



**NORTH WEST
NOORDWES**

EXTRAORDINARY • BUITENGEWOON

**PROVINCIAL GAZETTE
PROVINSIALE KOERANT**

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DEPARTMENT OF HEALTH

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 21 OF 2020

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 PORTION 103 OF THE FARM ELANDSFONTEIN 34, REGISTRATION DIVISION I.P., 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 at its own cost attend to the cancellation of Notarial Deed No. 176/1951, Notarial Deed of Lease No. 873/1936S as amended by Notarial Deed of Amendment of Lease No. 175/1951S and Notarial Deed No. 177/1951S or alternatively the release of Portion 103 of the farm Elandsfontein 34, Registration Division I.P., North West Province from the provisions of Notarial Deed of Lease No. 873/1936S, Notarial Deed No. 176/1951 and Notarial Deed No. 177/1951S

2. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Boikhutso Extension 3.

(2) LAYOUT / DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No. 5452/2010.

(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) 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.

(5) RESTRICTION ON THE DISPOSAL OF ERVEN 4934, 4935 AND 4936

The township applicant shall not, offer for sale or alienate Erven 4934, 4935 and 4936 within a period of six (6) months after the erven become 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 erven.

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

INSTALLATION AND PROVISION OF SERVICES

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

4. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding:

(1) in respect of Deed of Transfer T13745/1928 –

(a) the following conditions/servitudes that do not affect the township area because of the location thereof:

- (i) "By Notarial Deed No. K1453/61 the right has been granted to Elektrisiteitsvoorsieningskommissie to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed, gross whereof is attached hereto".

(2) in respect of Deed of Transfer T4981/1951–

(a) the following conditions/servitudes that do not affect the township area because of the location thereof:

- (i) "Kragtens Notariële Akte No. 1453/61 is die reg aan Elektrisiteitsvoorsieningskommissie verleen om elektrisiteit oor die binnegemelde eiendom te vervoer tesame met bykomende regte en onderhewig aan voorwaardes soos meer volledig sal blyk uit gesegde notariële Akte, waarvan 'n afskrif hierby aangeheg is".
- (ii) "Kragtens Notariële Akte K629/70 is die reg aan Elektrisiteitsvoorsieningskommissie verleen om elektrisiteit oor die binnegemelde eiendom te vervoer tesame met bykomende regte en onderhewig aan voorwaardes soos meer volledig sal blyk uit gesegde notariële Akte, waarvan 'n afskrif hierby aangeheg is".

5. CONDITIONS OF TITLE

(1) CONDITIONS OF TITLE IMPOSED BY THE DITSOBOTLA LOCAL MUNICIPALITY 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 4937 AND 6152 (PARK) TO 6163 (PARK)

(i) The erf is subject to:

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INTO TOWNSHIP
2020-10-14
PRETORIA
DEEDS OFFICE

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- (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 boundary with an aggregate width of 3 metres and a minimum width of 1 metre,

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.

(b) ERVEN SUBJECT TO SPECIAL CONDITIONS

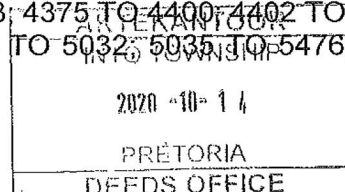
In addition to the relevant conditions set out above, the undermentioned erven shall be subject to the conditions as indicated:

- (i) 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 for consideration shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. These measures shall be in accordance with the recommendations contained in the Geo-technical report for the township, 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. The NHBRC classification for foundations is considered as H/C2

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

- (1) ERVEN 4001 TO 4119; 4122 TO 4373; 4375 TO 4400; 4402 TO 4615; 4617 TO 4658; 4661 TO 4698; 4700 TO 4933; 4938 TO 5032; 5035 TO 5476; 5479 TO 5952 AND 5954 TO 6148



The use zone of the erf shall be "Residential 4".

(2) ERF 5953

The use zone of the erf shall be "Business 1".

(3) ERVEN 4120; 4374; 4660; 4934 TO 4936; 5033 AND 5477

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

(4) ERVEN 4121; 4401; 4616; 4659; 4699; 5034 AND 5478

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

(5) ERF 4937

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


(6) ERVEN 6152 (PARK) TO 6163 (PARK)

The use zone of the erf shall be "Public Open Space".

(7) 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.

8/10/5
Boithutso Extension 3
22 September 2020


06/10/2020

**DITSOBOTLA LOCAL
MUNICIPALITY
P O BOX 7
LICHTENBURG 2740**

ARTEKANTOOR
INTO TOWNSHIP
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