

*THE PROVINCE OF  
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## LOCAL AUTHORITY NOTICE

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### LOCAL AUTHORITY NOTICE 3130

#### KUNGWINI LOCAL MUNICIPALITY

#### PERI-URBAN AREAS TOWN-PLANNING SCHEME, 1975: AMENDMENT SCHEME: 414

Kungwini Local Municipality, hereby declares that it has approved an amendment scheme, being an amendment of the Peri-Urban Areas Town-Planning Scheme, 1975, comprising the same land as included in the township of **PARAMOUNT ESTATE**, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3 and scheme clauses of the amendment scheme are filed with the Director: Service Delivery, Technical Services, No. 54 Church Street, Bronkhorstspruit, and are open for inspection at all reasonable times.

This amendment is known as Peri-Urban Areas Amendment Scheme: 414

**Executive Director: Service Delivery and Technical Services**

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### PLAASLIKE BESTUURSKENNISGEWING 3130

#### KUNGWINI LOCAL MUNICIPALITY

#### PERI-URBAN AREAS DORPSBEPLANNINGSKEMA, 1975: WYSIGINGSKEMA: 414

Kungwini Plaaslike Munisipaliteit, verklaar hierby ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) dat hy 'n wysigingskema synde 'n wysiging van die Peri-Urban Areas Dorpsbeplanningskema, 1975, wat uit dieselfde grond as die dorp **PARAMOUNT ESTATE** bestaan, goedgekeur het.

Kaart 3 en skemaklousules van die wysigingskema word in bewaring gehou deur die Direkteur: Diensverskaffing, Tegniese Dienste Afdeling, Kerkstraat Nr. 54, Bronkhorstspruit, beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Peri-Urban Areas Wysigingskema: 414

**Uitvoerende Directeur: Diensverskaffing en Tegniese Dienste**

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#### KUNGWINI LOCAL MUNICIPALITY

#### DECLARATION OF PARAMOUNT ESTATE AS APPROVED TOWNSHIP

In terms of Section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the LOCAL MUNICIPALITY OF KUNGWINI declares **PARAMOUNT ESTATE** to be an approved township, subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY P.J.J. VAN VUUREN BELEGGINGS (PROPRIETARY) LIMITED (HEREAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISION OF CHAPTER III OF THE TOWN – PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 22 OF THE FARM TWEEFONTEIN 372 JR, HAS BEEN GRANTED.**

#### 1. CONDITIONS OF ESTABLISHMENT

##### (1) NAME

The name of the township shall be Paramount Estate.

**(2) DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG 11414/2003.

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

All erven shall be made subject to existing conditions and servitudes, if any including the reservation of rights to minerals, but excluding –

- (a) The following servitude that affects Erf 1 and Lynnwood Road K34 in the township:  
Servitude K414 / 1988 S as per diagram SG. No. A 7638 / 1986
- (b) The following servitude that affects Erf 4 and Lynnwood Road K34 in the township:  
Servitude K854 / 1995 S as per diagram SG. No. A 78 / 1993
- (c) The following conditions that does not affect the township:
  - (i) Conditions C(a) to (d) in Deed of Transfer T36696/2003 which conditions are registered under Notarial Deed No. K 551 / 1956 S.
  - (ii) Condition B in Deed of Transfer T36696/2003 which condition is registered under Notarial Deed No. 620A/1949 S.

**(4) REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**

Should it become necessary to remove or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

**(5) DEMOLITION OF BUILDINGS AND STRUCTURES**

When required by the Kungwini Local Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the Kungwini Local Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

**(6) REMOVAL OF LITTER**

The township owner shall at his own expense have litter within the township area removed to the satisfaction of the Kungwini Local Municipality, when required to do so by the Kungwini Local Municipality.

**(7) REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES**

Should it become necessary to remove and / or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

**(8) REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES**

Should it become necessary to remove and / or replace any existing power lines of TELKOM services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

**(9) COMPLIANCE WITH CONDITIONS IMPOSED BY GDACEL**

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs has granted the applicant exemption from compliance with regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

## 2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY THE CITY OF KUNGWINI LOCAL MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986).

### (1) ALL ERVEN

- (a) The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and stormwater) (hereafter referred to as "the services"), in favour of the local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority may waive any such servitude.
- (b) No building or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m from it.
- (c) The Kungwini Local Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the Kungwini Local Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Kungwini Local Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

### (2) ERF 3

- (a) (i) The erf shall be subject to a right of way servitude, 20 meters wide in favour of Kungwini Local Municipality, as indicated on the General Plan.
- (ii) This servitude can be cancelled should the development on the adjacent property (Portion 27 of the farm Zwartkoppies 364 – JR) not take place or should the development on the abovementioned property not align their development with this proposed right of way servitude to create a proper road network.
- (b) The erf shall be subject to a servitude for stormwater, 2 meters wide in favour of Kungwini Local Municipality, as indicated on the General Plan.

### (3) ERF 5

The erf shall be subject to a right of way servitude, in favour of Kungwini Local Municipality, to be registered after proclamation in accordance with the small scale servitude diagram.

### (4) ERF 6

The erf shall be subject to a right of way servitude, in favour of Kungwini Local Municipality, to be registered after proclamation in accordance with the small scale servitude diagram.

## KUNGWINI PLAASLIKE MUNISIPALITEIT

### VERKLARING VAN PARAMOUNT ESTATE TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die PLAASLIKE MUNISIPALITEIT VAN KUNGWINI hierby **PARAMOUNT ESTATE** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

**BYLAE**

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR P.J.J. VAN VUUREN BELEGGINGS (EIENDOMS) BEPERK (HIERNA DIE AANSOEKDOENER / DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 22 VAN DIE PLAAS TWEEFONTEIN 372 – JR, TOEGESTAAN IS.

**1. STIGTINGSVOORWAARDES****(1) NAAM**

Die naam van die dorp is Paramount Estate.

**(2) ONTWERP**

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG 11414/2003.

**(3) BESKIKKING OOR BESTAANDE TITEL VOORWAARDES**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, met inbegrip van die regte op minerale, maar uitgesluit –

(a) Die volgende servituut beïnvloed Erf 1 en Lynnwoodweg, K34 in die dorp:

Servituut K414 / 1988 S soos op diagram LG. Nr. A 7638 / 1986

(b) Die volgende servituut beïnvloed Erf 4 en Lynnwoodweg, K34 in die dorp:

Servituut K854 / 1995 S soos op diagram LG. Nr. A 78 / 1993

(c) Die volgende voorwaardes het geen invloed op die dorp nie:

(i) Voorwaardes C(a) tot (d) in Titel Akte T36696/2003 wat geregistreer is in Notariele Akte Nr. K 551 / 1956 S.

(ii) Voorwaarde B in Titel Akte T36696/2003 wat geregistreer is in Notariele Akte Nr. 620A / 1949 S.

**(4) VERSKUIWING OF VERVANGING VAN MUNISIPALE DIENSTE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang, moet die koste daarvan deur die dorpseienaar gedra word.

**(5) SLOPING VAN GEBOUE EN STRUKTURE**

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserves, kant ruimtes en oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die Kungwini Plaaslike Munisipaliteit wanneer die Kungwini Plaaslike Munisipaliteit dit vereis.

**(6) VERWYDERING VAN ROMMEL**

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot bevrediging van die Kungwini Plaaslike Munisipaliteit wanneer die Kungwini Plaaslike Munisipaliteit dit vereis.

**(7) VERSKUIWING EN/OF VERWYDERING VAN BESTAANDE ESKOM KRAGLYNE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van Eskom te verskuif en / of te verwyder, moet die koste daarvan deur die dorpseienaar gedra word.

**(8) VERSKUIWING EN/OF VERWYDERING VAN BESTAANDE TELKOM DIENSTE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande dienste van TELKOM te verskuif en / of te verwyder, moet die koste daarvan deur die dorpseienaar gedra word.

## (9) VOLDOENING AAN VOORWAARDES OPGELê DEUR DLBOG

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur die Gautengse Departement Landbou, Bewaring, Omgewing en Grondsake (DLBOG) met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet Nr. 73 van 1989) vir die ontwikkeling van die dorpsgebied.

## 2. TITELVOORWAARDES

**DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELê DEUR DIE KUNGWINI PLAASLIKE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986).**

### (1) ALLE ERWE

- (a) Die erf is onderworpe aan 'n servituit, 2 meter breed, vir municipale dienste (water, riol, elektrisiteit en storm water) (hierna "die dienste" genoem), ten gunste van die plaaslike bestuur, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele servituit vir municipale doeleindes, 2 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer die plaaslike bestuur dit verlang: Met dien verstande dat die plaaslike bestuur van enige sodanige servituit mag afsien.
- (b) Geen geboue of ander strukture mag binne die voornoemde servituitgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige servituit of binne 'n afstand van 2 meter daarvan geplant word nie.
- (c) Die Kungwini Plaaslike Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy na goed-dunke noodsaklik ag, tydelik te plaas op grond wat aan die voornoemde servituit grens, en voorts is die Kungwini Plaaslike Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Kungwini Plaaslike Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

### (2) ERF 3

- (a) (i) Die erf is onderworpe aan 'n reg-van-weg servituit, 2m meter breed, ten gunste van die Kungwini Plaaslike Munisipaliteit, soos aangedui op Algemene Plan.
- (ii) Die genoemde servituit kan gekanselleer word sou die aangrensende ontwikkeling (Gedeelte 27 van die Plaas Zwartkoppies Nr. 364 – J.R.) nie plaasvind nie of selfs as die ontwikkeling op bogenoemde eiendom se uitleg nie direk ooreenstem met hul ontwikkeling rakende die voorgestelde reg-van-weg servituit, wat 'n voldoende padnetwerk daarstel.
- (b) Die erf is onderworpe aan 'n 2 meter bœ stormwater servituit, ten gunste van die Kungwini Plaaslike Munisipaliteit, soos aangedui op Algemene Plan.

### (3) ERF 5

Die erf is onderworpe aan 'n reg-van-weg servituit, ten gunste van die Kungwini Plaaslike Munisipaliteit, en sal geregistreer word na proklamasie ingevolge die klein-skaal servituit diagram.

### (4) ERF 6

Die erf is onderworpe aan 'n reg-van-weg servituit, ten gunste van die Kungwini Plaaslike Munisipaliteit, en sal geregistreer word na proklamasie ingevolge die klein-skaal servituit diagram.