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CONTENTS • INHOUD

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
LOCAL AUTHORITY NOTICES			
383	Town-planning and Townships Ordinance (15/1986): Local Municipality of Madibeng: Declaration as approved township: La Camargue	3	6531
384	do.: Amendment Scheme 286	5	6531

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 383

LOCAL MUNICIPALITY OF MADIBENG DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Local Municipality of Madibeng hereby declares La Camargue 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 ROBOW INVESTMENTS 115 (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 437 (A PORTION OF PORTION 62) OF THE FARM RIETFONTEIN 485-JQ, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be La Camargue.

1.2 DESIGN

The township shall consist of erven and streets as indicated on the General Plan 26/2007.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes described in Deed of Transfer T26101/2002, if any, including the reservation of rights to minerals and real rights, but excluding the following conditions which:

(a) do not affect the proposed township due to the location thereof:

"A. *Die oorspronklike Resterende Gedeelte van voormelde plaas, groot as sodanige 305.4871 hektaar ('n gedeelte waarvan hiermee getransporteer word), is geregtig tot en onderworpe aan die volgende serwitute en voorwaardes:*

(a) *Alle eigenaren van gezegde plaas RIETFONTEIN zyn geregtighd tot een Recht van Weg 11,33 meter wyd over gedeelte gemerk L van gezegde plaas, groot 307.2165 hektaar, gehouen krachtens Certificaat van Verdelings Titel T7409/1922, zoals getoond op die kaart van gezegde gedeelte L teneinde de Publieke Weg van Zilkaatsnek naar Pretoria te kunnen bereiken.*

(c) *Onderworpe aan een serwituut van Recht van Weg over een gedeelte groot 5,8958 hektaar (volgens Kaart SG A1156/1921, door Landmeter F S Elphinstone in Februarie 1921 vervaardigd en gehect aan Certifikaat van Verdelingstitel T7422/1922) ten faveure van de eigenaren van gedeelte gemerkt L M N O P Q en R van gezegde plaas, gehouen krachtens Certifikaten van Verdelings Titel T7409/1922 tot en met T7415/1922, ten einde hunne vee heen en weder van hunne opstallen naar hunne respektiewe weivelden te dryven."*

"B. *Verder onderhewig aan 'n ewigdurende Reg van Elektrisiteitsgeleiding ten gunste van die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede soos meer volledig sal uit Notariële Akte van Serwituut K1371/1987."*

(b) The following condition is registered against Deed of Transfer T26101/2002 and affects Erven 1, 93 and 94 in the proposed township:

"C. En verder onderhewig aan 'n pyplynserwituut 2 (twee) meter wyd, die suidelike grens aangedui deur die lyn A.B. op Kaart A2464/1991 ten gunste van die Plaaslike Oorgangsraad van Hartebeespoort kragtens Notariële Akte van Serwituut K6833/1998S."

- (c) The following conditions are not registered against Deed of Transfer T26101/2002 but also do not affect the township due to the location thereof:

"The property is subject to a 4 m wide sewer servitude vide SG No A2350/1994 in favour of the Local Municipality of Madibeng.

The property is subject to a servitude area for purposes of an electrical powerline area vide SG No 6037/2003 in favour of the City of Tshwane Metropolitan Municipality."

1.4 PRECAUTIONARY MEASURES

The township owner shall satisfy the local authority that the necessary arrangements have been made in accordance with an approved geotechnical report before building work may commence and that such arrangements are incorporated into building work.

1.5 REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES

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

1.6 REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office Plan, the cost thereof shall be borne by the township applicant.

1.7 INSTALLATION OF SERVICES

- (a) The township applicant shall install and provide internal engineering services in the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.
- (b) The local authority shall install and provide external engineering services for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

1.8 CONSTITUTION OF A HOMEOWNERS' ASSOCIATION

- (a) The township owner shall provide written proof to the local authority that a Homeowners' Association has been properly and legally constituted in terms of a Section 21 of the Companies Act before the transfer of the first erf.
- (b) Erven 1 (gate house), 5 (club house), 93 to 94 (private streets) and 95 to 99 (private open spaces) shall be registered in the name of the Homeowners' Association. Such Homeowners' Association shall have full responsibility for these erven and the essential services serving the township contained therein.
- (c) Each and every owner of Erven 3 and 4 and 6 to 92 shall become members of the Homeowners' Association and be subjected to the Memorandum of Articles of Association upon transfer of the erf until such owner ceases to be owner of the erf.

- (d) The Home Owners' Association shall have full legal power to levy, from each and every member, the costs incurred in fulfilling its function, and shall have legal recourse to recover such fees in the event of a default in payments by any member.
- (e) The local authority shall not be liable for the malfunction of the surfacing of the access way and/or the stormwater drainage system, and/or any essential services in the township.
- (f) Access from all the erven in the township to a public road shall be across Erven 1, 93 and 94.
- (g) The local authority shall have unrestricted access across Erven 1, 93 and 94.

2. TITLE CONDITIONS

2.1 ALL ERVEN

- (a) The erf is subject to a servitude 2m wide for sewer and other municipal purposes in favour of the local authority, along any two boundaries other than a street boundary and in the event of a panhandle erf, an additional servitude for municipal services, 2m wide across the access portion of the erf, if and when required by the local authority, provided that the local authority may dispense with any such servitude.
- (b) No buildings or other structures may be erected within such servitude area; neither may any large rooted tree be planted in such servitude area or within 2m thereof.
- (c) The local authority shall be entitled to store any material that may be excavated during the installation, maintenance or removal of such main sewer lines and other works that he may deem necessary upon such land abutting to said servitude area and the local authority is further entitled to reasonable access to said land for said purpose, provided that any damage caused by the local authority as a result of such installation maintenance or removal shall be made good by the local authority.

2.2 ERF 1

The erf is subject to a servitude of right of way over its entire extent in favour of all erven in the township and the local authority, as indicated on the General Plan.

2.3 ERVEN 93 AND 94

The erf is subject to a servitude of right of way over its entire extent in favour of all erven in the township and the local authority, as indicated on the General Plan.

P M MAPULANE, Municipal Manager

Municipal Offices, 53 van Velden Street, Brits; PO Box 106, Brits, 0250

(Notice No. 80/2008)

(Reference Number: 15/3/2/1/43/1 HBPT)

LOCAL AUTHORITY NOTICE 384

HARTBEESPOORT TOWN PLANNING SCHEME 1993 AMENDMENT SCHEME 286

The Local Municipality of Madibeng hereby declares that it has approved an amendment scheme, being an amendment to the Hartbeespoort Town Planning Scheme of 1993, comprising the same land as included in the township of La Camargue, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

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

The amendment scheme is known as Hartbeespoort Amendment Scheme 286 with Annexure 286 and shall come into operation on the date of publication of this notice.

P M MAPULANE, Municipal Manager

Municipal Offices, 53 van Velden Street, Brits; PO Box 106, Brits, 0250

(Notice No. 81/2008) (Reference Number: 15/3/2/1/43/1 HBPT)
