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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
	LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS		
1518	Mogale City Spatial Planning and Land Use Management By-law, 2018: Mogale Extension 49	359	3

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 1518 OF 2022****LOCAL AUTHORITY NOTICE
20 OF 2022****MOGALE CITY LOCAL MUNICIPALITY****DECLARATION OF MOGALE EXTENSION 49 AS AN APPROVED TOWNSHIP**

In terms of section 53(15) of the Mogale City Spatial Planning and Land Use Management By-law, 2018, the Mogale City Local Municipality hereby declares the township **Mogale Extension 49** 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 MAXX LAND 01 PROPRIETARY LIMITED, REGISTRATION NUMBER 2018/628517/07 (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) IN TERMS OF THE PROVISIONS OF CHAPTER 7 (PART 3) OF THE MOGALE CITY LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 92 (A PORTION OF PORTION 42) OF THE FARM NOOITGEDACHT 534 JQ, HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be **Mogale Extension 49**.

1.2 DESIGN

The township shall consist of erven and streets as indicated on **General Plan S.G. No. 2529/2020**.

1.3 PROVISION OF ENGINEERING SERVICES

The township will be serviced "off-grid" in terms of municipal engineering services, meaning that the municipality will not at any stage provide or be expected to provide essential and other municipal engineering services to the development. All required engineering services will be provided and maintained at own cost by the township owner and his/her successor in title according to the specifications, designs and plans approved by the municipality.

In order to give effect to the above the municipality requires that the township owner must:

- (a) Clearly specify in all marketing and promotional material, sale agreements, building packages, contracts and deeds of sale of any erf, sectional title unit or lease agreement in respect of any erf in the township that the township is serviced in an "off-grid" manner and not in any way or form by the municipality.
- (b) Clearly indicate that the municipality will not be responsible for the long term maintenance of engineering services in the township or for the repair, replacement, or upgrade of any engineering services.
- (c) The development shall be done in a manner where no external, link or internal engineering services are to be provided by the local authority or Eskom. The township owner, home owner's association and/or body corporate shall be obliged to provide, install and maintain all required municipal engineering services required to service the stands in the township development in an "off-grid" manner to the satisfaction of the local authority and other relevant provincial and national departments.

Considering the above the township owner, home owner's association and/or body corporate shall apply to the relevant authorities for all required licenses, wayleaves, permits and other authorisations required to functionally and in a sustainable manner provide the township with essential and other engineering services.

- (d) The following clause shall be inserted into all sale and lease agreements as well as marketing material related to the advertisement, lease and sale of stands in the township:

"The Mogale City Local Municipality shall in no way or form be responsible to service the stand with essential and other municipal engineering services, or to repair or maintain in the sort, medium or long term such engineering services and the township owner, home owner's association and/or body corporate shall assume sole responsibility in this regard."

1.4 ROADS AND SURFACE DRAINAGE

- (a) The township owner must provide access to the proposed township to the satisfaction of the Gauteng Department of Roads and Transport and the local municipality.
- (b) 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.

- (c) 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.
- (d) 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.

1.5 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.

1.6 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.

1.7 ELECTRICITY

- (a) The applicant shall apply to Eskom for an electricity connection for the proposed township.
- (b) A copy of the agreement between the applicant and Eskom regarding the provision of electricity services to the township shall be submitted to the municipality for record purposes.

1.8 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 10 of the Companies Act, 2008 (Act 71 of 2008) 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.

1.9 REMOVAL OF REFUSE

Where no municipal refuse removal services are available the township owner shall enter into a contract with a suitable refuse collection and disposal service 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 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.

1.12 REGISTRATION OF SERVITUDES

The applicant shall, at his own cost, register servitudes to provide access or protect infrastructure in the proposed township where 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 BY MOGALE CITY LOCAL MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE MOGALE CITY LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018, CHAPTER 7, (PART 3):****3.1.1 ERF 218**

The erf is subject to a right of way servitude, 5 metres wide in favour of Erf 230 in the township as indicated on the General Plan, to be dealt with after the proclamation of the township.

3.1.2 ERF 222

The erf is subject to a right of way servitude, 61 square metres wide in favour of Erf 230 in the township as indicated on the General Plan, to be dealt with after the proclamation of the township.

3.1.3 ERF 230

The erf is entitled to a right of way servitude, 5 metres wide over Erf 218 in the township as indicated on the General Plan, to be dealt with after the proclamation of the township.

3.1.4 ERF 230

The erf is entitled to a right of way servitude, measuring 61 square metres over Erf 222 in the township as indicated on the General Plan, to be dealt with after the proclamation of the township.

CONDITIONS OF TITLE IMPOSED BY MOGALE CITY LOCAL MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE MOGALE CITY LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018, CHAPTER 7, (PART 3), IN FAVOUR OF THE HOMEOWNER'S ASSOCIATION:

3.1.5 ALL ERVEN

- (a) The erf is subject to a servitude 2 metres wide for engineering services and other purposes in favour of the Home Owner's Association 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 Home Owner's Association: provided that the Home Owner's Association 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 Home Owner's Association 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 Home Owner's Association is entitled to reasonable entry to the property on which the servitude is situated for the stated purpose, on the condition that the Home Owner's Association will be liable for any damage caused during the installation, maintenance or removal of engineering services infrastructure and other works.

Mr M Msezana
MUNICIPAL MANAGER

05 September 2022

LOCAL AUTHORITY NOTICE
21 OF 2022

MOGALE CITY LOCAL MUNICIPALITY

KRUGERSDORP AMENDMENT SCHEME 1933

It is hereby notified in terms of the provisions of the Mogale City Spatial Planning and Land Use Management By-law, 2018 that the Mogale City Local Municipality has approved an amendment scheme with regard to the land in the township **Mogale Extension 49** 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 Head of Department: Gauteng Provincial Government, Department of Co-operative Governance and Traditional Affairs, and are open for inspection during normal office hours.

This amendment scheme is known as Krugersdorp **Amendment Scheme 1933**.

Mr M Msezana
MUNICIPAL MANAGER

05 September 2022

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