

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 14

**PRETORIA, 29 OCTOBER
OKTOBER 2008**

No. 291

CONTENTS

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
GENERAL NOTICE			
4043	Development Facilitation Act (67/1995): Gauteng Development Tribunal: Approval of land development application: Portion 41, farm Vlaktefontein 494 JQ	3	291

GENERAL NOTICE

NOTICE 4043 OF 2008

GAUTENG DEVELOPMENT TRIBUNAL: CASE GDT/LDA/CTMM/1109/04/005 NOTICE IN TERMS OF SECTION 33(4) OF THE DEVELOPMENT FACILITATION ACT, 1995

Notice is hereby given in terms of the provisions of section 33(4) of the Development Facilitation Act, 1995 (Act 67 of 1995), that the Gauteng Development Tribunal approved the land development application on Portion 41 (a portion of Portion 3) of the Farm Vlakfontein 494 JQ, subject to certain conditions.

Conditions to be complied with in the establishment of the Land Development Area.

(1) NAME

The name of the Land Development Area shall be MONAGHAN EXTENSION 3.

(2) DESIGN

The Land Development Area shall consist of erven as indicated on approved Layout Plan No. M557/MONAGHAN EXT 3/P1 and General Plan SG 10322/2007

(3) LAND FOR MUNICIPAL PURPOSES

Erf 234 shall be transferred to the Municipality within a period of 6 months after proclamation of the township or when the first erven in the township becomes transferable whichever ever the sooner, by and at the expense of the township owner.

(4) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven in the Land Development Area shall be made subject and, where relevant, entitled to existing conditions and servitudes as stipulated in the approved conditions of establishment.

(5) THE LAND DEVELOPMENT AREA APPLICANT'S OBLIGATIONS

- 5.1 The Applicant shall properly and legally constitute a Section 21 company (home owners' association) who will be responsible for the upkeep and maintenance of all engineering services.
- 5.2 Erven 180, 235 up to and including 240 shall, prior to or simultaneously with the registration of the first erven in the Land Development Area, be transferred to the Homeowners' Association who shall take full responsibility for the maintenance of the above-mentioned erven.
- 5.3 The Applicant shall, to the satisfaction of the Municipality, construct access ways on Erven 239 and 240 and then transfer such infrastructure to the Home Owners Association who shall be responsible for the maintenance thereof.

(6) NOISE ATTENUATION MEASURES

The applicant shall comply with all recommendations contained in the noise impact assessment.

(7) ACCESS

Access to the township will be provided from Lanseria Road, which turns off the R512.

(8) CONDITIONS OF TITLE

ERVEN 181 - 233

The owner of the erven shall become and shall remain a member of the Section 21 Company (Home Owners Association).

ERVEN 239 AND 240

The erf is subject to a servitude over its entire extent in favour of all other erven in the township for right of way.

ERF 235 – 238

The erf is subject to a Right of Way servitude in favour of erven 180, 185, 186, 190, 194, 195, 197, 198, 204 and 232 for access.

ERF 236

The erf is subject to a servitude in favour of all properties in the township as well as all properties in Mogaghan, Monaghan X1, Monaghan X2, Monaghan X4 and Monaghan X5 for the use as a refuse area in the area.

ERF 211 – 214

The properties cannot be transferred without the consent of and/or until the conditions of the Gauteng Department of Agriculture, Conservation and Environment in terms of the Record of Decision dated 21 May 2006 have been complied with.

ERVEN 235 – 238 AND 240

The erven are subject to a servitude in favour of the City of Tshwane Metropolitan Municipality for storm water provision.

ERF 236 AND 237

The erven are subject to a Pipeline Servitude 2,00 metres wide.

(9) AMENDMENT OF TOWN PLANNING SCHEME

The amendment of the Peri-Urban Town Planning Scheme, 1975, in terms of Amendment Scheme 45PU subject to the conditions in Annexure numbers 93 – 97 of the said town planning scheme.

Gauteng Development Tribunal (GDT)
Clegg House, C/O Fox Street & Simmonds Street,
Marshalltown

KENNISGEWING 4043 VAN 2008**PROVINSIALE REGERING KENNISGEWING**

GAUTENG ONTWIKKELINGSFASILITERINGSTRIBUNAAL: SAAK GDT/LDA/CTMM/1109/04/005
KENNISGEWING IN TERME VAN REGULASIE 33(4) VAN DIE ONTWIKKELINGSFASILITERINGSWET, 1995

Kennis word hiermee gegee in terme van die voorwaardes van regulasie 33(4) van die Ontwikkelingsfasiliteringswet, 1995 (Wet 67 van 1995), dat die Ontwikkelingsfasilitering Tribunaal die grondontwikkelaarsaansoek op Gedeelte 41 ('n gedeelte van Gedeelte 3) van die Plaas Vlakfontein 494 JQ onderworpe aan sekere voorwaardes goedgekeur het.

(1) NAAM

Die naam van die grondontwikkelaarsgebied sal MONAGHAN UITBREIDING 3 wees.

(2) ONTWERP

Die grondontwikkelaarsgebied sal uit erwe, soos voorgestel op die goedgekeurde Uitlegplan No. M557/MONAGHAN EXT 3/P1, en Algemene Plan LG 10322/2007, bestaan.

(3) GROND VIR MUNISIPALE DOELEINDES

Erf 234 moet binne 'n 6 maande periode na proklamasie van die dorp of wanneer die dorp oordraagbaar word, wat ook al eerste gebeur, aan die Munisipaliteit oorgedra word, op die dorpseienaars se koste.

(4) WEGDOEN VAN BESTAANDE TITELVOORWAARDES

Alle erwe in die grondontwikkelingsgebied sal, waar van toepassing, aan bestaande voorwaardes en servitude soos gestipuleer in die goedgekeurde stigtingsvoorwaardes onderworpe wees.

(5) VERANTWOORDELIKEID VAN DIE GRONDONTWIKKELINGSGEBIED SE APPLIKANT

5.1 Die applikant moet behoorlik en wettig 'n Artikel 21 maatskappy (huiseienaarsvereniging) stig, wat vir die instandhouding van alle ingenieursdienste verantwoordelik sal wees.

5.2 Erwe 180, 235 tot en met en insluitend 240 sal, voor of gelyktydig met die registrasie van die eerste erwe in die Grondontwikkelingsgebied, oorgedra word aan die Huiseienaarsvereniging wat volle verantwoordelikheid vir die instandhouding van bogenoemde erwe sal neem.

5.3 Die applikant sal tot bevrediging van die Munisipaliteit, toegange op Erwe 239 en 240 bou en oordrag van geboude infrastruktuur aan die Huiseienaarsvereniging gee, wie verantwoordelik sal wees vir die instandhouding daarvan.

(6) GERAASBEHEERMAATREëLS

Die applikant moet aan al die aanbevelings wat in die geraasimpakstudie vervat is, voldoen.

(7) TOEGANG

Toegang na die dorp sal van die Lanseriapad wat uit die R512 draai, voorsien word.

(8) TITELVOORWAARDES

ERWE 181 TOT 233

Die eienaar van die erwe sal 'n lid word van die Artikel 21 Maatskappy (Huiseienaars Vereniging) en 'n lid bly.

ERWE 239 EN 240

Die erwe is onderhewig aan 'n Reg van Weg servituut oor die hele gedeelte ten gunste van al die ander erwe in die dorp.

ERWE 235 – 238

Die erwe is onderhewig aan 'n Reg van Weg servituut ten gunste van erwe 180, 185, 186, 190, 194, 195, 197, 198, 204 en 232 vir toegang.

ERF 236

Die erf is onderhewig aan 'n servituut ten gunste van al die eiendomme in die dorp, asook die erwe in Monaghan, Monaghan X1, Monaghan X2, Monaghan X4 en Monaghan X5 vir die gebruik van 'n vuillis area.

ERWE 211 – 214

Die erwe kan nie sonder die toestemming en of totdat die voorwaardes van die Gauteng Departement van Landbou, Bewaring en Omgewing, in terme van die "Record of Decision" gedateer 21 Mei 2006, nagekom is, oorgedra word nie.

ERWE 235 – 238 EN 240

Erwe is onderhewig aan 'n serwituut ten gunste van die Stad van Tshwane Metropolitaanse Munisipaliteit vir stormwatervoorsiening.

ERWE 236 EN 237

Die erwe is onderhewig aan 'n pyplyn serwituut van 2,00 meter wyd.

(9) WYSIGING VAN DORPSBEPLANNINGSKEMA

Die wysiging van die Buitestedelike Gebied Dorpsbeplanningskema, 1975, in terme van Wysigingskema 45PU onderworpe aan voorwaardes in Bylae nommers 93 – 97 van die genoemde dorpsbeplanningskema.

Gauteng Ontwikkelingsfasiliteringstribunaal (GOT)
Clegg House, H/V Fox- & Simmondsstraat,
Marshalltown
