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NOORDWES**

EXTRAORDINARY • BUITENGEWOON

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 48 OF 2019

NOTICE IN TERMS OF SECTION 103 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE 15 OF 1986

DECLARATION AS AN APPROVED TOWNSHIP

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF SECTION 108 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 15 OF 1986 ON PORTION 157 OF THE FARM PAARDEKRAAL NO 279 J.Q, BY THE RUSTENBURG LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICATION) BEING REGISTERED OWNER OF THE LAND, TO ESTABLISH A TOWNSHIP ON SUCH LAND IN THE NAME OF THE SAID RUSTENBURG LOCAL MUNICIPALITY, HAS BEEN APPROVED

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE APPROVAL OF THE GENERAL PLAN CONSOLIDATION OF FARM PORTIONS

The township application shall, at his own expense, cause the component farm portions comprising the township to be consolidated.

2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF TOWNSHIP AS AN APPROVED TOWNSHIP

(1) GENERAL

- (a) The Applicant shall satisfy the local authority that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (b) The Applicant shall comply with the provision of section 75 and 101 of the Town Planning and Township Ordinance, 1986.

3. CONDITIONS OF ESTABLISHMENT

(1) NAME

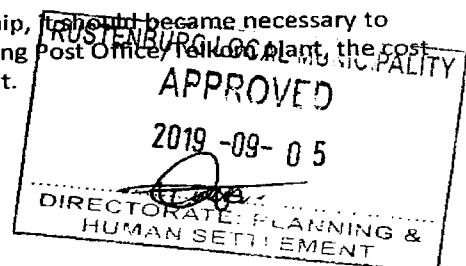
The name of the township shall be Boitekong Extension 13

(2) LAYOUT/DESIGN

The township shall consist of erven and streets as indicated on the General Plan No. S.G. 3178/2003

(3) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING POST OFFICE/TELKOM PLANT

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.



(4) RESTRICTION OF THE DISPOSAL OF ERVEN

The township application shall not offer for sale or alienate ERF 05977 within a period of six (6) months after the erf become registrable or approval/exemption has been granted by the premier, 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

(5) CONDITIONS TO BE INCORPORATED IN THE TO2N PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986 IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION**(a) ALL ERVEN**

Proposals to overcome detrimental soil conditions to be satisfaction of the local authority shall be contained in all building plans submitted for approval and all building shall be erected in accordance with the precautionary measures accepted by the local authority

(b) ERVEN 15978-16373,16377-16420

The use zone of the erf shall be "Residential 1" as per Rustenburg Land Use Management Scheme 2005

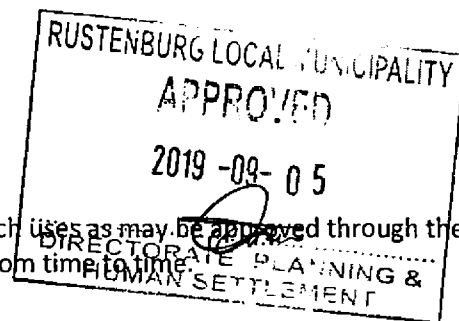
(c) ERVEN 16374-16376

The use zone of the erf shall be "Special" for Business 2 purposes and subject to the following conditions:

- I. Purposes for which buildings may be erected and used or purposes for which land may be used are a dwelling unit, place of refreshment, office and shops
- II. Purposes for which building may be erected and used, or purposes for which land may be used only with the written consent of the local authority is a service industry
- III. Purposes for which buildings may be erected and used, or purpose for which land maybe used only with a special consent is a place of worship, place of instruction, social hall, hotel, place of amusement, parking garage and filling station.
- IV. The following building restrictions are applicable
 - (a) Maximum floor area Ratio: 1,0
 - (b) Maximum Coverage: 50%
 - (c) Maximum Height: 3 storeys

(d) ERVEN 15975 AND 15976

The use zone of the erf shall be "Special" for such uses as may be approved through the consent of the Rustenburg Local Municipality from time to time



(e) ERF 15977

The use zone of the erf shall be "institutional" as per Rustenburg Land Use Management Scheme 2005: Provided that if the erf is not acquired by the Departments of Education it shall be used for "residential 1" purposes subject to the provisions of the Rustenburg Land Use Management Scheme 2005 or for such other purposes as the local authority may determine.

(f) ERVEN 16421 TO 16424

The use zone of the erf shall be "Public Open Space" as per Rustenburg Land Use Management Scheme 2005

(g) BUILDINGLINE RESTRICTIONS

The Following erven will be subject to a building line:

I ERVEN 15975,15976, 15994-16018, 16037-16047 AND 16424

Buildings, including outbuildings, hereafter erected on the erf shall be located not less than 16m from the boundary thereof abutting on Provincial Road P16-2.

II ERVEN 16048-16060, 16069-19071, 16284-16286 AND 16295-16311

Buildings, including outbuildings, hereafter erected on the erf shall be located not less than 3m from the boundary thereof abutting on the 40m. Road on the south-western border of the erven.

(h) ERVEN SUBJECT TO SPECIAL CONDITIONS

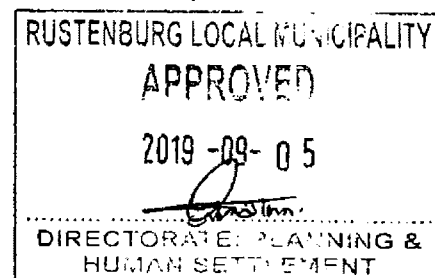
In addition to the relevant conditions set out above, the undermentioned erven shall be subject to the conditions as indicated

i. ERVEN 15957, 15976, 16045,-16047 AND 16424

Ingress to and egress from the erf shall not be permitted from Provincial Road P16-2

ii. ERVEN 16048-16060, 16069-16071, 16284 -16286 AND 16295-16311

Ingress to and egress from the erf shall not be permitted from the 40m. Road abutting the erf.



- iii. **ERVEN 16071-16076, 16086, 16211-16218, 16234-16237, 16253, 16269, 16279-16284, 16348-16350, 16352-16357 AND 16376**

Ingress to and egress from the erf shall not be permitted from the 20m. Road abutting the erf.

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

(1) INSTALLATION AND PROVISION OF SERVICES

- a) The township applicant shall install and provide internal engineering services in the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.
- b) The local authority shall and install and provide external engineering services for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

(2) DEMOLITION OF BUILDINGS AND STRUCTURES

The township applicant shall at his own expense, cause all existing building lines reserves, side spaces or over common boundaries to be demolished, if and when necessary.

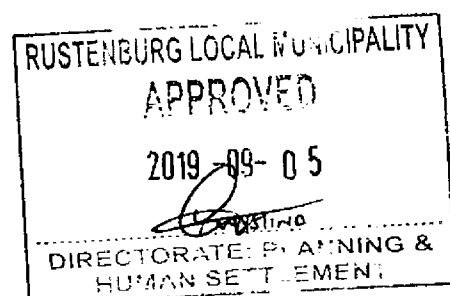
4. CONDITIONS OF TITLE

(1) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, excluding the following entitlements/rights which shall not be passed on to erven in the township

- (a) Condition 24A in Deed of transfer No. T99769/2001 which shall not be passed on to the erven in the township:

Het gezegd Gedeelte "H" (een gedeelte in een gedeelte waarvan mitz dezen getransporteerd wordt), tezamen met al die andere gedeelten van gezegde plaats PAARDEKRAAL 279,



zijnde gerechtigd op alle thans bestaande wegen en paden op gezegde plaats de hoofdwegen waarvan zoals aangewezen op de Schetskaart gefijld bij Verdelingstransport T7690/1915

Including the following conditions that affects the township:

Het gezegd Gedeelte "H" (een gedeelte in een gedeelte waarvan mitz dezen getransporteerd wordt), tezamen met al die andere gedeelten van gezegde plaats PAARDEKRAAL 279,

onderworpen aan het servituut van gezegde wegen en paden ten faveure van de voornoemde andere gedeelten van gezegde plaats.

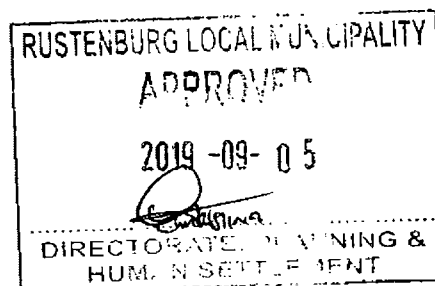
Excluding the following which will not be passed on to the erven in the Township:

Subject to the condition that the council will transfer free of charge all sites utilised or intended to be utilised for State domestic purposes by the National Government and the North West Provincial Government , once a township register has been opened in the deeds Registries Office.

- (b) Condition 28A in Deed of transfer No. T99769/2001 which shall not be passed on to the erven in the township, excluding the following entitlements/rights which shall not be passed on to erven in the township

Het gezegd Resterend Gedeelte ('n gedeelte waarvan hiermee getraspoteer word) tezamen met al de andere gedeelten van gezegde plaats PAARDEKRAAL 279, Registrasie Afdeling J.Q.,

zynde gerechtigd op alle tans bestaande wegen en paden de hoofdwegen waarvan zoals aagewezen op de schetskaart gefyld by Verdelings Transport 7690/1915



Including the following conditions that affects the township:

Het Noord Oostelike gedeelte van het gezegte Resterend Gedeelte zynde

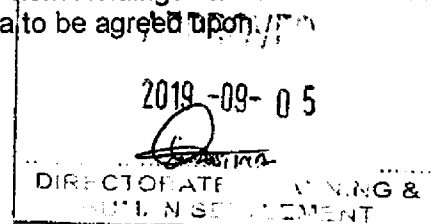
special onderworpen aan het servituut ten faveure van de Naturelien Kapitein AUGUST MOKHATLE en zyn stam, hunne opvolgers in rechten, als eigenaren van de plaats KLIPGAT 834, DISTRIKT RUSTENBURG, (al seen heerschend eigendom) waarby zyn recht hebben hunne beesten over gezegd Resterend Gedeelte te jagen naar het water in de Hexrivier zoals meer ten volle sal blyken uit Notariële Akte van Servituut 170/1906-S.

Het gezegd Resterend Gedeelte ('n gedeelte waarvan hiermee getraspoteer word) tezamen met al de andere gedeelten van gezegde plaats PAARDEKRAAL 279, Registrasie Afdeling J.Q.,

en onderworpen aan het servituut van gezegde wegen en paden ten faveure van de voornoemde andere gedeelten van gezegde plaats.

Excluding the following which does not affect the township due to location:

- c. By virtue of Notarial Deed of Servitude No K2370/2009S the Remaining Extent of Portion 71 of the farm Paardekraal No.279 J.Q, of which the property hereby transferred forms a portion, is subject to:
- 1) A perpetual servitude of electric power transmission to convey electricity across the property and;
 - 2) A perpetual servitude for telecommunication and other related purposes in favour of Eskom Holdings Limited 2002/15527/06, together with ancillary rights, along an area to be agreed upon.
- d. By Notarial Deed No K2371/2009S the Remaining Extent of Portion 71 of the farm Paardekraal No.279 J.Q, of which the property hereby transferred forms a portion, is subject to
- 1) a perpetual servitude of electric power transmission along the route/s as greed by means of 2 overhead powerlines under ground cables
 - 2) a pepertual servitudes for telecommunication and other relate purposes along the route as agreed by means of conductors, cables and mechanisms that may be necessary or convenient, in favour of Eskom Holdings Ltd 2002/015527/06, together with ancillary rights, along an area to be agreed upon.



- e. Condition 38(1) in Deed of transfer No. T99769/2001, including the following conditions that affects the township:

"Het noord oostelike gedeelte van het gezegde Resterend Gedeelte (of which the portion held herewith forms a portion

zynde speciaal onderworpen aan het servituut ten favuere van die Naturellen Kaptein August Mokhatla en zyn stam, hunne opvolgers in rechten , als eigenaren van de' plaats KLIPGAT 834, distrik RUSTENBURG, (als een heerschend eigendom) waarby zy recht hebben hunne beesten over Gezegd RESTEREND GEDEELTE te jagen naar het water in de Hexrivier zoals meer ten volle zal blyken uit Notariele Akte van Servituut 170/1906-S.

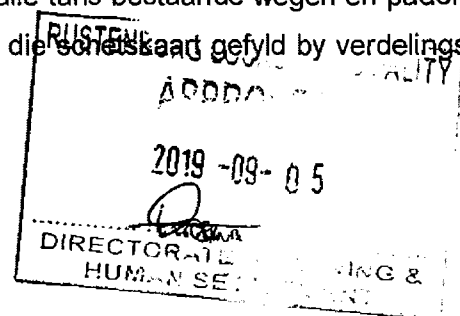
Het gezegd Resterend Gedeelte ('n gedeelte waarvan hiermee getrasporteer word) tezamen met al de andere gedeelten van gezegde plaats PAARDEKRAAL 279, Registrasie Afdeling J.Q.,

en onderworpe aan het servituut van gezegde wegen en paden ten favuere van de voornoemde andere gedeelte van gezegde plaats".

Excluding the following entitlements/rights which shall not be passed on to erven in the township

Het gezegd Resterend Gedeelte ('n gedeelte waarvan hiermee getrasporteer word) tezamen met al de andere gedeelten van gezegde plaats PAARDEKRAAL 279, Registrasie Afdeling J.Q.,

tezamen met al de andere gedeelten van gezegde plaats PAARDEKRAAL 279, Registrasie afdeling J.Q., zynde gerechtigd op alle tans bestaande wegen en paden de hoofdwegen waarvan zoals aangewezen op die sondekaart gefyld by verdelings Transport 7690/1915



2. CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND

TOWNSHIP ORDINANCE (ORDINANCE 15 OF 1986)

ALL ERVEN

(a) The erf is subject to:-

- (i) A servitude 3-metre-wide along the street boundary
- (ii) A servitude 2 metres wide along the rear (mid-block) boundary and along the side boundaries in favour of the local authority for municipal purposes and in the case of a panhandle erf, an additional servitude for municipal purposes metre wide across the access portion of the erf, if and when metre wide across the access portion of the erf, if and when required by the local authority may dispense with any such servitude.

(b) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted when the area of servitude or within metre 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 purposes, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made by the local authority.

3. CONDITIONS IMPOSED BY THE MINISTER OF MINERAL AND ENERGY AFFAIRS

All erven shall be subject to the following condition

“As this erf form part of land which is or may be undermined and liable to subsidence settlement shock and cracking due to mining-operations past, present or future, the owner thereof accepts all liability for any damage thereto and any structure thereon which may result from such subsidence, settlement, shock or cracking”

