lephale Local Municipality
Private Bag X136, Lephale, 0555
