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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 3045

KUNGWINI LOCAL MUNICIPALITY DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the town-planning and Townships Ordinance 1986 (Ordinance No 15 of 1986) the KUNGWINI LOCAL MUNICIPALITY declares ERASMUS EXTENSION 19 to be an approved township subject to the conditions set out in the Schedule hereto.

PLAASLIKE BESTUURSKENNISGEWING 3045

KUNGWINI LOCAL MUNICIPALITY VERKLARING TOT GOEDGEKEURDE DORP

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe 1986 (Ordonnansie No 15 van 1986) verklaar KUNGWINI LOCAL MUNICIPALITY hierby die dorp ERASMUS UITBREIDING 19 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

CONDITIONS OF ESTABLISHMENT**TOWNSHIP: ERASMUS EXTENSION 19**

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE TRUSTEES FROM TIME TO TIME OF THE HB DU TOIT FAMILIE TRUST (HEREINAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF CHAPTER III (PART C) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 198 OF THE FARM KLIPEILAND 524 JR. GAUTENG PROVINCE, HAS BEEN GRANTED

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

(a) AUTHORISATION IN TERMS OF THE PROVISIONS OF THE REGULATIONS TO THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT 73 OF 1989)

- (i) The applicant shall at his own expense obtain authorisation from the Gauteng department of Agriculture, Conservation, Environment and Land Affairs in terms of the regulations to the environment Conservation Act, 1989 (Act 73 of 1989).
- (ii) The applicant shall submit proof of such authorisation to the local authority

(b) PROVISION AND INSTALLATION OF SERVICES

The applicant shall make the necessary arrangements with the local authority for the provision and installation of water, electricity, refuse removal and sanitation, as well as roads and stormwater drainage in and for the township, for which purpose a mutually acceptable services agreement, between the local authority and the applicant shall be concluded.

(c) GENERAL

The applicant shall satisfy the local authority that –

- (i) a favourable geotechnical report has been submitted.
- (ii) the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (iii) the applicant shall comply with the provisions of section 72, 75, 76 and 101 of the Town Planning and Townships Ordinance, 1986

2. CONDITIONS OF ESTABLISHMENT

(a) NAME

The name of the township shall be Erasmus Extension 19.

(b) DESIGN

The township shall consist of erven and streets as indicated on approved General Plan SG 8243/2006

(c) CONSTRUCTION OF SERVICES AND/OR BUILDING WORK

Before any construction of services and/or building work is undertaken, complete detail plans and specifications of all services must be submitted to the local authority for approval.

(d) **DISPOSAL OF EXISTING CONDITIONS OF TITLE**

- i. All erven shall be made subject to the following conditions.

ONDERHEWIG aan die voorbehoud van regte op minerale en edelgesteentes onder Sertifikaat van Mineraleregte Nr 100/1961 RM welke regte voorbehoud en uitgereik is ten opsigte van VERSTERPARK LANDBOUHOEWES tesake met -

"All rights which may be or become vested in the freehold owner to share in any proceeds which may accrue to the State from disposal of the undermining rights of the land, including the share of claim licence moneys and any share or rentals or profits which may accrue to any owner under any mining lease granted in respect of the land covered by the agricultural holdings and the like."

- ii. The following conditions are not applicable to the erven in the township, namely:

- a) GEDEELTE A van die plaas KLIPEILAND 524, Registrasie Afdeling JR, Transvaal (waarvan die eiendom hieronder gehou, 'n gedeelte uitmaak) is geregig tot en onderworpe aan die volgende serwituut:

Geregig tot het gebruik gedurende drie dagen en nachten in de week al het water in de tans bostaande watervoor lopende uit de Bronkhorstspruit in het resterende gedeelte van die gezegde plaats KLIPEILAND, groot 587.9684 hektaar, zoals gehouden onder Certifikaat van Verdelingsitel 1568/1921 over gezegde resterende gedeelte van de plaats en over Gedeelte "A" dan weder over gezegde resterende gedeelte van die plaats, tot in gezegde Gedeelte "A" mits echter dat de eigenaren van gezegde Gedeelte "A" tezamen met de eigenaren van gezegd resterend gedeelte van die plaats de gehele watervoor geneemd in behoorlike staat van reparasie houden, het dat zij de helfte van alle kosten van onderhoud en reparatie van de gehele watervoor moeten dragen.

- b) Die voormalige resterende gedeelte van gedeelte 102 van die plaas KLIPEILAND 524, Registrasie Afdeling JR, Provinsie Gauteng, Groot: 1.1691 hektaar soos aangedui deur die figuur AbcbaA op die aangehegte Kaart LG Nr 9579/2006 ('n gedeelte waarvan hiermee getranspoteer word) is onderhewig aan die volgende voorwaardes:

- (1) Gerechtig tot vrij gebruik van een wagenpad 4.72 meter breed van et tans Bestaande woonhuis op gezegd gedeelte "A" over het resterende gedeelte van de plaats voormeld, tot aan die land ervan op gezegd gedeelte "A" gehecht aan Akte van Transport Nr 3034/1913.
- (2) Gerechtig tot vrij gebruik van een pad voor vee, 18.89 meter breed, van het bestaande woonhuis op gezegd gedeelte "A" over gezegd resterende gedeelte van de plaats deur de Bronkhorstspruit tot aan gezegd gedeelte "A" welke pad voor vee aangewezen wordt op de gezegd kaart van gezegd gedeelte "A" gehecht aan voormeld Akte van Transport Nr 3043/1913

(e) **OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**

The applicant shall, within such period as the local authority may determine, fulfil his obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, and on completion of construction work, 'as built' plans certified by a professional engineer must be submitted to the local authority.

(f) **OBLIGATIONS IN REGARD TO BUILDINGS**

Should the local authority so request, all buildings will, on completion, be subject to the issuing of an engineering certificate by a professional engineer at the expense of the owner

(g) **FORMATION, DUTIES AND RESPONSIBILITIES OF THE HOMEOWNERS ASSOCIATION**

- (i) The applicant shall properly and legally constitute a Home Owners Association to the satisfaction of the local authority prior to the transfer of any erf.
- (ii) Erf 1 998 shall, prior to or simultaneously with the registration of the first erven in the township be transferred to the Home Owners Association. The Home Owners Association shall take full responsibility for the maintenance of such erf
- (iii) The local authority shall not be liable for any damage to the access way and/or the stormwater drainage system in the township.
- (iv) Owners of Erven 1981 Up to and including 1987 or of any subdivision thereof, or of any sectional title unit thereon or of any interest therein, shall automatically become and shall remain members of the Home Owners Association and be subject to its memorandum and articles until such owners cease to be owners as aforesaid. None of the said erven, nor any unit erected thereon, nor any interest therein, shall be transferred to any person who has not bound himself/herself/itself to the satisfaction of the Home Owners Association to become a member thereof and without the prior written confirmation of the HoA that all amounts due to the Home Owners Association by the owner have been paid.

3. **CONDITIONS OF TITLE**

The erven mentioned hereunder shall be subject to the conditions as imposed by the Local Authority in terms of the provisions of the Town-Planning and Townships Ordinance, 1986 and the Town-Planning Scheme in operation (Bronkhorstspuit Town Planning Scheme, 1980)

(a) **ALL ERVEN**

- (i) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority. Provided that the local authority may dispense with any such servitude
- (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 2m thereof.
- (iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude area such material as may be excavated by them during the course of the construction, maintenance or removal of such 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 works being made good by the local authority

- (b) Erf 1998
The withinmentioned property is subject to a servitude of right of way'n for the use as an internal road, access and parking in favour of erven 1981 to 1997 in the township as indicated on the General Plan SG 8243/2006.
4. **CONDITIONS TO BE INCORPORATED IN THE TOWN-PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986, IN ADDITION TO THE PROVISIONS OF THE TOWN-PLANNING SCHEME IN OPERATION (BRONKHORSTSPRUIT TOWN PLANNING SCHEME, 1980)**
- (a) **ERVEN 1981 UP TO AND INCLUDING 1998**
USE ZONE: RESIDENTIAL 1
ERVEN 1981 UP TO AND INCLUDING 1987 AND 1989 UP TO AND INCLUDING 1996
- ☐ The erf shall be used solely for single residential purposes in accordance with the provisions of the Bronkhorstspuit Town Planning Scheme, 1980
- (b) **ERF 1997**
USE ZONE: RESIDENTIAL 1
- ☐ The erf shall be used primarily for single residential purpose accordance with the provisions of the Bronkhorstspuit Town Planning Scheme, 1980
 - ☐ Offices shall be allowed as secondary right subservient to the primary right, provided that the maximum gross floor area of offices shall not exceed 150m²
- (c) **ERF 1988**
USE ZONE: SPECIAL
- ☐ The erf shall be used solely for the purposes of sport and recreation (gymnasium) with subservient and related facilities that may include storage and staff accommodation.
 - ☐ Maximum height: Two (2) storeys
 - ☐ Maximum floor area ratio (F.A.R) 0.4
- (d) **ERF 1998**
USE ZONE: SPECIAL
- ☐ The erf shall be used for the purposes of an internal access road, access control and parking.