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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2666

KUNGWINI LOCAL MUNICIPALITY DECLARATION OF BOARDWALK EXTENSION 16 AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the Kungwini Local Municipality hereby declares the Township of Boardwalk Extension 16 to be an approved township, subject to the conditions as set out in the schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY AJAX AVENUE DEVELOPMENTS (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT OR TOWNSHIP OWNER) UNDER 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 198 (A PORTION OF PORTION 3) OF THE FARM TWEEFONTEIN NO. 372-JR HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

- (1) **NAME**
The name of the township shall be Boardwalk Extension 16.
- (2) **DESIGN**
The township shall consist of erven and streets as indicated on General Plan No. 13815/2007.
- (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.
- (4) **REMOVAL OR REPLACEMENT OF EXISTING MUNICIPAL AND TELKOM 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 township owner.
- (5) **REMOVAL AND/OR REPLACEMENT OF EXISTING ESKOM POWER LINES**
If, by reason of the establishment of the township, it should become necessary to remove and/or replace any existing ESKOM power lines, the cost thereof shall be borne by the township owner.
- (6) **DEMOLITION OF BUILDINGS AND STRUCTURES**
The township owner shall at its own expense cause all existing buildings and structures situated within building line reserves, side spaces or over common boundaries of erven to be demolished to the satisfaction of the local authority, when required to do so.
- (7) **CONSTITUTION AND DUTIES OF THE HOME OWNERS ASSOCIATION**
 - (a) The township owner shall at its own costs, prior to or simultaneously with the sale of the first erf in the township, properly and legally constitute a Home Owners Association (an association incorporated in terms of section 21 of Act 61 of 1973, as amended).
 - (b) The erf created for access and road purposes (i.e. Erf 442) (hereinafter referred to as "the access erf"), shall, prior to or simultaneously with registration of transfer of the first erf in the township, be transferred to the Home Owners Association contemplated in (a) above.
 - (c) Each and every owner of an erf in the township (except the access erf), shall become a member of the Home Owners Association upon registration of transfer of such erf in his/her/its name.

- (d) The Home Owners Association shall be responsible for the functioning and proper maintenance of the access erf and the essential services within the access erf. Such functioning and maintenance shall at all times be undertaken to the satisfaction of the local authority.
- (e) The township owner shall be responsible for the construction and maintenance of the access erf, until the access erf has been transferred to the Home Owners Association.
- (f) The Home Owners Association shall be legally entitled to levy and claim, from each and every member of the Home Owners Association, the costs incurred in the execution of its duties - if necessary, by means of legal action.

2. CONDITIONS OF TITLE

2.1 ERVEN SUBJECT TO CONDITIONS IMPOSED BY THE TOWNSHIP OWNER AND KUNGWINI LOCAL MUNICIPALITY

2.1.1 All erven, excluding Erf 442, shall be subject to the following conditions:

- (1) The erf is subject to a servitude, 2m wide, in favour of the Home Owners Association, for sewerage and other engineering services, along any two boundaries other than along Ajax Avenue and in the case of a panhandle erf, an additional servitude, 2m wide across the access portion of the erf, if and when required by the Home Owners Association: Provided that the Home Owners Association may dispense with any such servitude.
- (2) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.
- (3) The Home Owners Association shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Home Owners Association.
- (4) Building plans shall be provided to the Home Owners Association and written approval obtained before building plans are submitted to Kungwini Local Municipality.

2.1.2 Erven 420 and 438 shall be subject to the following servitude

The erf shall be subject to a servitude, 2m wide, in favour of the Home Owners Association, for stormwater drainage, sewerage and other engineering purposes, as shown on the general plan.

2.1.3 Erven 235, 236, 237, 238 and 438 shall be subject to the following servitude

The erf shall be subject to a servitude, 3m wide, in favour of the Home Owners Association, for stormwater drainage, sewerage and other engineering purposes, as shown on the general plan.

Municipal Manager: Mr. L. Ditshego
P. O. Box 40, Bronkhorstspuit 1020
(Notice No. 162/2008)

PLAASLIKE BESTUURSKENNISGEWING 2666

KUNGWINI PLAASLIKE MUNISIPALITEIT VERKLARING VAN BOARDWALK UITBREIDING 16 TOT 'N GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie No.15 van 1986), verklaar die Kungwini Plaaslike Munisipaliteit hierby die dorp Boardwalk Uitbreiding 16 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR AJAX AVENUE DEVELOPMENTS (PROPRIETARY) LIMITED INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING ON 'N DORP OP GEDEELTE 198 ('N GEDEELTE VAN GEDEELTE 3) VAN DIE PLAAS TWEEFONTEIN NO. 372-JR, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

- (1) **NAAM**
Die naam van die dorp is Boardwalk Uitbreiding 16.
- (2) **ONTWERP**
Die dorp bestaan uit erwe soos aangedui op Algemene Plan L.G No. 13815/2007.
- (3) **BESKIKKING OOR BESTAANDE TITEL VOORWAARDES**
Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, met inbegrip van die voorbehoud van regte op minerale.
- (4) **VERSKUIWING EN/ OF VERWYDERING VAN MUNISIPALE EN TELKOM DIENSTE**
Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verwyder en/ of te verskuif, moet die koste daarvan deur die dorpseienaar gedra word.
- (5) **VERSKUIWING EN/ OF VERWYDERING VAN ESKOM KRAGLYNE**
Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande Eskom kraglyne te verskuif en/ of te verwyder, moet die koste daarvan deur die dorpseienaar gedra word.
- (6) **SLOPING VAN GEBOUE EN STRUKTURE**
Die dorpseienaar sal op eie koste alle geboue en strukture wat binne boulynreserves en kantruimtes laat sloop tot tevredenheid van Kungwini Plaaslike Munisipaliteit, wanneer Kungwini Plaaslike Munisipaliteit dit vereis.
- (7) **KONSTITUSIE EN VERANTWOORDELIKHEDE VAN DIE HUISEIENAARS VERENIGING**
 - (a) Die dorpseienaar moet, op eie koste, voor of gelyktydig met die verkoop van die eerste erf van die dorpsgebied, 'n Huseienaars Vereniging ('n vereniging ingelyf ingevolge Artikel 21 van Wet 61 van 1973, soos gewysig), behoorlik en wettig stig.
 - (b) Die erf wat geskep is vir toegang- en paddoeleindes (e.g. Erf 442) (hierna genoem "die toegangserf") moet voor of gelyktydig met die registrasie van oordrag van die eerste erf van die dorpsgebied, aan die Huseienaars Vereniging, soos beoog in (a), oorgedra word.
 - (c) Iedere en elke eienaar van 'n erf in die dorpsgebied (uitgesonderd die toegangserf), moet tydens registrasie van oordrag van die erf in sy/ haar naam, 'n lid van die Huseienaars Vereniging word.
 - (d) Die Huseienaars Vereniging is verantwoordelik vir die funksionering en behoorlike instandhouding van die toegangserf en die noodsaaklike dienste binne die toegangserf. Sodanige funksionering en instandhouding moet ten alle tye tot tevredenheid van Kungwini Plaaslike Munisipaliteit uitgevoer word.
 - (e) Die dorpseienaar is verantwoordelik vir die konstruksie en onderhoud van die toegangserf, tot tevredenheid van die Kungwini Plaaslike Munisipaliteit totdat die toegangserf aan die Huseienaars Vereniging oorgedra is.
 - (f) Die Huseienaars Vereniging is wetlik gemagtig om die koste aangegaan in die uitvoering van sy pligte, van iedere en elke lid van die Huseienaars Vereniging te hef en te verhaal - indien nodig, deur middel van regsaksie.

2. TITELVOORWAARDES

2.1 **ERWE ONDERWORPE AAN VOORWAARDES OPGELEË DEUR DIE DORPSEIENAAR EN KUNGWINI PLAASLIKE MUNISIPALITEIT**

2.1.1 Alle erwe, uitgesluit Erf 442, is onderworpe aan die volgende voorwaardes:

- (1) Die erf is onderworpe aan 'n serwituut, 2m breed, ten gunste van die Huiseienaars Vereniging, vir riool en ander ingenieursdienste, langs enige twee grense, uitgesluit Ajaxlaan en, in geval van 'n pypsteelerf, 'n addisionele serwituut, 2m breed, oor die toegangsgedeelte van die erf, indien en wanneer die Huiseienaars Vereniging dit verlang. Met dien verstande dat die Huiseienaars Vereniging van enige sodanige serwituut mag afsien.
- (2) Geen geboue of ander strukture mag binne die voorgenoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.
- (3) Die Huiseienaars Vereniging 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 goeë dunnke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Huiseienaars Vereniging geregtig op redelike toegang tot die genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Huiseienaars Vereniging enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.
- (4) Bouplanne moet aan die Huiseienaars Vereniging voorgelê word vir skriftelike goedkeuring alvorens die bouplanne by Kungwini Plaaslike Munisipaliteit ingedien word.

2.2.2 Erwe 420 en 438 is onderworpe aan die volgende serwituut

Die erf is onderworpe aan 'n serwituut, 2m wyd, ten gunste van die Huiseienaarsvereniging, vir stormwater dreinerings, riool en ander ingenieursdoeleindes, soos aangedui op die algemene plan.

2.2.3 Erwe 235, 236, 237, 238 en 438 is onderworpe aan die volgende serwituut

Die erf is onderworpe aan 'n serwituut, 3m wyd, ten gunste van die Huiseienaarsvereniging, vir stormwater dreinerings, riool en ander ingenieursdoeleindes, soos aangedui op die algemene plan.

Munisipale Bestuurder: Mr. L. Ditshego
Posbus 40, Bronhorstspuit 1020
(Kenningsgewing No. 162 /2008)

LOCAL AUTHORITY NOTICE 2667
KUNGWINI LOCAL MUNICIPALITY
PERI-URBAN AREAS AMENDMENT SCHEME 439

It is hereby notified in terms of provisions of section 125(1) 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 of Boardwalk Extension 16, being an amendment of the Peri-Urban Areas Town Planning Scheme, 1975. Map 3, Annexure 439 and the scheme clauses of this amendment scheme are filed with the Municipal Manager, and are open to inspection during normal office hours. This amendment is known as Peri-Urban Areas Amendment Scheme 439.

Municipal Manager: Mr. L. Ditshego
P. O. Box 40, Bronkhorstspuit 1020
(Notice No. 162 /2008)

PLAASLIKE BESTUURSKENNISGEWING 2667

KUNGWINI PLAASLIKE MUNISIPALITEIT
PERI-URBAN WYSIGINGSKEMA 439

Hierby word ingevolge die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat Kungwini Plaaslike Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Baordwalk Uitbreiding 16, synde 'n wysiging van die Buitestedelike Gebied Dorpsbeplanningskema, 1975, goedgekeur het. Kaart 3, Bylae 439 en die skemaklausules van hierdie wysigingskema word deur die Munisipale Bestuurder, in bewaring gehou en lê gedurende gewone kantoorure ter insae. Hierdie wysiging staan bekend as die Buitestedelike Gebied Wysigingskema 439.

Munisipale Bestuurder: Mr. L. Ditshego
Posbus 40, Bronhorstspuit 1020
(Kenningsgewing No.162/2008)