

**NORTH WEST  
NOORDWES**

***EXTRAORDINARY • BUITENGEWOON***

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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 39 OF 2019**

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER IV OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON THE FARM TLHABOLOGANG NO. 550-IP, NORTH WEST PROVINCE BY THE DITSOBOTLA LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE TOWNSHIP BEING DECLARED AN APPROVED TOWNSHIP**

- (1) The concerned amendment scheme must be published consecutively with the declaration of the township as an approved township.
- (2) The township applicant shall comply with the provisions of sections 109(3)(b) and 110 of the Town Planning and Townships Ordinance, 1986.
- (3) The township applicant shall make the necessary arrangements to ensure that:
  - (a) a favourable geotechnical report has been submitted;
  - (b) the proposed township is not affected by the 1:20 / 1:50 year floodline(s) (a certificate by a competent engineer must be submitted).

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

The name of the township shall be Tlhabologang Extension 5.

**(2) LAYOUT / DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No. 2107/2007.

**(3) ACCESS**

No ingress from Provincial Road P28-3 to the township and no egress to Provincial Road P28-3 from the township shall be allowed.

**(4) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township applicant shall arrange for the drainage of the township to fit in with that of Provincial Road P28-3 and for all stormwater running off or being diverted from the road to be received and disposed of.

**(5) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING POST OFFICE- / TELKOM PLANT**

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If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office / Telkom plant, the cost thereof shall be borne by the township applicant.

(6) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING ESKOM POWER LINES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing power lines of Eskom, the cost thereof shall be borne by the township applicant.

(7) RESTRICTION ON THE DISPOSAL OF ERVEN

The township applicant shall not, offer for sale of alienate Erf 2135 within a period of six (6) months after the erf becomes registrable to any person or body other than the State unless the Department of Education has indicated in writing that the Department does not wish to acquire the erf.

3. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE

(1) INSTALLATION AND PROVISION OF SERVICES

The township applicant shall install and provide appropriate, affordable and upgradable internal and external engineering services in or for the township, as provided for in the services agreement.

4. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

5. CONDITIONS OF TITLE

(1) CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

(a) ALL ERVEN WITH THE EXCEPTION OF ERVEN 2630 AND 2776 TO 2780

(i) The erf is subject to:

(aa) a servitude, 3 metres wide along the street boundary;

(bb) a servitude, 2 metres wide along the rear (mid block) boundary; and

(cc) servitude along the side boundaries with an aggregate width of 3 metres and minimum width of 1 metre,



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in favour of the local authority for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 1 metre 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 1 metre 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.

6. CONDITIONS TO BE INCORPORATED WITHIN THE EXISTING TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986 IN ADDITION TO THE EXISTING PROVISIONS OF THE TOWN PLANNING SCHEME

- (1) ERVEN 1386 TO 1448; 1450 TO 1782; 1786 TO 2134; 2138 TO 2167; 2169 TO 2567; 2569 TO 2629; 2631 TO 2639 AND 2641 TO 2775
  - a) The use zone of the erf shall be "Residential 4"
  - b) The occupants of a residential building may practise, inter alia, their social and religious activities and their occupations, professions, or trades, on the property on which such residential building is erected, subject to the conditions of the Town Planning Scheme in force.

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- c) The total coverage of buildings shall not exceed 60% of the area of the erf: Provided that on written application the local authority may grant consent for a maximum of ten (10) percent additional coverage.
- (2) ERVEN 1785; 2137 AND 2568
- (a) The use zone of the erf shall be "Business 1"
- (b) A site development plan must be submitted
- (c) Sufficient parking space shall together with the necessary manoeuvring area be provided as follows on the property, to the satisfaction of the local authority:
- Shops: 6 parking spaces per 100m<sup>2</sup> gross leasable floor area.
- Offices: 2 parking spaces per 100m<sup>2</sup> gross leasable floor area.
- Provided that the local authority may, upon written application relax the parking requirements.
- (3) ERF 2630
- The use zone of the erf shall be "Municipal"
- (4) ERF 2136
- The use zone of the erf shall be "Special": Provided that the property shall only be used for the purposes of a taxi rank and purposes incidental thereto as well as such other uses as the Local Authority may approve.
- (5) ERVEN 1449; 1793; 1784, 2168 AND 2640
- The use zone of the erf shall be "Institutional"
- (6) ERVEN 2776 TO 2780
- The use zone of the erf shall be "Public Open Space"
- (7) ERVEN SUBJECT TO SPECIAL CONDITIONS
- (a) ALL ERVEN
- The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority must show measures to be taken, in accordance with recommendations contained in the geotechnical report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions, 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.

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## (b) ERF 2776

- (i) The registered owner of the erf shall erect a physical barrier consisting of a 1,3 metre high fence or a barrier of such other material as may be approved by the local authority in accordance with the most recent standards of the Department of Public Works, Roads and Transport, North West Province before or during development of the erf along the boundary thereof abutting on Provincial Road P28-3 and shall maintain such fence in good order and repair.
- (ii) Except for the physical barrier referred to in subclause (i) above, a swimming bath 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 boundary of the erf abutting on Provincial Road P28-3 nor shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made except with the consent in writing of the Department of Public Works, Roads and Transport, North West Province.
- (iii) Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on Provincial Road P28-3: Provided that the Department of Public Works, Roads and Transport, North West Province may grant written permission for access subject to such conditions as the Department may determine.

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