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GAUTENG***

***DIE PROVINSIE  
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# **LOCAL AUTHORITY NOTICES**

## **LOCAL AUTHORITY NOTICE 2507**

### **EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE) Declaration as an approved Township**

In terms of Section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby declares Goedeburg Extension 26 Township, to be an approved township, subject to the conditions as set out in the schedule hereto.

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY EXPECTRA 850 (PROPRIETARY) LIMITED (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF CHAPTER III PART C OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 116 (A PORTION OF PORTION 23) OF THE FARM RIETPAN 66 I.R., HAS BEEN GRANTED.

#### **A. CONDITIONS OF ESTABLISHMENT.**

(1) NAME.

The name of the township shall be Goedeburg Extension 26.

(2) DESIGN.

The township shall consist of erven and streets as indicated on the SG Plan no 2917/2007.

(3) EXISTING CONDITIONS OF TITLE.

The property shall be subject to any existing conditions of title.

(4) STORMWATER DRAINAGE AND STREET CONSTRUCTION.

- (a) The township owner shall, on request by the Local Authority, submit for his approval a detailed scheme complete with plans, sections and specifications, prepared by a professional Engineer, who shall be a member of the South African Association of Consulting Engineers or SABTACO, for the collection and disposal of stormwater throughout the township by means of properly constructed works and for the construction, surfacing, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Local Authority. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.
- (b) The township owner shall, when required to do so by the Local Authority, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the Local Authority under the supervision of the appointed Professional Engineer and shall, for this purpose, provide financial guarantees to the Local Authority as determined by it.
- (c) The township owner shall be responsible for the maintenance of the streets and stormwater drainage system to the satisfaction of the Local Authority until the streets and stormwater drainage system have been constructed as set out in sub-clause (b) above.
- (m) Should the township owner fail to comply with the provisions of (a), (b) and (c) hereof the Local Authority shall be entitled to do the work at the cost of the township owner.

(5) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES.

The township owner shall within such period as the Local Authority may determine, fulfill obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the Local Authority.

(6) ACCEPTANCE AND DISPOSAL OF STORMWATER.

The township owner shall arrange for the drainage of the township to fit in with that adjacent public roads, for all stormwater running off or being diverted from the roads to be received and disposed of.

(7) SOIL CONDITIONS.

Proposals to overcome detrimental soil conditions to the satisfaction of the Local Authority shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

(8) ENDOWMENT

The township owner shall, in terms of Section 98(2) and (3) of the Town Planning and Townships Ordinance, 15 of 1986, pay a lump sum endowment to the Local Authority for the provision of land for parks (public open space).

(9) SPECIAL CONDITIONS

(a) The conditions stipulated by the Gauteng Department of Agriculture, Conservation and Environment in their letter dated 2004-11-26, must be adhered to.

(b) The township owner shall ensure that a legal body "Home Owner's Association" is established in terms of Section 21 of Act 61 of 1973.

(c) The said "Home Owner's Association" shall be in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the guard house, access control and refuse area.

(10) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority when required by the local authority to do so.

(11) PRECAUTIONARY MEASURES

The township owner shall at his own expense, make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

(12) REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

(13) TRANSFER OF ERVEN

Erf 305 shall at the cost of the township owner, be transferred to Goedeburg Extension 26 Home Owners Association prior to or simultaneously with the first transfer of any unit.

**B. CONDITIONS OF TITLE.**

(1) ERVEN 269 - 304

Subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986:

(a) The property is subject to a servitude, 2m wide, in favour of the Local Authority, for sewerage and other municipal purposes, along all boundaries other than a street

boundary, and in the case of a panhandle erf, an additional servitude for municipal purposes 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 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 2m thereof.
- (c) 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 or other works being made good by the Local Authority.
- (d) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from any public street boundary: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property

(2) ERF 305

The erf shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986:-

- (a) Subject to a servitude of right of a way in favour of Erven 269 -304 (inclusive)
- (b) Subject to a servitude for municipal services

**C. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986 IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION.**

(1) GENERAL CONDITIONS.

- (a) Except with the written consent of the Local Authority, and subject to such conditions as it may impose, neither the owner nor any other person shall:-
  - (i) save and except to prepare the erf for building purposes, excavate any material therefrom;
  - (ii) sink any wells or boreholes thereon or abstract any subterranean water therefrom; or
  - (iii) make or permit to be made, upon the erf for any purpose whatsoever, any bricks, tiles or earthenware pipes or other articles of a like nature.
- (b) Where, in the opinion of the Local Authority, it is impracticable for stormwater to be drained from higher-lying erven direct to a public street, the owner of the lower-lying erf shall be obliged to accept and/or permit the passage over the erf of such stormwater.  
  
 Provided that the owners of any higher-lying erven, the stormwater 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.
- (c) The siting of buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system shall be to the satisfaction of the Local Authority.

- (d) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.
- (e) No materials or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary for a screen wall to be erected on such boundary this condition may be relaxed by the Local Authority subject to such conditions as may be determined by it.
- (f) A screen wall or walls shall be erected and maintained to the satisfaction of the Local Authority as and when required by it.
- (g) If the erf is fenced such fence and the maintenance thereof shall be to the satisfaction of the Local Authority.
- (h) The registered owner is responsible for the maintenance of the whole development on the erf. If the Local Authority is of the opinion that the erf or any portion of the development, is not being satisfactorily maintained, the Local Authority shall be entitled to undertake such maintenance at the cost of the registered owner.

(2) SPECIAL FOR RESIDENTIAL 2.

Erven 269 to 304 are subject to the following conditions:

- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of dwelling-units.
- (b) A maximum density of 20 units per hectare will be permitted.
- (c) The height of buildings shall not exceed 2 storeys.
- (d) The total coverage of buildings shall be 60%.
- (e) The Floor Area Ratio shall be 1.2.
- (f) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the Local Authority in the following ratios:
  - (i) 1 covered parking space to 1 dwelling unit.
  - (ii) 2 uncovered parking spaces to 1 dwelling unit.
- (g) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from any public street boundary and 3m on any internal street boundary: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property.
- (h) To ensure parking for visitors, a 5m building line applicable to garages within the complex shall apply on all internal roads.
- (i) A Site Development Plan, drawn to such a scale as may be approved by the Local Authority, shall be submitted to the Local Authority prior to the submission and approval of the building plans. No building shall be erected on the property before such plans have been approved by the Local Authority and the whole development on the property shall be in accordance with the approved plan. Such a Site Development Plan shall show at least the following:
  - (i) The sitting, height, coverage and where applicable the floor area ratio of all buildings and structures.



- (ii) Vehicular entrance and exit to and from the property to any existing or proposed public street.
- (iii) Entrance to buildings and parking areas.
- (iv) Building restrictions (if any).
- (v) Parking areas and, where required by the Local Authority, vehicular and pedestrian traffic systems.
- (vi) The elevational treatment of all buildings and structures.
- (vii) The grouping of the dwelling units and the programming of the development of the erven if it is not proposed to develop all the erven simultaneously.
- (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping.

3. SPECIAL FOR PRIVATE ROAD

Erf number 305 will be subject to the following conditions:

- (a) The property shall be used solely for the purposes of a private road, access control/guard house and stormwater purposes.
- (b) The township owner shall register Erf 305 in the name of an Association incorporated in terms of Section 21 of the Companies Act, Act 61 of 1973, and every present or future owner of property in the township shall be a member of such Association by virtue of such ownership.
- (c) The private roads on the property shall be constructed by the township owner and be maintained by the Association mentioned in (b) above.

**LOCAL AUTHORITY NOTICE 2508**

**EKURHULENI METROPOLITAN MUNICIPALITY  
(BENONI CUSTOMER CARE CENTRE)**

**NOTICE OF BENONI AMENDMENT SCHEME NO 1/1558**

The Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of the Benoni Town Planning Scheme, 1/1558, comprising the same land as included in the Township of Goedeburg Extension 26, Benoni.

Map 3 and scheme clauses of the amendment scheme are available for inspection at all reasonable times of the office of the Area Manager: City Development, Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, 6<sup>TH</sup> Floor, Elston Avenue, Benoni.

This amendment is known as Benoni Amendment Scheme 1/1558 and shall come into operation on the date of this publication.

**NOTICE NO 76/2007**

**2007/10/02**

**P P FLUSK**

**City Manager, Ekurhuleni Metropolitan Municipality**

**2<sup>nd</sup> Floor, Head Office Building, corner Cross & Rose Streets, Germiston**

**Private Bag X1069, Germiston, 1400**

**LOCAL AUTHORITY NOTICE 2509****EKURHULENI METROPOLITAN MUNICIPALITY  
(BENONI CUSTOMER CARE CENTRE)  
Declaration as an approved Township**

In terms of Section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby declares Crystal Park Extension 24 Township, to be an approved township, subject to the conditions as set out in the schedule hereto.

**SCHEDULE**

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY DHS PROJECTS (PTY) LTD (2000/030793/07) (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 304 (A PORTION OF PORTION 53) OF THE FARM VLAKFONTEIN 69, REGISTRATION DIVISION IR, PROVINCE OF GAUTENG HAS BEEN GRANTED.

**A. CONDITIONS OF ESTABLISHMENT****(1) NAME**

The name of the township shall be Crystal Park Extension 24.

**(2) DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No 11930/2006.

**(3) EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions of title and servitudes, if any, including the reservation of rights to minerals.

**(4) STORMWATER DRAINAGE AND STREET CONSTRUCTION**

- (a) The township owner shall, on request by the Local Authority, submit for its approval a detailed scheme complete with plans, sections and specifications, prepared by a professional Engineer, who shall be a member of the South African Association of Consulting Engineers or SABTACO, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, surfacing, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Local Authority. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.
- (b) The township owner shall, when required to do so by the Local Authority, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the Local Authority under the supervision of the appointed Professional Engineer and shall, for this purpose, provide financial guarantees to the Local Authority as determined by it.
- (c) The township owner shall be responsible for the maintenance of the streets and storm water drainage system to the satisfaction of the Local Authority until the streets and storm water drainage system have been constructed as set out in sub-clause (b) above.
- (d) Should the township owner fail to comply with the provisions of (a), (b) and (c) hereof the Local Authority shall be entitled to do the work at the cost of the township owner.



**(5) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**

The township owner shall, within such period as the Local Authority may determined, fulfil obligations in respect of the provision of water, electricity and sanitary services and the installation of systems, therefore, as previously agreed upon between the township owner and the Local Authority.

**(6) REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the costs thereof shall be borne by the township owners. The township owners shall consult the Local Authority before any existing municipal service(s) need to be replaced or removed.

**(7) ENDOWMENT**

The township owner shall, in terms of Section 98(2) and (3) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), pay a lump sum endowment to the Local Authority for the provision of the land for parks (public open spaces)

**(8) ACCEPTANCE AND DISPOSAL OF STORM WATER**

The township owner shall arrange for the drainage of the township to fit in with those adjacent public roads, for all storm water running off or being diverted from the roads to be received and disposed of.

**(9) ACCESS**

Ingress and egress to and from the township shall be to the satisfaction of the Executive Director: Roads, Transport and Civil Works Department.

**(10) SOIL CONDITIONS**

Proposals to overcome detrimental soil conditions to the satisfaction of the Local Authority shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

**(11) DEMOLITION OF BUILDINGS AND STRUCTURES**

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or other common boundaries to be demolished to the satisfaction of the Local Authority when required by the Local Authority to do so.

**(12) PRECAUTIONARY MEASURES**

The township owner shall at his own expense, make arrangements with the Local Authority in order to ensure that the recommendations as laid down in the geotechnical report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

**(13) REMOVAL OF LITTER**

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the Local Authority, when required by the Local Authority to do so.

**(14) SPECIAL CONDITIONS**

- (a) The township owner shall ensure that a Body Corporate, is established.
- (b) The said Body Corporate shall in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the intercom and access control relating to the property.
- (c) In the event of a Sectional Title development include:

- i) In the event that the development of any erf within the township shall constitute a development within the ambit of the Sectional Titles Act, 1986 (Act 95 of 1986), then and in such event the conditions contained herein and in conflict with the provisions of the Sectional Titles Act, 1986 shall be read as pro-non-scripto.

**B. CONDITIONS OF TITLE**

- (1) All erven shall be subject to the following conditions, imposed by the local authority in terms of the provisions of the town Planning and Townships Ordinance, 1986:
  - (a) The erven are subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal services, along any two boundaries other than a street boundary, and in the case 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 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 2m thereof.
  - (c) 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 construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

**C. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986, IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION**

**(1.1) GENERAL CONDITIONS**

- (a) Except with the written consent of the Local Authority, and subject to such conditions as it may impose, neither the owner nor any other person shall:-
  - (i) save and except to prepare the erf for building purposes, excavate any material therefrom;
  - (ii) sink any wells or boreholes thereon or abstract any subterranean water therefrom; or
  - (iii) make or permit to be made, upon the erf for any purposes whatsoever, any bricks, tiles or earthenware pipes or other articles or a like nature.
- (b) Where, in the opinion of the Local Authority, it is impracticable for storm water to be drained from higher-lying erven direct to a public street, the owner of the lower-lying erf shall be obliged to accept and/or 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.
- (c) The siting of buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system shall be to the satisfaction of the Local Authority.

- (d) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.
- (e) No materials or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: provided that if it is necessary for a screen wall to be erected on such boundary this condition may be relaxed by the Local Authority subject to such conditions as may be determined by it.
- (f) A screen wall or walls shall be erected and maintained to the satisfaction of the Local Authority as and when required by it.
- (g) If the erf is fenced such fence and the maintenance thereof shall be to the satisfaction of the Local Authority.
- (h) The registered owner is responsible for the maintenance of the whole development on the erf. If the Local Authority is of the opinion that the erf or any portion of the development, is not being satisfactorily maintained, the Local Authority shall be entitled to undertake such maintenance at the cost of the registered owner.

**(1.2) "SPECIAL" FOR RESIDENTIAL 3**

Erf 5726 is subject to the following conditions:

- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of dwelling units.
- (b) A maximum density of 50 units per hectare will be permitted.
- (c) The height of buildings shall not exceed 2 storeys.
- (d) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the Local Authority in the following ratios:-
  - 2 habitable rooms:
    - 1 covered parking bay per unit
    - 1 uncovered parking per three units (for visitors)
  - 3 or more habitable rooms:
    - 1 covered parking bay per unit
    - 1 uncovered parking bay per unit
    - 1 uncovered parking per three units (for visitors)
- (e) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from any public street boundary: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property.
- (f) A Site Development Plan, drawn to such a scale as may be approved by the Local Authority, shall be submitted to the Local Authority with the building plans. No building shall be erected on the property before such plans have been approved by the Local Authority and the whole development on the property shall be in accordance with the approved plan. Such a Site Development Plan shall show at least the following:-
  - (i) The siting, height, coverage and where applicable the floor area ratio of all buildings and structures.
  - (ii) Vehicular entrance and exit to and from the property to any existing or proposed public street.
  - (iii) Entrance to buildings and parking areas.
  - (iv) Building restrictions (if any).

- (v) Parking areas and, where required by the Local Authority, vehicular and pedestrian traffic systems.
- (vi) The elevational treatment of all buildings and structures.
- (vii) The grouping of the dwelling units and the programming of the development of the erven if it is not proposed to develop all the erven simultaneously.
- (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping.

**(1.3) 'SPECIAL' FOR A GUARD HOUSE**

Erf 5727 is subject to the following conditions:-

- (a) The property shall be used solely for a guard house and access purposes.
  - (b) A security control facility (which may include a guard house, a stop sign, a chain, a boom or gate, irrespective of whether same is manned or automated) may be erected on the property for purposes of stopping and identifying vehicles and their occupants entering or leaving the township. 24 hour access shall be available at all times for municipal and emergency services
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**LOCAL AUTHORITY NOTICE 2510**

**EKURHULENI METROPOLITAN MUNICIPALITY  
(BENONI CUSTOMER CARE CENTRE)**

**NOTICE OF BENONI AMENDMENT SCHEME NO 1/1587**

The Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of the Benoni Town Planning Scheme, 1/1587, comprising the same land as included in the Township of Crystal Park Extension 24.

Map 3 and scheme clauses of the amendment scheme are available for inspection at all reasonable times of the office of the Area Manager: City Development, Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, 6<sup>TH</sup> Floor, Elston Avenue, Benoni.

This amendment is known as Benoni Amendment Scheme 1/1587 and shall come into operation on the date of this publication.

**NOTICE NO 78/2007**

**2007/10/02**

**P P FLUSK**

**City Manager, Ekurhuleni Metropolitan Municipality**

**2<sup>nd</sup> Floor, Head Office Building, corner Cross & Rose Streets, Germiston**

**Private Bag X1069, Germiston, 1400**

**LOCAL AUTHORITY NOTICE 2511****EKURHULENI METROPOLITAN MUNICIPALITY  
(BENONI CUSTOMER CARE CENTRE)  
Declaration as an approved Township**

In terms of Section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby declares Rynfield Extension 98 Township, to be an approved township, subject to the conditions as set out in the schedule hereto.

**SCHEDULE**

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY EBOTSE GOLF AND COUNTRY ESTATE (PROPRIETARY) LIMITED (2001/026553/07) (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 298 (A PORTION OF PORTION 37) OF THE FARM VLAKFONTEIN 69, REGISTRATION DIVISION IR, PROVINCE OF GAUTENG HAS BEEN GRANTED.

**A. CONDITIONS OF ESTABLISHMENT****(1) NAME**

The name of the township shall be Rynfield Extension 98.

**(2) DESIGN**

The township shall consist of erven and streets as indicated on General Plan S G No 9232/2006

**(3) DISPOSING 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.

**(4) STORMWATER DRAINAGE AND STREET CONSTRUCTION**

- (a) The township owner shall, on request by the Local Authority, submit for its approval a detailed scheme complete with plans, sections and specifications, prepared by a professional Engineer, who shall be a member of the South African Association of Consulting Engineers or SABTACO, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, surfacing, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Local Authority. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.
- (b) The township owner shall, when required to do so by the Local Authority, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the Local Authority under the supervision of the appointed Professional Engineer and shall, for this purpose, provide financial guarantees to the Local Authority as determined by it.
- (c) The township owner shall be responsible for the maintenance of the streets and storm water drainage system to the satisfaction of the Local Authority until the streets and storm water drainage system have been constructed as set out in sub-clause (b) above.
- (d) Should the township owner fail to comply with the provisions of (a), (b) and (c) hereof the Local Authority shall be entitled to do the work at the cost of the township owner.

**(5) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**

The township owner shall, within such period as the Local Authority may determined, fulfill obligations in respect of the provision of water, electricity and sanitary services and the installation of systems, therefore, as previously agreed upon between the township owner and the Local Authority

**(6) ENDOWMENT**

The township owner shall, in terms of Section 98(2) and (3) of the Town Planning and Townships Ordinance, 15 of 1986, pay a lump sum endowment to the Local Authority for the provision of the land for parks (public open spaces)

**(7) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township owner shall arrange for the drainage of the township to fit in with that adjacent public roads, for all storm water running off or being diverted from the roads to be received and disposed of

**(8) SOIL CONDITIONS**

Proposals to overcome detrimental soil conditions to the satisfaction of the Local Authority shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

**(9) SPECIAL CONDITIONS**

- (a) The township owner shall ensure that a legal body "Home Owners Association" is established in terms of Section 21 of Act 61 of 1973.
- (b) The said "Home Owners Association" shall be in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the intercom and access control.
- (c) The township owner shall ensure that a servitude of right of way, for municipal services, is registered in favour of the Local Authority.

**(10) DEMOLITION OF BUILDINGS AND STRUCTURES**

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or other common boundaries to be demolished to the satisfaction of the Local Authority when required by the Local Authority to do so.

**(11) PRECAUTIONARY MEASURES**

The township owner shall at his own expense, make arrangements with the Local Authority in order to ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

**(12) REMOVAL OF LITTER**

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the Local Authority, when required by the Local Authority to do so.

**(13) TRANSFER OF ERVEN**

Erf 3845 shall at the cost of the township owner, be transferred to Ebotse Golf and Country Estate Home Owners Association (2005/001710/08) prior to or simultaneously with the transfer of any unit.

**(14) REGISTRATION OF SERVITUDES**



- (i) The applicant shall at his own expense indicate a servitude for municipal purposes in favour of the Local Authority over the whole of Erf 3845 on the general plan
- (ii) The applicant shall at his own expense indicate a right of way servitude in favour of all other erven over the whole of Erf 3845 on the general plan.

## **B. CONDITIONS OF TITLE**

All erven (excluding Erf 3845) shall be subject to the following conditions, imposed by the local authority in terms of the provisions of the town Planning and Townships Ordinance, 1986.

### **(1) ERF 3737 – 3844 (inclusive)**

- (i) The erven is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal services, along any two boundaries other than a street boundary and in case of a panhandle erf, an additional servitude for municipal purposes 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.
- (ii) 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 2m 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 construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.
- (iv) Every owner of the erf, or of any subdivided portion thereof, or any person who has an interest therein shall become and shall remain a member of the Home Owners Association and be subject to its constitution until he/she ceases to be an owner of the aforesaid. Neither the erf nor any subdivided portion thereof nor any interest therein shall be transferred to any person who has not bound himself/herself to the satisfaction of such Association to become a member of the Home Owners Association.
- (v) The owner of the erf or of any subdivided portion thereof, or any person who has an interest therein, shall not be entitled to transfer the erf or any subdivided portion thereof or any interest therein without the Clearance Certificate form the Home Owners Association that the provisions of the Articles of Association of the Home Owners Association have been complied with.
- (vi) The term "Home Owners Association" in the aforesaid conditions of Title shall mean Ebotse Golf and Country Estate Home Owners Association (2005/001710/08) (an Association incorporated in terms of Section 21 of the Companies Act, 1973 (Act 61 of 1973 as amended).

### **(2) ERF 3845**

The erf shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986:-

- (i) Subject to a servitude of right of way in favour of Erven 3737 - 3844
- (iii) Subject to a servitude for municipal services

### **(3) ERF 3771, 3774 and 3784**

The erven shall be subject to a 2 metres wide servitude for municipal purposes as indicated on General Plan S G No 9232/2006

**C. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986, IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION**

**(1) GENERAL CONDITIONS**

- (a) Except with the written consent of the Local Authority, and subject to such conditions as it may impose, neither the owner nor any other person shall:-
  - (i) save and except to prepare the erf for building purposes, excavate any material therefrom;
  - (ii) sink any wells or boreholes thereon or abstract any subterranean water therefrom; or
  - (iii) make or permit to be made, upon the erf for any purposes whatsoever, any bricks, tiles or earthenware pipes or other articles or a like nature.
- (b) Where, in the opinion of the Local Authority, it is impracticable for storm water to be drained from higher-lying erven direct to a public street, the owner of the lower-lying erf shall be obliged to accept and/or 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.
- (c) The siting of buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system shall be to the satisfaction of the Local Authority.
- (d) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.
- (e) No materials or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: provided that if it is necessary for a screen wall to be erected on such boundary this condition may be relaxed by the Local Authority subject to such conditions as may be determined by it.
- (f) A screen wall or walls shall be erected and maintained to the satisfaction of the Local Authority as and when required by it.
- (g) If the erf is fenced such fence and the maintenance thereof shall be to the satisfaction of the Local Authority.
- (h) The registered owner is responsible for the maintenance of the whole development on the erf. If the Local Authority is of the opinion that the erf or any portion of the development, is not being satisfactorily maintained, the Local Authority shall be entitled to undertake such maintenance at the cost of the registered owner.

**(2) "SPECIAL" FOR RESIDENTIAL 3**

Erven 3737, 3785 & 3801 zoned "Special" for Residential 3 is subject to the following conditions:-

- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of dwelling units.
- (b) The height of buildings shall not exceed 2 storeys.
- (c) The total coverage of buildings shall not exceed 50% of the erf.
- (d) The density on the erven shall not exceed 50 units per hectare.
- (e) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the Local Authority in the following ratios:-
  - (i) 1 covered parking space to 1 dwelling unit; and
  - (ii) 1 uncovered parking space to 1 dwelling unit; and
  - (iii) 1 uncovered parking space per 3 units for visitors
- (f) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5,00 metres from any road boundary: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property.
- (g) A Block Plan, drawn to such a scale as may be approved by the Local Authority, shall be submitted to the Local Authority with the building plans. No building shall be erected on the property before such plans have been approved by the Local Authority and the whole development on the property shall be in accordance with the approved plan. Such a Block Plan shall show at least the following:-
  - (i) The siting, height, coverage and where applicable the floor area ratio of all buildings and structures.
  - (ii) Vehicular entrance and exit to and from the property to any existing or proposed public street.
  - (iii) Entrance to buildings and parking areas.
  - (iv) Building restrictions (if any)
  - (v) Parking areas and, where required by the Local Authority, vehicular and pedestrian traffic systems.
  - (vi) The elevational treatment of all buildings and structures.
  - (vii) The grouping of the dwelling units and the programming of the development of the erven if it is not proposed to develop all the erven simultaneously.
  - (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping

**(2) "SPECIAL" FOR RESIDENTIAL 2**

Erven 3738 – 3784, 3786 – 3800, 3802 – 3844 (inclusive) zoned "Special" for Residential 2 is subject to the following conditions:-

- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of dwelling units.
- (b) The height of buildings shall not exceed 2 storeys.

- (c) The total coverage of buildings shall not exceed 60% of the erf.
- (d) The density of the erven shall not exceed 20 units per hectare
- (e) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the Local Authority in the following ratios:-
  - (i) 1 covered parking space to 1 dwelling unit; and
  - (ii) 2 uncovered parking space to 1 dwelling unit, if so required by the Local Authority
- (f) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5,00 metres from any road boundary: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property.
- (g) A Block Plan, drawn to such a scale as may be approved by the Local Authority, shall be submitted to the Local Authority with the building plans. No building shall be erected on the property before such plans have been approved by the Local Authority and the whole development on the property shall be in accordance with the approved plan. Such a Block Plan shall show at least the following:-
  - (i) The siting, height, coverage and where applicable the floor area ratio of all buildings and structures.
  - (ii) Vehicular entrance and exit to and from the property to any existing or proposed public street.
  - (iii) Entrance to buildings and parking areas.
  - (iv) Building restrictions (if any).
  - (v) Parking areas and, where required by the Local Authority, vehicular and pedestrian traffic systems.
  - (vi) The elevational treatment of all buildings and structures.
  - (vii) The grouping of the dwelling units and the programming of the development of the erven if it is not proposed to develop all the erven simultaneously
  - (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping.

**(3) "SPECIAL" FOR PRIVATE ROAD AND STORMWATER**

- (i) The internal road on the erven shall be constructed and maintained by the registered owner to the satisfaction of the local authority.
- (ii) The township owner shall register the internal private road in the name of an Association incorporated in terms of Section 21 of the Companies Act, Act 61 of 1973, and every present or future owner of property in the township shall be a member of such Association by virtue of such ownership.
- (iii) A security control facility, which may include a guardhouse, a stop sign, a chain, a boom or a gate, irrespective of whether same is manned or automated, may be erected on the internal private road for purposes of stopping and identifying vehicles and their occupants entering or leaving the township. 24-hour access shall be available at all times for municipal and emergency purposes.

- (iv) The Association referred to in (ii) above may erect and man the facility referred to in (iii) above, all costs in this regard to be borne by the Association.
- (v) Should such facility conflict with any services of the Local Authority or Eskom or Telkom within the servitude area, the Local Authority shall have the sole discretion to inform the Association by registered letter that the security control facility has been discontinued, whereupon the facility shall be removed by the Association at its own cost.
- (vi) Erf 3845 shall be zoned "Special" for a private road and storm water purposes

## **LOCAL AUTHORITY NOTICE 2512**

### **EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE)**

#### **NOTICE OF BENONI AMENDMENT SCHEME NO 1/1591**

The Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of the Benoni Town Planning Scheme, 1/1591, comprising the same land as included in the Township of Rynfield Extension 98, Benoni.

Map 3 and scheme clauses of the amendment scheme are available for inspection at all reasonable times of the office of the Area Manager: City Development, Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, 6<sup>TH</sup> Floor, Elston Avenue, Benoni.

This amendment is known as Benoni Amendment Scheme 1/1591 and shall come into operation on the date of this publication.

**NOTICE NO 77/2007**

**2007/10/02**

**P P FLUSK**

**City Manager, Ekurhuleni Metropolitan Municipality**

**2<sup>nd</sup> Floor, Head Office Building, corner Cross & Rose Streets, Germiston**

**Private Bag X1069, Germiston, 1400**