



NORTH WEST NOORDWES

EXTRAORDINARY • BUITENGEWOON

**PROVINCIAL GAZETTE
PROVINSIALE KOERANT**

Vol: 264

MAHIKENG
12 November 2021
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We all have the power to prevent AIDS



**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 193 OF 2021

CONDITIONS OF ESTABLISHMENT OF
BOITEKONG EXTENSION 35

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT INTERMS OF THE PROVISIONS OF SECTION 106 OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION OF A TOWNSHIP ON PORTION 175, OF THE FARM PAARDEKRAAL 279 JQ, NORTH WEST PROVINCE, BY THE RUSTENBURG LOCAL MUNICIPALITY (HEREIN REFERRED TO AS THE TOWNSHIP APPLICANT), HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Boitekong Extension 35.

(2) LAYOUT

The township shall consist of erven and streets as indicated on the General Plan S.G No. 3134/2013

(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any

(4) LAND FOR PUBLIC/MUNICIPAL PURPOSES

The following erf shall be transferred to the local authority by the expense of the township applicant

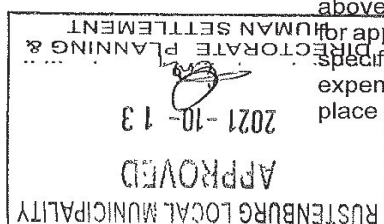
Public open space: Erven 23597-23602 and 23606-23607

Municipal Purposes. Erven 23586-23588 and 23590

(5) ACCESS

(a) Ingress from National Road P16-2 (previously P20-2) to the township and egress to the National Road P16-2 from the township shall be restricted to the junction of the class 2,25m road reserve marked ABCD with the said road.

(b) The township applicant shall at own expense, submit a geometric design layout plan (scale 1:500) of the ingress and egress point referred to in (a) above, and specifications for the constructions of the access, to SANRAL for approval. The township applicant shall alter approval of the layout and specifications construct the said ingress and egress point at own expense to the satisfaction of SANRAL, before any development takes place



(6) ACCEPTANCE AND DISPOSAL OF STORMWATER

The township applicant shall arrange for drainage of the township to fit in with that of National Road P16-2 and for all stormwater running off or being diverted from the road to be received and disposed of.

(7) RESTRICTION ON THE DISPOSAL OF ERVEN

The township applicant shall not offer for sale or alienate Erf 23581 within a period of six(6) months from the date of the declaration of the township as an approved township, to any person or body other than the State unless the Department of Education and Training has indicated in writing that the Department does not wish to acquire the erven

(8) INSTALLATION AND PROVISION OF SERVICES

- (a) The township applicant shall install and provide all internal services in the township, to the satisfaction of the Local Authority.
- (b) The relevant authority referred to in regulation 26 shall install and provide all external services for the township, to the satisfaction of the Local Authority.

2. CONDITIONS OF TITLE

(1) CONDITIONS IMPOSED BY THE STATE PRESIDENT IN TERMS OF SECTION 184(2) OF THE MINING RIGHTS ACT, 1967, (ACT NO. 20 OF 1967)

All erven shall be subject to the following conditions.

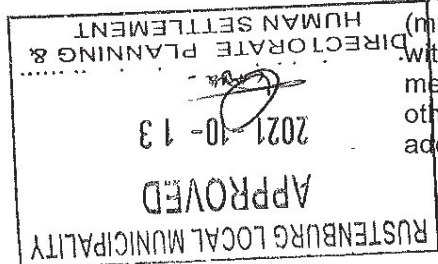
- (a) "As this erf forms part of land which is or may be undermined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from subsidence settlement, shock or cracking "

(2) CONDITIONS IMPOSED IN TERMS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 1986.

The erven mentioned hereunder shall be subject to the conditions as indicated:

- (a) All erven with the exception of the erven mentioned in clause 1 (4) and the erven zoned "Residential 1"

- (i) The erf is subject to a building line of three (3) metres along the street boundary, A servitude of 2 metres wide along the rear (mid-block) boundary and a Servitude along the side boundaries with an aggregate width of 3 metres and a minimum width of 1 metre in favour of the local authority for municipal purposes along other boundaries, and in the case of a panhandle erf, an additional servitude for municipal purposes two metres wide

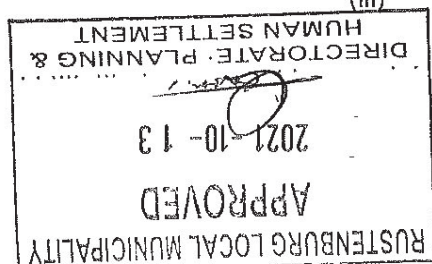


- across the access portion of the erf, if and when required by the local authority: Provided that the local authority may relax or grant exemption from the required servitudes.
- (ii) No building or other structure shall be erected within the aforesaid servitude area and not large-rooted trees shall be planted within the area of such servitude or within one metre thereof.
 - (iii) The local authority 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 local authority.
 - (iv) The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority must show measures to be taken, in accordance with recommendations contained in the geotechnical report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(b) Erven zoned "Residential " shall be subject to the conditions as indicated:

- (i) The erf is subject to a building line of two (2) metres along the street boundary, A servitude of 2 meters wide along the rear (mid-block) boundary and a Servitude along the side boundaries with an aggregate width of 3 metres and a minimum width of 1 metre in favour of the local authority for municipal purposes along other boundaries, and in the case of a panhandle erf, an additional servitude for municipal purposes two metres wide across the access portion of the erf, if and when required by the local authority. Provided that the local authority may relax or grant exemption from the required servitudes.
- (ii) No building or other structure shall be erected within the aforesaid servitude area and not large-rooted trees shall be planted within the area of such servitude or within one metre thereof

- (iii) The local authority 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 local authority

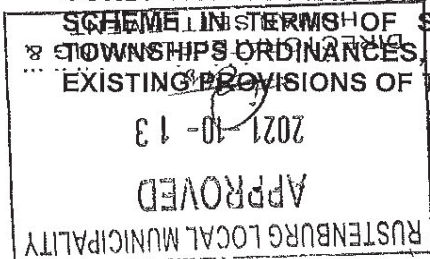
- (iv) The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority must show measures to be taken, in accordance with recommendations contained in the geotechnical report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(3) **CONDITIONS IMPOSED BY THE CONTROLLING AUTHORITY IN TERMS OF THE ADVERTISING ON ROADS AND RIBBON DEVELOPMENT ACT, 1940 (ACT NO. 21 OF 1940)**

In addition to the relevant conditions set out above, the under mentioned erven shall be subject to the conditions as indicated:

- (a) ERF 23557, 23554, 23278-23300, 23585, 23575-23577, 23582, 23566-23568, 23589 and 23590
 - (i) The developer/owner shall be responsible for the erecting of a physical barrier consisting of a 1,3 metre high wire fence, or a barrier of such other material as may be approved by the local authority, in accordance with the most recent standards of SANRAL before or during development of the erven along the boundary thereof abutting on National Road P16-2 to the satisfaction of the local authority and shall maintain such fence to the satisfaction of the local authority: Provided that if the said road has not yet been declared, the relevant physical barrier shall be erected within a period of six (6) months after declaration of such road
 - (ii) Except for the physical barrier referred to in clause (i) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, shall be erected nor shall anything be constructed or laid under or below the surface of erf within a distance less than 16 metres from the boundary of the erf abutting on the National Road P16-2 nor shall any alteration or addition to any existing structure or building situated within such distance of the said boundary be made except with the consent in writing of SANRAL
 - (iii) Ingress to and egress from the erven shall not be permitted along the boundary thereof abutting on National Road P16-2.

3. **CONDITIONS TO BE INCORPORATED WITHIN THE EXISTING TOWN PLANNING SCHEME IN TERMS OF SECTIONS 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCES, 1986 (ORDINANCE 15 OF 1986) IN ADDITION TO THE EXISTING PROVISIONS OF THE TOWN PLANNING SCHEME**



(1) ALL ERVEN

The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority must show measures to be taken, in accordance with the recommendations contained in the geotechnical report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions, unless it is proved to the local authority that such measures are necessary or that the same purpose can be achieved by other ore effective means

(2) ERVEN 23278-23549

The use of the erf if "Residential 1"

(3) ERVEN 23550-23577

The use of the erf is "Residential 2"

(4) ERVEN 23585

The use zone of the erf is "Business 1"

(5) ERVEN 23578-23584

The use zone of the erf is "Institutional".

(6) ERVEN 23589

The use zone of the erf if "Government".

(7) ERVEN – 23603-23605

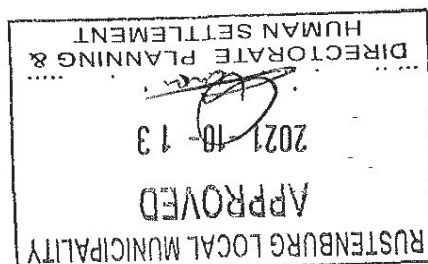
The use zone of the erf is "Special".

(8) ERVEN 23586-23588, 23590

The use zone of the erf is "Municipal".

(9) ERVEN 23591-23602, 23606-23607

The erf is used as "Public open Space".



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