

**NORTH WEST
NOORDWES**

**EXTRAORDINARY
PROVINCIAL GAZETTE**

**BUITENGEWONE
PROVINSIALE KOERANT**

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CONTENTS • INHOUD

| <i>No.</i> | | <i>Page No.</i> | <i>Gazette No.</i> |
|--------------------------------|---|---------------------|------------------------|
| LOCAL AUTHORITY NOTICES | | | |
| 26 | Town-planning and Townships Ordinance (15/1986): Local Municipality of Madibeng: Declaration as an approved township: Bushveld View Estate Extension 12 | 3 | 6458 |
| 27 | do.: do.: Amendment Scheme 2098 | 6 | 6458 |

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 26

LOCAL MUNICIPALITY OF MADIBENG

DECLARATION AS AN APPROVED TOWNSHIP BUSHVELD VIEW ESTATE EXTENSION 12

IN TERMS OF THE PROVISIONS OF SECTION 103 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), THE LOCAL AUTHORITY OF MADIBENG HEREBY DECLARES BUSHVELD VIEW ESTATE EXTENSION 12 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 SEASONS SPORT AND SPA RESORT (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 3 THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 116 (A PORTION OF PORTION 115) OF THE FARM HARTEBEESTFONTEIN 445 JQ HAS BEEN GRANTED

2. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)

2.1 Name

The name of the township shall be **Bushveld View Estate Extension 12.**

2.2 Design

The township shall consist of erven and streets as indicated on approved Layout Plan 600/039/01 dated January 2007 and General Plan no SG 5413/2007.

2.3 Disposal of Existing Conditions of Title

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

Condition B on page 2 of deed of Transfer 99649/05 will only affect Erven 543, 545, 546 and 550 and reads as follows:

"Onderhewing aan 'n boorgat- en pyplynserwituut 6,00 meter wyd aangedui met die lyn A E J wat die westelike grens voorstel en figuur F G H J F 'n serwituut voorstel en meer volledig sal blyk uit onderverdelingsdiagram LG Kaart 14436/1998 ten gunste van Gedeelte 231 (gedeelte van Gedeelte 116) van die plaas HARTEBEESTFONTEIN 445, Registrasie Afdeling JQ, Noordwes Provinsie."

2.4 Removal of litter

The applicant shall be compelled to subscribe to the municipal refuse removal service.

2.5 Removal and/or replacement of municipal services

If, by reason of the establishment of the township it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the applicant.

2.6 Obligations in regard to essential services

The townships owner shall within such period as the local authority may determine, fulfill his obligations in respect of the provisions of water, electricity and sanitary services and the

installation of systems therefore, as previously agreed upon between the townships owner and the local authority.

2.7 **Compliance with conditions imposed**

The townships owner shall at his own expense comply with all the conditions imposed by which the North West Department of Agriculture, Conservation and Environment has granted the applicant authorisation in terms of Regulations no 1182 and 1183 promulgated in terms of Sections 21, 22 and 26 of the Environmental Conservation Act, 1989 (Act 73 of 1989) for the development of the township.

2.8 **Formulation, duties and responsibilities of the Home Owners Association**

- (i) The applicant shall properly and legally constitute a Home Owners Association prior to the transfer of any erf.
- (ii) Erven 541 up to and including 550 shall be transferred to the Home Owners Association who shall take full responsibility for the maintenance of the above-mentioned erven.
- (iii) The applicant shall construct access ways on Erven 547 up to and including 550 and then transfer such infrastructure to the Home Owners Association who shall be responsible for ongoing maintenance thereof.
- (iv) Owners of erven in Bushveld View Estate Extension 12 or 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 Home Owners Association that all amounts due to the Home Owners Association by the owner have been paid in full.

3. **CONDITIONS OF TITLE**

3.1 **THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY 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, 2m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred as "the services"), in favour of the local authority along any two boundaries, except the 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 structure 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.
- (a) The local authority 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 local authority shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the local authority shall make good any damage caused during the laying, maintenance or removal of such services and other works.

3.1.2 Erven 547 up to and including 550

These erven are subject to a servitude of right of way and municipal services in favour of the local authority, as indicated on General Plan SG5413/2007.

MUNICIPAL MANAGER: MADIBENG LOCAL MUNICIPALITY
Municipal Offices, Van Velden Street, Brits, P O Box 106, Brits, 0250

(Notice No)
(Reference No.)

LOCAL AUTHORITY NOTICE 27

LOCAL MUNICIPALITY OF MADIBENG

PERI-URBAN AREAS TOWN PLANNING SCHEME, 1975

AMENDMENT SCHEME 2098

The Local Municipality of Madibeng hereby, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), 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 Bushveld View Estate Extension 12.

Map 3 and the scheme clauses of the amendment scheme are filed at the offices of the Local Municipality of Madibeng, and are open for inspection during normal office hours.

The amendment is known as the Peri-Urban Areas Amendment Scheme 2098 and shall come into operation on the date of publication of this notice.

MUNICIPAL MANAGER: MADIBENG LOCAL MUNICIPALITY
Municipal Offices, Van Velden Street, Brits, P O Box 106, Brits, 0250

(Notice No)
(Reference No. 25/3/2/3/106)
