

PROCLAMATION 11 OF 2021

GOVAN MBEKI LOCAL MUNICIPALITY PROCLAMATION OF THE TOWNSHIP SECUNDA EXTENSION 78

In terms of the Provisions of Section 64 of the Govan Mbeki Municipal By-Law on Spatial Planning and Land Use Management, 2016, the Govan Mbeki Local Municipality hereby declares Secunda Extension 78 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 CHAPTER 5 OF THE GOVAN MBEKI MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 -- ON REMAINDER PORTION OF PORTION 7 OF THE FARM DRIEHOEK 572, REGISTRATION DIVISION I.S., PROVINCE MPUMALANGA, BY ORANGEVILLE PROPERTIES (PTY) LTD (HEREINAFTER REFERRED TO AS THE TOWNSHIP DEVELOPER) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT RELATING TO THE TOWNSHIP WHICH SHALL REMAIN APPLICABLE TO THE TOWNSHIP AND ERVEN IN THE TOWNSHIP IN TERMS OF SECTION 59(3)

1.1 Name

The name of the township shall be Secunda Extension 78.

1.2 Lay-out / Design

The township shall consist of erven and streets as indicated on SG No. 526/2020

1.3 Access

Access to the township will be granted from

- a 25m road from the Nelson Mandela Drive / Coen Brits intersection
- a 16m road from the Nelson Mandela Drive / Pierneef Street intersection
- the extension Selati street (a 10.5m road in Secunda Extension 20)

2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE ERVEN IN THE TOWNSHIP

2.1 Provision and installation of external and internal services

2.1.1 The township developer must make the necessary arrangements with Govan Mbeki Municipality in relation to the provision and installation of water, electricity and sanitation services as well as the building of streets and storm water drainage in the township.

2.1.2 The township developer shall install and provide internal engineering services in the township, as provided for in the services agreement.

2.1.3 Govan Mbeki Municipality shall install and provide external engineering services to the township, as provided for in the services agreement.

2.2 Obligations regarding services and guarantees

The township developer must within a period of twelve (12) months or such an extended time period as that Govan Mbeki Municipality may determine, fulfil his obligations with regard to the provision of water, electricity and sanitation services as well as the construction of roads and storm water and the installation of systems thereof, as beforehand agreed between the township developer and Govan Mbeki Municipality. No erven may be alienated or transferred in the name of the buyer before Govan Mbeki Municipality confirmed that sufficient guarantees/cash contributions is delivered by the township developer to Govan Mbeki Municipality for the provision of services.

2.3 Engineering Services

2.3.1 Storm water drainage and street construction

2.3.1.1 On request of Govan Mbeki Municipality the township establisher shall submit a detailed scheme, complete with plans, sections and specifications, compiled by a registered professional civil engineer approved by Govan Mbeki Municipality, for the storage and drainage of storm water through the township by proper disposal works and for the installation, tarmacking, curbing and canalisation of streets there-in, together with the provision of such retaining walls as Govan Mbeki Municipality may deem necessary, for approval.

2.3.1.2 When required by Govan Mbeki Municipality, the township establisher shall, for his own account, carry out the approved scheme to the satisfaction of Govan Mbeki Municipality under supervision of a registered professional civil engineer, approved by Govan Mbeki Municipality.

2.3.1.3 The township developer is responsible for the maintenance of streets and storm water services in the township to the satisfaction of Govan Mbeki Municipality until such streets and storm water conduits have been taken over by Govan Mbeki Municipality, according to the services agreement.

- 2.3.1.4** Designs and specifications shall be done in accordance with the conditions of Govan Mbeki Municipality taking into consideration:
- 2.3.1.4.1** “Guidelines for the provision of engineering services and facilities in residential township development (Guidelines for Human Settlements Planning and Design, 2000)”, as amended from time to time,
- 2.3.1.4.2** SANS 1200, Standardised specifications for Civil Engineering Construction,
- 2.3.1.4.3** Govan Mbeki Municipality Spatial Planning and Land Use Management By-Law,
- 2.3.1.4.4** The requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), and
- 2.3.1.4.5** Clause 12(13) of the Govan Mbeki Land Use Scheme, as amended, 2010 where the latter reads as follows:
 “Where, in the opinion of the Municipality, it is impracticable for storm water to be drained from higher lying erven directly to the public street, the owner of the lower lying erf shall be obliged to accept and permit the passage over the erf of such storm water: provided that the owners of any higher lying erven, the storm water from which is discharged over any lower lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.”
- 2.3.2 Water and sewerage**
- 2.3.2.1** The township developer, through an approved professional engineer, is responsible for the design and construction of the water provision and sewerage systems in accordance with the requirements and specifications of Govan Mbeki Municipality, taking into consideration:
- 2.3.2.1.1** “Guidelines for the provision of engineering services and facilities in residential township development (Guidelines for Human Settlements Planning and Design, 2000)”, as amended from time to time,
- 2.3.2.1.2** SANS 1200, Standardised specifications for Civil Engineering Construction,
- 2.3.2.1.3** Govan Mbeki Municipality Spatial Planning and Land Use Management By-Law, and
- 2.3.2.1.4** The requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977).
- 2.3.2.2** The township developer is responsible for the maintenance of the water and sewerage services in the township to the satisfaction of Govan Mbeki Municipality, until such services have been taken over by Govan Mbeki Municipality, according to the services agreement.
- 2.3.3 Electricity**
- 2.3.3.1** If a private contractor performs the installation of electricity of the township, the township establisher shall appoint a professional engineer that will be responsible for the design and construction of the electricity distribution network and where medium tension installation forms part of the reticulation system the network installation shall be done in accordance with the following:
- 2.3.3.1.1** “Guidelines for the provision of engineering services and facilities in residential township development (Guidelines for Human Settlements Planning and Design, 2000)”, as amended from time to time,
- 2.3.3.1.2** SANS Code 0142, as amended from time to time, and
- 2.3.3.1.3** Govan Mbeki Municipality Spatial Planning and Land Use Management By-Law.
- 2.3.3.2** The township developer is responsible for the maintenance of the electricity services in the township to the satisfaction of Govan Mbeki Municipality, until such services have been taken over by Govan Mbeki Municipality, according to the services agreement.
- 2.3.4 Refuse removal**
- 2.3.4.1** The township developer is responsible for the maintenance of the refuse removal services in the township to the satisfaction of Govan Mbeki Municipality, until such services have been taken over by Govan Mbeki Municipality, according to the services agreement.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be subject to existing conditions of title and servitudes, if any, in accordance with and as proven by a land surveyor certificate.

The following condition does not affect the township due to location:

- A. Subject to the right to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with Ancillary Rights and subject to the conditions as will more fully appear from Notarial Deed No. 777/1960S.

4. CONDITIONS OF TITLE

4.1 The following new servitudes needs to be registered.

4.1.1 None

4.2 Conditions imposed by Govan Mbeki Municipality in terms of the conditions of the Govan Mbeki Municipality Spatial Planning and Land Use Management By-Law, 2016

4.2.1 All erven

All erven with the exception of roads are subject to the following conditions:

4.2.1.1 The erf is subject to a servitude, 2 metres wide, in favour of Govan Mbeki Municipality, for sewerage and other municipal purposes, along any two of the boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude of 2 metres wide for municipal purposes across the access portion of the erf, if and when required by Govan Mbeki Municipality, provided that Govan Mbeki Municipality may relax or grant exemption from the required servitudes.

4.2.1.2 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 2 metres thereof.

4.2.1.3 Govan Mbeki Municipality 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 Govan Mbeki Municipality.

5. CONDITIONS THAT IN ADDITION TO THE EXISTING PROVISIONS OF THE TOWN PLANNING SCHEME, IN RESPECT OF SECTION 50(3)(e) OF THE GOVAN MBEKI MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, NEED TO BE INCLUDED IN THE SCHEME

5.1 Zonings

The following zonings shall be applicable:

- a. **ERVEN 9627-9575, 9678-9704,**
The use zone for these erven shall be "Medium High Residential"
- Coverage: 50%
 - Height: 2 storeys
 - F.A.R.: 0.5
- b. **ERVEN 9676 & 9677**
The use zone for these erven shall be "Institutional"
- Coverage: 70%
 - Height: 3 storeys
 - F.A.R.: as approved by Council
- c. **ERVEN 9708 & 9709**
The use zone for these erven shall be "High Density Residential"
- Coverage: 50%
 - Height: as approved by Council
 - F.A.R.: as approved by Council
- d. **ERVEN 9620-9626 & 9705-9707**
The use zone for these erven shall be "Low Impact Mixed Use"
- Coverage: as approved by Council
 - Height: as approved by Council

- F.A.R.: as approved by Council
- e. **ERVEN 9619**
The use zone for these erven shall be "Special"
- Land use: Retail, Institutional (Medical related uses), Place of Refreshments, Motor sale Mart, Service retail.
 - Coverage: 70%
 - Height: 5 storeys
 - F.A.R.: 2
- f. **ROADS**
All roads will be zoned "Roads"
- 5.2 Soil and Flood Line Conditions**
- 5.2.1** In order to overcome the proven detrimental soil and flood line conditions on the erf, the foundation and other structural aspects of the building shall be designed by a competent professional registered engineer and the details of such design shall be shown on the building plans submitted to Govan Mbeki Municipality for approval unless it is proved to Govan Mbeki Municipality that such measures are unnecessary or that the same purpose can be achieved by other more effective means. Govan Mbeki Municipality accepts no liability for any claims whatsoever which may result from the unfavourable soil conditions, for it remains the responsibility of the owner to satisfy him or herself that the foundation solution as proposed for the erven in the township is sufficient.
- 5.2.2** The following wording must be included on all building plans submitted to Govan Mbeki Municipality for approval:
- a. The approval of this building plan by Govan Mbeki Municipality does not imply that the design and precautions to prevent, to control or to combat the possible consequences of possible weak soil conditions and flooding are necessarily sufficient.
 - b. It remains the exclusive responsibility of the owner to satisfy him or herself that the design and precautionary measures are sufficient.
 - c. Govan Mbeki Municipality accepts no liability for any claims whatsoever which may result from the weak soil conditions and flooding of this property.
- 5.3 Flood lines**
No properties are affected by a flood line, as certified in the attached Layout Plan TE191_Final Layout.

GOVAN MBEKI LOCAL MUNICIPALITY
NOTICE OF APPROVAL OF AMENDMENT SCHEME SCNDX78

The Local Municipality of Govan Mbeki declares hereby in terms of the provisions of Section 66(5) of the Govan Mbeki Spatial Planning and Land Use Management By-Law, 2016, that it has approved an amendment scheme, being an amendment of the Govan Mbeki Land Use Scheme, 2020, comprising the same land as included in the township Secunda Extension 78.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager, Govan Mbeki Local Municipality and are open for inspection at all reasonable times. This amendment is known as Govan Mbeki Amendment Scheme SCNDX78 and shall come into operation on date of publication of this notice.

HS MAYISELA
MUNICIPAL MANAGER

Civic Centre	P.O. Box 3
Mandela Street	Govan Mbeki
Govan Mbeki	1035
1035	19/2021
Notice Number	