

***THE PROVINCE OF
GAUTENG***

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GENERAL NOTICES

NOTICE 475 OF 2011

EKURHULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986, the Ekurhuleni Metropolitan Municipality hereby declares Dowerglen Extension 12 Township to be an approved township subject to the conditions set out in the schedule hereto:

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH AN APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISION OF SECTION 98(1) AND (2) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986) ON PORTION 157 OF THE FARM RIETFONTEN NO. 61., REGISTRATION DIVISION I.R., PROVINCE OF GAUTENG, BY GLENDOWER CLUB LIMITED

1. CONDITIONS OF ESTABLISHMENT

1.1. Name

The name of the township shall be "DOWERGLEN EXTENSION 12"

1.2. Design

The township shall consist of erven as indicated on GP SG No. 6753/2008.

1.3. Endowment

The township owner shall, in terms of the provisions of Section 63 of the Town-Planning and Townships Ordinance, 15 of 1986 (as amended), and Regulation 43 of the Town Planning and Townships Regulations, pay a contribution to the City Council for the provision of land for a park (Public Open Space). Such amount shall be determined as prescribed in the abovementioned Regulations.

1.4. Disposal of Existing Conditions of Title

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

1.5. 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 City Council.

1.6. Access

Access to all erven in the township shall be provided from Glendower Avenue to the satisfaction of the City Council.

1.7. Acceptance and Disposal of Storm-water

The township owner shall arrange for the drainage of the township to fit in with that of the surrounding townships and for all the storm-water running off or being diverted from the road to be received and disposed of, to the satisfaction of the Local Authority.

1.8. Removal or Replacement of Municipal Services

1.8.1. If, by reason due to the establishment of the township, it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

1.8.2. All municipal services that cross the common boundaries between the erven shall be removed and relocated by, and at the cost of the township owner, as and when required by the City Council.

1.9. Repositioning of Circuits

If, for some reason due to the establishment of the township, it should become necessary to reposition any existing circuits of the Electricity Supply Commission (ESKOM), the cost thereof shall be borne by the township owner.

1.10. Demolition of Buildings or Structures

- 1.10.1. The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces, road reserves, or over the common boundaries to be demolished to the satisfaction of the City Council.
- 1.10.2. The township owner shall at his own expense cause all buildings on the erf that are not to be demolished to comply with the Edenvale Town Planning Scheme, 1980, as well as the National Building Regulations, to the satisfaction of the City Council. The township owner shall at his own expense cause all buildings, which do not conform to either the Town Planning Scheme or the National Building Regulations to be demolished to the satisfaction of the City Council.
- 1.10.3. The township owner shall at his own expense draw up and submit acceptable building plans to the City Council, for approval in terms of the provisions of the National Building Regulations, for all buildings on the erf for which no building plans have been approved by the City Council. The township owner shall at his own expense alter the buildings to comply with the approved building plans to the satisfaction of the City Council.

1.11. Engineering Services

- 1.11.1. The township owner is responsible for making the necessary arrangements for the provision of internal engineering services to the satisfaction of the relevant department.
- 1.11.2. Once sewer networks have been installed, the same will be transferred to the Local Authority, free of cost, which shall maintain these networks (except internal streetlights) subject to (i) above.
- 1.11.3. All upgrading of the road network, as recommended by the traffic impact study, as well as the construction of the turning circle, shall be for the cost of the applicant, to the specifications and satisfaction of the Local Authority.

1.12. Formation and Duties of the Home Owner's Association to be constituted Upon Proclamation of the Township for Erven 1306 to 1329

- 1.12.1. The Township Owner shall at his/her own expense, properly and legally constitute a Home Owner's Association (an association incorporated under Section 21 of Act 61 of 1973), for Erven 1306 – 1327 in the township prior to, or simultaneously with the sale of the first of the above erven.
- 1.12.2. Every owner of the Erven 1306 to 1327, or of any subdivided portion thereof, or any person who has an interest therein shall remain a Member of the Home Owner's Association and be subject to its constitution until he/she ceases to be an owner of aforesaid. Neither the erf nor any subdivided portion thereof or 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 Owner's Association.
- 1.12.3. The owner of the erf or 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 a Clearance Certificate from the Home Owner's Association that the provisions of the Articles of Association of the Home Owner's Association have been complied with.
- 1.12.4. The term "Home Owner's Association" in the aforesaid conditions of title shall mean the Home Owner's Association of Erven 1306 to 1327 (an Association incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) as amended).
- 1.12.5. The Home Owner's Association shall be fully responsible for the functioning and proper maintenance of the Private Road (Erf 1329), the storm water system and the street lighting within the township, to the satisfaction of the Local Authority.
- 1.12.6. The Home Owner's Association shall have the legal power to levy from each and every member of the Home Owner's Association, the costs incurred in fulfilling its functions, and shall have legal resource to recover such fees in the event of a default in payment by any member.
- 1.12.7. Upon proclamation of the township, Erven 1328 and 1329 shall, as soon as the road way has been constructed by the township owner to the satisfaction of the Local Authority, shall be transferred to and become the responsibility of the Home Owner's Association contemplated in 2.12.1 above.
- 1.12.8. The construction and the maintenance of the road surface within Erf 1329 shall be the responsibility of the township owner subject to 2.12.1 above.

2. CONDITIONS OF TITLE

SERVITUDES

2.1. Erven 1306 to 1327

- 2.1.1. The erf is subject to a servitude, 2 metres wide, in favour of the City Council, for sewerage and other municipal purposes, along any two boundaries of the erf other than a street boundary, and in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres wide across the access portion of the erf, if and when required by the City Council. Provided that the City Council may dispense with any such servitude.
- 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 there from.
- 2.1.3. The City Council shall be entitled to temporarily deposit 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 Council.

2.2. Erf 1306

A servitude for municipal purposes over the erf shall be registered in favour of the Local Authority as indicated on the approved General Plan.

2.3. Erven 1313 and 1329

A servitude for municipal purposes over the erf shall be registered in favour of Local Authority as indicated on the approved General Plan.

2.4. Erf 1329

If the Erf is to be a private Internal Road:

- 2.4.1. A servitude in favour of the Local Authority is required over the entire erf for municipal purposes as indicated on the approved General Plan.
- 2.4.2. A right of way servitude over the entire Erf should be in favour of Erven 1306 to 1327 for access purposes as indicated on the approved General Plan.

2.5. Erven 1306, 1307, 1313 to 1319 and 1322 to 1327

The above erven are subject to a 1.5m wide Right of Way Servitude as indicated on the approved General Plan.

NOTICE 476 OF 2011

NOTICE OF APPROVAL

EDENVALE AMENDMENT SCHEME 998

The Ekurhuleni Metropolitan Municipality hereby in terms of the provisions of Section 125(1) of the Town-Planning and Townships Ordinance, 15 of 1986, declares that it has approved an amendment scheme being an amendment to the Edenvale Town Planning Scheme, 1980, comprising the same land as included in the township of Dowerglen Extension 12 Township.

Map 3 documentation and Scheme Clauses of the Amendment Scheme are filed with the Executive Director : City Development, Civic Centre, Van Riebeeck Avenue, Edenvale and are open for inspection at all reasonable times. This amendment is known as Edenvale Amendment Scheme 998.

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