



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

**Provincial Gazette Extraordinary
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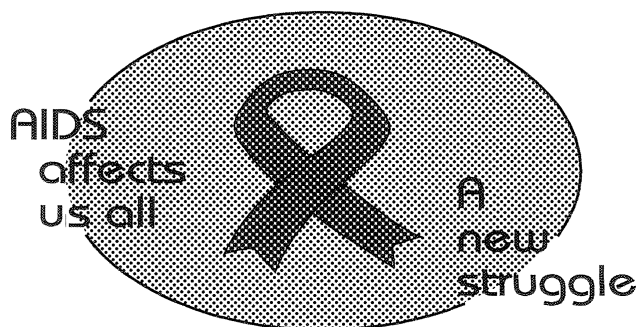
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No. 2093

We all have the power to prevent AIDS



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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 200 GOVAN MBEKI LOCAL MUNICIPALITY NOTICE 90/2012 GOVAN MBEKI MUNICIPALITY

DECLARATION AS AN APPROVED TOWNSHIP

In terms of Section 103(1) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the Govan Mbeki Municipality hereby declares the Terra Nova Extension 1 Township to be an approved township, subject to the conditions set out in the schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 15 OF 1986, (CHAPTER III, PART C, SECTION 98) ON A PORTION OF THE REMAINDER OF PORTION 10 OF THE FARM TRICHARDTSFONTEIN 140-IS, PROVINCE OF MPUMALANGA BY ECENCICO (PTY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT), HAVE BEEN APPROVED BY THE GOVAN MBEKI MUNICIPALITY

A. CONDITIONS OF ESTABLISHMENT

1. NAME

The name of the township shall be TERRA NOVA EXTENSION 1.

2. LAYOUT / DESIGN

The township shall consist of erven and streets as indicated on the approved Layout Plan No. TRI-TN-001-1.

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 and real rights, but excluding the following servitude which does not affect any erven and streets in the township:

"Die Resterende Gedeelte van Gedeelte 10 ('n Gedeelte van Gedeelte 7) van die plaas Trichardtsfontein 140-IS, is kragtens Notariële Akte van Serwituut No K1734/1978S gedateer 16 Maart 1978 onderhewig aan 'n ewigdurende serwituut vir pyplyne met die doel om water te vervoer asook vir die oprigting van 'n pomp huis en pompinstallasies tesame met bykomende regte, ten gunste van die Stadsraad van Bethal, soos meer volledig sal blyk uit gesegde Notariële Akte met kaart daaraan geheg."

4. 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.

5. REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM PLANT

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

6. REMOVAL, REPOSITION, MODIFICATION OR REPLACEMENT OF EXISTING ESKOM POWER LINES

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

7. LAND USE AND ZONING CONDITIONS

The use of all erven in the township will be in accordance with the ruling town-planning scheme and any amendment thereof.

8. REGISTRATION OF SERVITUDES

- a. All internal and external servitudes for the provision of services must be registered to the satisfaction of the Govan Mbeki Local Municipality and is for the cost of the township applicant.

9. PROVISION AND INSTALLATION OF SERVICES

- i. The township applicant shall enter into an engineering services agreement with the Govan Mbeki Municipality regarding the provision of all external and internal engineering services as well as compliance with the recommendations of a Traffic Impact Assessment to the satisfaction of SANRAL.

10. HOME OWNERS ASSOCIATION

- i. A home owners association or similar institution must be established in terms of the conditions of Section 21 of the Companies Act 1973 (Act 61 of 1973).
- ii. The Home Owners Association or similar institution shall bear full responsibility for the functioning and proper maintenance of erven 114 and 115 (internal streets) as well as all internal services according to the Services Agreement.
- iii. Erven 114 and 115 must be transferred to the Home Owners Association by the township applicant. The Govan Mbeki Local Municipality accepts no responsibility or liability in this regard.
- iv. Every owner of an erf or subdivision or consolidation thereof shall become and shall remain a member of the home owners association or similar institution and be subject to its memorandum and articles of association until he ceases to be an owner as aforesaid.
- v. The erf shall not be transferred to any person that has not become a member of the association.
- vi. The Home Owners Association will bear full responsibility for the maintenance of erven 114 and 115.
- vii. The responsibility for the maintenance and functioning of erven 114 and 115 may be contractually ceded to another association / body tasked with the co-ordinated maintenance and functioning of the Terra Nova Development.
- viii. The owner of the erf shall not be entitled to transfer the erf without a clearance certificate from the Govan Mbeki Local Municipality as well as the Home Owners Association that all amounts payable by such owner to the Municipality and the association have been paid in full.

11. DEMOLISHING OF BUILDINGS AND STRUCTURES

- i. The township applicant must, at its expense, demolish all existing buildings and structures that are located within building line reserves, side spaces or over mutual boundaries of proposed erven to the satisfaction of the Govan Mbeki Local Municipality, when required by the Govan Mbeki Local Municipality to do so.

B. CONDITIONS OF TITLE

1 All erven:

- a. The design and building plans for all buildings in the Terra Nova Extension 1 Township must comply with the Aesthetical and Architectural Guidelines as compiled by the Township Applicant.
- b. Any owner of a property in the Terra Nova Extension 1 Township must obtain the approval of the Terra Nova Aesthetical Committee, who will be appointed by the Township Applicant, before submitting any site development plan or building plan for approval to the Govan Mbeki Local Municipality.
- c. All building lines will be 2 meters on any boundary of the property, with the provision that it may be relaxed where it does not interfere with the locality of engineering services and where it is in accordance with the Aesthetical and Architectural guidelines of the township.
- d. Any application for relaxation of a building line shall accompany the application for approval of building plans to the Terra Nova Aesthetical Committee and the Govan Mbeki Local Municipality.
- e. The use of all erven in the township will be in accordance with the relevant Section 125 Amendment Scheme or any amendment of in terms of the ruling town-planning scheme.
- f. Where any dispute arises concerning the use of an erf, or the design and construction of a building on an erf in the Terra Nova Extension 1 Township, the decision of the Terra Nova Aesthetical Committee will be final and binding.

2 Erven 114 and 115:

- a. The property shall be used for the purposes of a private road that will serve the Terra Nova Extension 1 Township and any other Township Extensions on the remainder of Portion 10 of the farm Trichardtsfontein 140-IS.
- b. Buildings relating to public transport, traffic control, safety and security services, security gates and entrances, provision of engineering services, municipal services and maintenance of the township(s) may be erected on the property.
- c. The property may not be rezoned for any purpose other than the use described in "*Paragraph a*" above.
- d. The property will be subject to the coverage, FAR and height as approved by the Terra Nova Aesthetical Committee, where applicable.

GOVAN MBEKI MUNICIPALITY

SECUNDA AMENDMENT SCHEME 143 WITH ANNEXURE 143

The Govan Mbeki Municipality hereby, in terms of the provisions of Section 125(1) of the Town Planning and Township Ordinance 15 of 1986, declares that it has approved an Amendment Scheme, being a Amendment of Secunda Town Planning Scheme 1993, comprising the same land as included in the township of Terra Nova.

Map 3 and the Scheme Clauses of the Amendment Scheme are filed with the Municipal Manager: Govan Mbeki Municipality, Central Business Area, Secunda and are open for inspection at all reasonable times.

This amendment is known as Secunda Amendment Scheme 143.

MR MF MAHLANGU
Municipal Manager
