

ROADS AGENCY LIMPOPO SOC Ltd



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Metroplan Town and Regional Planners
P.O. Box 916
GROENKLOOF
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Sir/Madam,

**APPLICATION FOR THE ESTABLISHMENT OF A LAND DEVELOPMENT AREA –
SAPS VERDRAG TRAINING INSTITUTE ON PORTION 1 AND THE REMAINING
EXTENT OF THE FARM GROENFONTEIN 458 KQ, PORTION 1 AND THE
REMAINING EXTENT OF THE FARM BUFFELSPOORT 459 KQ AND THE FARM
BUFFELSKLOOF 452 KQ : WATERBERG DISTRICT**

Thank you for your application dated 28 February 2012.

The Roads Agency Limpopo (Pty) Limited (RAL) has no objection to the approval of your application for the establishment of a land development area – SAPS Verdrag Training Institute on portion 1 and the remaining extent of the farm Groenfontein 458 KQ, portion 1 and the remaining extent of the farm Buffelspoort 459 KQ and the farm Buffelskloof 452 KQ in terms of Section 49 of the Northern Province Roads Agency (Pty) Limited and Provincial Roads Act, 1998 (Act No 7 of 1998) and Section 7 and 11 of the Advertising on Roads and Ribbon Development Act, 1940 (Act No 21 of 1940) subject to the following conditions:

1. Building Restriction Area

- 1.1 No new buildings or structures whatsoever shall be erected, laid or established within a distance of 95 metres, measured from the centre lines of road P240-1 without the written approval of RAL.

2. Access and Physical Barrier

- 2.1 No new direct access to or egress from road P240-1 shall be allowed. The existing accesses, Point 1 at KM 67,650 (GPS LAT S 24°33'33,8" LONG E 27°43'49,2"), Point 2 at KM 66,920 (GPS LAT S 24°33'29,1" LONG E

Directors: Mr. P Tshisevhe (Chairperson); Mr. R Naidoo, Mr. HS Shipalana, Ms. MM Maponya,
Mr. PR Masehela, Ms. MMM Thindisa, Ms. MA Mogotlane (CEO)
Mr. JC Kgoale (Company Secretary)
Roads Agency Limpopo SOC, Reg no. 2001/025832/07

27°44'13,7"), Point 2a at KM 66,350 (GPS LAT S 24°33'25,5" LONG E 27°44'32,8"), Point 3 at KM 65,625 (GPS LAT S 24°33'20,5" LONG E 27°44'57,7"), Point 3a at KM 64,916 (GPS LAT S 24°33'16,3" LONG E 27°45'22,0"), Point 4 at KM 63,430 (GPS LAT S 24°33'06,7" LONG E 27°46'09,5") and Point 5 at KM 62,430 (GPS LAT S 24°33'01,5" LONG E 27°46'46,7") must be used. Other existing accesses must be closed. The **detailed engineering drawings** of the accesses must be submitted to RAL for approval by the CEO before construction of the accesses.

2.2 If and when it becomes necessary in the opinion of the Chief Executive Officer of RAL, he may, in the interest of public safety, demand that:

- (a) The access be re-planned, re-designed and re-build to a higher standard and the applicant / owner / successor-in-title shall do so within a period of six (06) months after notification at his / her own cost, according to the latest specifications of RAL, to the satisfaction of the Chief Executive Officer,
- (b) The access be restricted to left turn only,
- (c) The access be restricted to only one carriageway of a dual carriage road, and
- (d) The access be permanently closed and an alternative access used, for example, by means of streets, access roads, etc. without compensation being payable or any claim considered.

3. Remote Adjacent Service Road(s)

Since accesses to road(s) P240-1 shall be limited it will become necessary, with the change in the land use, to develop a service road system to enable land owner(s) to have access to these planned accesses. These service road(s) must be outside the road reserve(s).

The applicant / owner must therefore, plan and make available a remote adjacent service which is to the satisfaction of the Chief Executive Officer of RAL.

4. Cost and Indemnities:

4.1. The Roads Agency Limpopo SOC Limited (RAL) shall not be involved in any expenditure in connection with and shall not be responsible or liable for:

- (i) The erection of any structure.
- (ii) Any financial expenditure or loss in the event of RAL ordering the removal or shifting or relocation of anything related to this approval. Such removal clause shall be noted in the Title Deed of the servitude in terms of Section 48(a) of Act No 7 of 1998.

- (iii) Any financial responsibility or liability for any claim from the applicant which may occur from lapsing of the approval.
- 4.2 The applicant indemnifies RAL against and holds it harmless from any claim or damage pertaining to the possible expansion of the provincial road(s) in future, or damage which may be instituted or suffered by any person, including legal costs incurred as a result of:
 - (i) The erection, use or removal of the structure or other works erected or established by the applicant within the building restriction area.
 - (ii) The applicant or his successor-in-title's failure to properly maintain and render safe anything related to this approval or other works, or the non-compliance by the applicant with any condition to which this permission relates.
 - (iii) The lapsing of the approval.
- 4.3 Any action taken by the applicant in connection with the approval shall be regarded as an acceptance and compliance with the conditions including the indemnity.
- 4.4 Should any damage be caused to the provincial road or user of the provincial road or property as a result of the excavation, erection, use or removal of the structure laid, erected or established by the applicant, on the property, such applicant shall be liable for such damage and shall compensate against any claim from a third party.

5. Acceptance and Disposal of Stormwater

- 5.1 In terms of Section 47 of the Northern Province Roads Agency (Pty) Limited and Provincial Roads Act, 1998 (Act No 7 of 1998), the applicant / Local Authority shall arrange the drainage of the development in such a way that it will fit with the drainage of the road, taking into account the capacity of the system. He shall receive and dispose all the stormwater running from the road or being diverted from the road. RAL will not be responsible for any damage caused by or arising from such stormwater.
- 5.2 When, in the opinion of the Chief Executive Officer of RAL, the system for the above road is too small to cope with any increased volume of stormwater as a result of the development, the applicant / Local Authority (whoever is responsible for the drainage of the development) shall be responsible for the cost for the installing of a larger drainage system for the road.

6 Advertisements

- 6.1 No advertisements as described under Article 2 of the Advertising on Roads and Ribbon Development Act, 1940 (Act No 21 of 1940) and Section 50 of the Northern Province Roads Agency (Pty) Limited and Provincial Roads Act, 1998 (Act No 7 of 1998) may be displayed visible from road P240-1 without the

approval of the Chief Executive Officer of RAL.

7 Validity Period

7.1 This approval shall lapse:

- (i) Unless the applicant lodges, in writing, an acceptance of all the above conditions together with three (03) revised layout plans portraying the conditions of RAL, within six (06) months from the date of this letter. **None** compliance of these conditions will result in the above permission being rescinded, and the applicant will have to reapply.
- (ii) In the event of the applicant not complying with any of the conditions as imposed by RAL.

8. Notification of Commencement and Completion:

The applicant shall at least fourteen (14) days prior to the commencement of the work advise P.E. Montjane of RAL in writing upon of the date which the work shall be commenced with. The said P.E. Montjane shall also be advised in writing, within thirty (30) days after the completion of the work of the date upon which the work has been completed.


If any work is commenced without notifying RAL as stipulated above, the work shall be considered illegal. If no notification is received by RAL within 30 days after completion of the works, the liability period of the applicant shall be extended and the applicant will remain liable for any damages / claims that may arise during that period.

9. Additional Legal Requirements:

- (i) This approval shall bind the applicant / owner / successor-in-title to the land on which the development has been established.
- (ii) This approval does not exempt the applicant from the provisions of any other Act.
- (iii) In the event of the land being consolidated with any other land, the **Title Deed** of the consolidated land shall also be subject to the abovementioned conditions.
- (iv) Failure to comply with any of the conditions mentioned above, the applicant shall be liable for any damage(s) or defects that may arise.

Please advise the applicant / owner that he shall, in terms of the provisions of Section 49 (5) (a) (i) of Act No 7 of 1998, insert the foregoing conditions in the Deed of Transfer to the land concerned at his own cost and that he shall furnish written proof to RAL within 12 months that the insertion has been done.

Thank you,

pp 

CHIEF EXECUTIVE OFFICER

2012-05-25 groenlandisch rechtssystem reasoning

29/05/2012
DATE



COORDINATES:	
1	24°33'33.8"S 27°43'49.2"E
2	24°33'29.1"S 27°44'13.7"E
3	24°33'25.5"S 27°44'32.8"E
4	24°33'20.5"S 27°44'57.7"E
5	24°33'16.3"S 27°45'22.0"E
6	24°33'06.7"S 27°46'09.5"E
7	24°33'01.5"S 27°46'46.7"E