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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 921 OF 2022**LOCAL AUTHORITY NOTICE 08 OF 2022****MOGALE CITY LOCAL MUNICIPALITY****DECLARATION OF AGAVIA EXTENSION 9 AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read with the applicable parts of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) the Mogale City Local Municipality hereby declares the township Agavia Extension 9 to be an approved Township, subject to the conditions set out in the Schedule hereto:

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION DONE BY SILVERGLADE INVESTMENTS PROPRIETARY LIMITED (REGISTRATION NUMBER 2005/018225/07) (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 167 OF THE FARM WATERVAL 174 IQ, HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be **Agavia Extension 9**.

1.2 DESIGN

The township shall consist of erven and streets as indicated on **General Plan S.G. 174/2019**.

1.3 ROADS AND SURFACE DRAINAGE

- (a) The township owner shall at the request of the local municipality supply the local municipality with a detailed scheme including plans, cross sections and specifications as compiled by a civil engineer approved by the local municipality for the provision of a underground water drainage system. Such system must be designed in order to dispose off the runoff of a 1:10 year rain storm and must ensure that the runoff of a 1:100 year rain storm be guided to the nearest defined watercourse without flooding any adjacent properties. The design of the drainage system must contain and describe aspects like tar macadamization, kerbing and canalization of roads as well as the provision of retaining walls if required by the local municipality.

The drainage system must, where necessary, make provision for the catchment of stormwater in catchment pits from where it must be disposed of in water tight pipes in such a way that no water collections or seepage shall occur on or near the ground surface. The mentioned water pipes must be manufactured from durable material and must be approved by the local municipality. The scheme must also indicate the route and gradient of access to each individual erf from the adjoining street.

- (b) The township owner must construct roads according to the approved scheme at own costs and to the satisfaction of the local municipality, under the supervision of a civil engineer approved by the local municipality.

- (c) No internal road or storm water services will be taken over by the local municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance of the internal roads and storm water network.

1.4 SEWERAGE

- (a) The township owner must, at the request of the local municipality, supply all designs, plans, specifications and other required information regarding the proposed sewerage system of the proposed township for scrutiny and approval.
- (b) The sewerage system must be designed by an approved professional engineer according to the specifications and standards laid down by the local municipality, to the satisfaction of the local municipality;
- (c) All materials to be used with the construction of the sewerage system is subject to the approval and/or amendment of the local municipality.
- (d) No internal sewer services will be taken over by the local municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance of the internal sewer network.

1.5 WATER

- (a) The township owner must, at the request of the local municipality submit a detailed scheme with plans, cross sections and specifications for the provision of an water reticulation system, for approval.
- (b) The proposed network must make provision for a pressurised water connection for each individual erf and must be designed by a professional engineer approved by the local municipality. All materials to be used in the proposed water network must be approved by the local municipality.
- (c) No internal water services will be taken over by the local municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance of the internal water network.

1.6 ELECTRICITY

- (a) The township owner must submit to the municipality a detailed scheme with plans, specifications and electricity demand for the provision of an internal reticulation network, including link services, connections and mini-substations, for approval.
- (b) The internal electricity distribution network must be designed according to the minimum requirements and specifications of the municipality and the National Energy Regulator and must cater for the specific after-diversity maximum demand required by the municipality.
- (c) The installation of all electricity infrastructure is subject to the inspection and approval of the municipality.
- (d) No internal electricity services will be taken over by the local municipality at proclamation and a properly established legal entity shall take over the responsibility for the long term maintenance of the internal electricity network.

1.7 FORMATION, DUTIES AND RESPONSIBILITIES OF THE HOME OWNERS ASSOCIATION

- (a) The applicant shall legally and properly constitute a Home Owners Association or similar institution in terms of the provisions of Section 21 of the Companies Act, 1973 (Act 61 of

1973) prior to the transfer of any erf or sectional title unit in the township.

- (b) All internal engineering services in the township shall, prior to or simultaneously with the registration of the first erven or sectional title units in the township be transferred to the Home Owners Association who shall bear full responsibility for the development and maintenance of said internal engineering services in the township.
- (c) All owners of stands (or subdivided/consolidated portions thereof) and sectional title units in the township shall become and remain members of the Home Owners Association and shall be subject to its memorandum and articles until such owners legally cease to be owners as aforesaid.

1.8 ACCESS

The township owner must provide access to the proposed township to the satisfaction of the local municipality.

1.9 REMOVAL OF REFUSE

Where no municipal refuse removal services are available the township owner shall enter into a contract with a suitable alternative services provider to the satisfaction of the local municipality.

The township owner must at own cost remove all rubble, refuse and unused building materials within the township to the satisfaction of the local municipality, if and when required by the local municipality.

1.10 REMOVAL OR REPLACEMENT OF SERVICES

If the establishment of the township results in existing municipal, Eskom, Telkom or any other service to be removed, relocated or replaced the costs of such removal, relocation or replacement must be borne by the township owner.

1.11 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local municipality, when requested thereto by the local municipality.

1.12 RELOCATION OF INFORMAL SETTLEMENTS

The applicant shall, at his/her own expense relocate all informal settlements, which may be located on the property concerned, to the satisfaction of the local municipality.

1.13 REGISTRATION OF SERVITUDES

The applicant shall, at his own cost, register servitudes to provide access or protect infrastructure in the proposed township, if required.

2. DISPOSAL OF EXISTING TITLE CONDITIONS

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

3. CONDITIONS OF TITLE

3.1 CONDITIONS OF TITLE IMPOSED IN FAVOUR OF THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

3.1.1 ALL ERVEN

- (a) The erf is subject to a servitude 2 metres wide for engineering services and other purposes in favour of the Local Authority along any two boundaries other than a street boundary and in the instance of a panhandle erf an additional 2 metres wide servitude for such purposes over the access portion of the stand if and when required by the Local Authority: provided that the Local Authority may dispose of the right to any such servitude.
- (b) No buildings or any structures may be erected within the servitude area and no large rooted trees may be planted within the area of such servitude or within a distance of 2 metres thereof.
- (c) The Local Authority is entitled to temporarily place any material excavated during the installation, maintenance or removal of a sewerage pipeline or any other works that is deemed necessary on the land adjacent to the servitude and furthermore the Local Authority is entitled to reasonable entry to the property on which the servitude is situated for the stated purpose, on the condition that the Local Authority will be liable for any damage caused during the installation, maintenance or removal of engineering services infrastructure and other works.
- (d) The erf is situated on land with soil characteristics that may cause damage to buildings and structures to be erected thereon. Building plans submitted to the local municipality must indicate preventative measures in accordance with the recommendations contained in the engineering geology report which was done for the township, in order to limit damage to buildings or structures due to possible unfavourable foundation conditions. Preventative measures need not be contained in the building plans if proof can be given by the developer that such measures are not required;
- (e) In order to prevent or limit damage to buildings and structures the foundations and other structure elements thereof must be designed by a competent professional engineer. It is recommended that a specific foundation investigation be done for each individual erf prior to any construction taking place thereon.

3.2 CONDITIONS OF TITLE IMPOSED IN FAVOUR OF THIRD PARTIES TO BE REGISTERED / CREATED ON THE FIRST REGISTRATION OF ERVEN IN THE TOWNSHIP

No erf in the township shall be transferred nor shall any Certificate of Registered Title be registered, unless the following conditions have been registered:

3.2.1 ALL ERVEN

Each and every owner of any subdivided portion of the erf or owner of any unit thereon shall on transfer become and remain a member of the Home Owners Association and shall be subject to its Memorandum of Incorporation until he/she ceases to be a owner and such owner shall not be entitled to transfer the erf or any subdivided portion thereof or any interest therein or any unit thereon, without a clearance certificate from such Association certifying that the provisions of the Memorandum of Incorporation have been complied with and the purchaser has bound himself/herself to the satisfaction of the Association to become and remain a member of the association.

Mr M Msezana
MUNICIPAL MANAGER

13 June 2022

LOCAL AUTHORITY NOTICE 09 OF 2022**MOGALE CITY LOCAL MUNICIPALITY****KRUGERSDORP AMENDMENT SCHEME 2014**

It is hereby notified in terms of the provisions of section 125(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read with the applicable parts of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) that the Mogale City Local Municipality has approved an amendment scheme with regard to the land in the township **Agavia Extension 9** being an amendment of the Krugersdorp Town Planning Scheme, 1980.

The Map 3 documents and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Mogale City Local Municipality and the Director General: Gauteng Provincial Government, Department of Development Planning and Local Government, Corner House, Marshalltown, and are open for inspection during normal office hours.

This amendment scheme is known as Krugersdorp **Amendment Scheme 2014**.

Mr M Msezana
MUNICIPAL MANAGER

13 June 2022

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