

***THE PROVINCE OF  
GAUTENG***

***DIE PROVINSIE  
GAUTENG***

**Provincial Gazette Extraordinary  
Buitengewone Provinsiale Koerant**

**Vol. 13**

**PRETORIA, 25 JANUARY 2007  
JANUARIE**

**No. 22**

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**CONTENTS • INHOUD**

<i>No.</i>	<i>Page No.</i> <i>Gazette No.</i>
<b>LOCAL AUTHORITY NOTICES</b>	
136 Town-planning and Townships Ordinance (15/1986): Kungwini Local Municipality: Declaration as an approved township: Country View Estate Extension 1 .....	3 22
137 do.: do.: Peri-Urban Amendment Scheme 462 .....	5 22
138 do.: do.: Declaration as an approved township: Country View Estate .....	6 22
139 do.: do.: Peri-Urban Amendment Scheme 461 .....	8 22

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# **LOCAL AUTHORITY NOTICES**

## **LOCAL AUTHORITY NOTICE 136**

### **KUNGWINI LOCAL MUNICIPALITY DECLARATION OF COUNTRY VIEW ESTATE EXTENSION 1 AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Kungwini Local Municipality hereby declares Country View Estate Extension 1 township to be an approved township subject to the conditions set out in the Schedule hereto.

#### **SCHEDULE**

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY POWER CEST LA VIE (PTY) LTD (HEREAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNERS) UNDER THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 752 (A PORTION OF PORTION 750) OF THE FARM RIETFONTEIN, 375-JR, HAS BEEN GRANTED**

#### **1. CONDITIONS WHICH MUST BE COMPLIED WITH BEFORE THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP**

##### **(1) CANCELLATION OF EXISTING CONDITIONS OF TITLE**

The applicant shall at his own expense have the following conditions and servitudes cancelled or have the area freed there from as specified in:

- (a) Deed of Transfer No T036188/05: Conditions A(a), A(b), A(c), B(i) and B(ii) and D.
- (b) Deed of Transfer No T036186/05: Conditions 1. A(a), A(b), A(c), B(i) and B(ii), as well as Conditions 2. A(a), A(b), A(c), B(i) and B(ii).

##### **(2) GENERAL**

- (a) The applicant must satisfy the Local Authority that:
  - (i) the relevant amendment scheme is in order and could be published simultaneously with the declaration of the township as an approved township,
  - (ii) satisfactory access from a public road network to all the erven in the township is available,
  - (iii) a favourable geological report has been submitted,
  - (iv) the name of the township have been approved, and
  - (v) a Section 21 company referred to in clause 2(8) has been established.
- (b) The applicant must comply with provisions of sections 72, 75 and 101 of the Town planning and Townships Ordinance, 1986.

#### **2. CONDITIONS OF ESTABLISHMENT**

##### **(1) NAME**

The name of the township shall be Country View Estate Extension 1.

##### **(2) DESIGN**

The township shall consist of roads as indicated on S.G Plan No. 6301/2005.

**(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 –

the following servitudes / conditions which do not affect the erven in the township:

- a) Deed of Transfer No T036188/05: Condition C.
- b) Deed of Transfer No T036186/05: Conditions 1.C, D and E as well as Conditions 2. C and D.

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

The township owner shall at its own expense 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 authority, when required by the local authority to do so.

**(5) REMOVAL OF LITTER**

The township owner shall at own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

**(6) REMOVAL OR REPLACEMENT OF MUNICIPAL AND TELKOM SERVICES**

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

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

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing Eskom power lines, the cost thereof shall be borne by the township owners.

**(8) OWNERSHIP**

- (a) Association and Statutes

The developer must register a section 21 company (homeowners' association) in terms of provision of the Companies Act, 1973 (Act 61 of 1973), as provided for in clause 1(2)(a)(vi) above. A copy of the registered Deed of Association (CM4) and the Company Statutes must be submitted to the Kungwini Local Municipality.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity and the road and storm water sewers), and shall have full responsibility for the functioning and proper maintenance of Erven 93 to 97. The developer is deemed to be a member of the Section 21 Company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

Each and every owner of Erven 50 up to and including 92 shall become a member of the property owners association upon transfer of the erf.

The property owners association shall have the legal power to levy from each and every member the costs incurred in the fulfilment of its functions and shall have legal recourse to recover such fees and costs in the event of a default in payment by any member.

All buildings and structures to be erected shall be made subject to the provisions of the Development and Architectural Guidelines and any and all amendments to the said document as may be affected and approved by the owners association.

Building plans shall only be submitted to the local authority for final approval once the said plans have been evaluated and approved by the Trustees of the association.

(b) Provisions of engineering drawings

The developer must submit to the Kungwini Local Municipality complete engineering drawings in respect of internal sewers and sewer connections points and complete engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

(c) Provision of a certificate by a professional engineer

Before any erf is transferred, Kungwini Local Municipality must be provided with a certificate by a professional engineer for water, sewerage, electricity and the internal road and storm water sewers in which it is certified that the internal engineering services have been completed and that the engineers accept professional liability for the services. The Municipality may at its own discretion, allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer must give the Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the Municipality with a guarantee issued by a recognized financial institution.

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

The township owner shall at his own expense comply with all the conditions imposed by or which the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs has granted the applicant authorization in terms of sections 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

**(10) ERVEN SUBJECT TO SPECIAL CONDITIONS**

Erven 93 to 97 shall be transferred at the cost of the township owner to a Company registered in terms of Section 21 of the Companies Act, 1973.

**LOCAL AUTHORITY NOTICE 137**

**KUNGWINI LOCAL MUNICIPALITY  
PERI-URBAN AMENDMENT SCHEME 462**

It is hereby notified in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that Kungwini Local Municipality has approved an amendment scheme with regard to the land in the township Country View Estate Extension 1, being an amendment of the Peri-Urban Town Planning Scheme, 1975.

This amendment is known as the Peri-Urban Amendment Scheme 462 and will be effective as from the date of this publication.

**ACTING MUNICIPAL MANAGER:  
JS GOMBA**

**LOCAL AUTHORITY NOTICE 138****KUNGWINI LOCAL MUNICIPALITY DECLARATION  
OF COUNTRY VIEW ESTATE AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Kungwini Local Municipality hereby declares Country View Estate township to be an approved township subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY POWER CEST LA VIE (PTY) LTD (HEREAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNERS) UNDER THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 751 (A PORTION OF PORTION 750) OF THE FARM RIETFontein, 375-JR, HAS BEEN GRANTED**

**1. CONDITIONS WHICH MUST BE COMPLIED WITH BEFORE THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP****(1) CANCELLATION OF EXISTING CONDITIONS OF TITLE**

The applicant shall at his own expense have the following conditions and servitudes cancelled or have the area freed there from as specified in:

- (a) Deed of Transfer No T036187/05: Conditions A(a), A(b), A(c), B(i) and B(ii).
- (b) Deed of Transfer No T036188/05: Conditions A(a), A(b), A(c), B(i) and B(ii) and D.
- (c) Deed of Transfer No T036186/05: Conditions 1. A(a), A(b), A(c), B(i) and B(ii).

**(2) GENERAL**

- (a) The applicant must satisfy the Local Authority that:
  - (i) the relevant amendment scheme is in order and could be published simultaneously with the declaration of the township as an approved township,
  - (ii) satisfactory access from a public road network to all the erven in the township is available,
  - (iii) a favourable geological report has been submitted,
  - (iv) the name of the township have been approved, and
  - (v) a Section 21 company referred to in clause 2(8) has been established.
- (b) The applicant must comply with provisions of sections 72, 75 and 101 of the Town planning and Townships Ordinance, 1986.
- (c) An agreement must be reached between the township owner and the owner of Portion 671 of the farm Rietfontein 375-JR, to cancel the 6m right of way servitude over Portion 668 of the farm Rietfontein 375-JR, and to register a new 10m right of way servitude over the Remaining Extent of Portion 750 of the farm Rietfontein 375-JR, in favour of Portion 671 of the farm Rietfontein 375-JR.

**2. CONDITIONS OF ESTABLISHMENT****(1) NAME**

The name of the township shall be Country View Estate.

**(2) DESIGN**

The township shall consist of erven as indicated on General Plan S.G. No. 5790/2005.

**(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 –

the following servitudes / conditions which do not affect the erven in the township:

- a) Deed of Transfer No T036187/05: Condition D.
- b) Deed of Transfer No T036188/05: Condition C.
- c) Deed of Transfer No T036186/05: Conditions 1.C, D and E.

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

The township owner shall at its own expense 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 authority, when required by the local authority to do so.

**(5) REMOVAL OF LITTER**

The township owner shall at own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

**(6) REMOVAL OR REPLACEMENT OF MUNICIPAL AND TELKOM SERVICES**

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

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

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing Eskom power lines, the cost thereof shall be borne by the township owners.

**(8) OWNERSHIP**

**(a) Association and Statutes**

The developer must register a section 21 company (homeowners' association) in terms of provision of the Companies Act, 1973 (Act 61 of 1973), as provided for in clause 1(2)(a)(vi) above. A copy of the registered Deed of Association (CM4) and the Company Statutes must be submitted to the Kungwini Local Municipality.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity and the road and storm water sewers), and shall have full responsibility for the functioning and proper maintenance of Erven 1, 44 and 48. The developer is deemed to be a member of the Section 21 Company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

Each and every owner of Erven 2, 3, 5 – 43, 45 – 47 and erf 49 shall become a member of the property owners association upon transfer of the erf.



The property owners association shall have the legal power to levy from each and every member the costs incurred in the fulfilment of its functions and shall have legal recourse to recover such fees and costs in the event of a default in payment by any member.

All buildings and structures to be erected shall be made subject to the provisions of the Development and Architectural Guidelines and any and all amendments to the said document as may be affected and approved by the owners association.

Building plans shall only be submitted to the local authority for final approval once the said plans have been evaluated and approved by the Trustees of the association.

(b) Provisions of engineering drawings

The developer must submit to the Kungwini Local Municipality complete engineering drawings in respect of internal sewers and sewer connections points and complete engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

(c) Provision of a certificate by a professional engineer

Before any erf is transferred, Kungwini Local Municipality must be provided with a certificate by a professional engineer for water, sewerage, electricity and the internal road and storm water sewers in which it is certified that the internal engineering services have been completed and that the engineers accept professional liability for the services. The Municipality may at its own discretion, allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer must give the Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the Municipality with a guarantee issued by a recognized financial institution.

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

The township owner shall at his own expense comply with all the conditions imposed by or which the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs has granted the applicant authorization in terms of sections 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

(10) **ERVEN SUBJECT TO SPECIAL CONDITIONS**

Erven 1, 44 and 48 shall be transferred at the cost of the township owner to a Company registered in terms of Section 21 of the Companies Act, 1973.

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**LOCAL AUTHORITY NOTICE 139**

**KUNGWINI LOCAL MUNICIPALITY  
PERI-URBAN AMENDMENT SCHEME 461**

It is hereby notified in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that Kungwini Local Municipality has approved an amendment scheme with regard to the land in the township Country View Estate, being an amendment of the Peri-Urban Town Planning Scheme, 1975.

This amendment is known as the Peri-Urban Amendment Scheme 461 and will be effective as from the date of this publication.

**ACTING MUNICIPAL MANAGER:  
JS GOMBA**

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