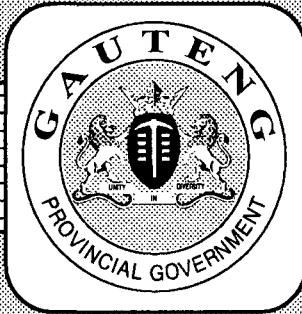


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GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price • Verkoopprys: **R2,50**
Other countries • Buitelands: **R3,25**

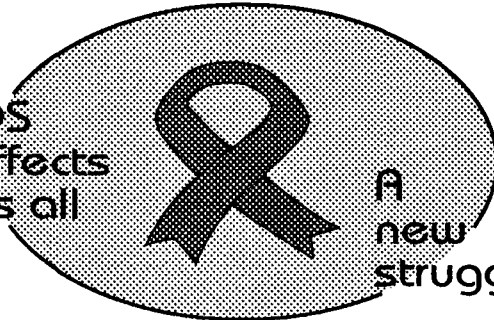
Vol. 9

PRETORIA, 25 MARCH
MAART 2003

No. 99

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A
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DEPARTMENT OF HEALTH



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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 511

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI SERVICE DELIVERY 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 Service Delivery Centre) hereby declares Rynfield Extension 38 to be an approved township, subject to the conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY PALACON (CC2001/073882/23) (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) 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 166 (A PORTION OF PORTION 23) OF THE FARM VLAKFONTEIN 69 IR, GAUTENG PROVINCE, HAS BEEN GRANTED.

A. CONDITIONS OF ESTABLISHMENT

- (1) **NAME**
The name of the township shall be **Rynfield Extension 38**.
- (2) **DESIGN**
The township shall consist of the erven and streets as indicated on the General Plan S.G. No. 3742/1998.
- (3) **CONDITIONS OF TITLE**
All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals.
- (4) **CREATION OF RIGHT OF WAY SERVITUDE IN FAVOUR OF THE MUNICIPALITY**
The servitude right of way, as depicted on General Plan S.G. No. 3742/1998, which reads, "The figure A-B-2756f-2756e-F represents a Servitude Right of Way, vide Diagram S.G. No. A3296/1937. Deed of Transfer T8149/1944 and affects President Hoffman Road shall be notarially created, at the applicant's expense, in favour of the Municipality, with the opening of the township register."
- (5) **STORMWATER DRAINAGE AND STREET CONSTRUCTION**
 - (a) The township owner shall, on request by the Municipality, 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 SABBACO, for the collection and disposal of storm-water throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Municipality. 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 Municipality, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the Municipality under the supervision of the appointed Professional Engineer and shall, for this purpose, provide financial guarantees to the Municipality 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 Municipality 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 Municipality shall be entitled to do the work at the cost of the township owner.
- (6) **ENDOWMENT**
The township owner shall, in terms of section 98 (2) and (3) of the Town-planning and Townships Ordinance, 1986, pay a lump sum endowment to the Municipality for the provision of land for a park/parks (public open space).
- (7) **OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**
The township owner shall within such period as the Municipality may determine, fulfil obligations in respect of the provision of water, electricity and sanitary services and the Installation of systems therefor, as previously agreed upon between the township owner and the Municipality.
- (8) **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.
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 construction and maintenance of the internal roads, Erven 2776 and 2777, which shall be private roads.

- (b) Erven 2776 and 2777 shall be transferred at the cost of the township owner to a company registered in terms of Section 21 of the Companies Act, 1973.
- (c) The township owner shall ensure that a servitude of right of way and for municipal services, is registered over the entire extent of Erven 2776 and 2777 in favour of the Municipality.

B. CONDITIONS OF TITLE

- (1) All erven (excluding Erven 2776 and 2777) shall be subject to the following conditions imposed by the Municipality in terms of the provisions of the Town-planning and Townships Ordinance, 15 of 1986:
 - (a) The erf is subject to a servitude, 2 m wide, in favour of the Municipality, for sewerage and other municipal purposes, along any two boundaries other than a street boundary, and in the case of a panhandle erf, an additional servitude for municipal purposes, 2 m wide across the access portion of the erf if and when required by the Municipality: Provided that the Municipality 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 2 m thereof.
 - (c) The 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 or other works being made good by the Municipality.
 - (d) The registered owner of an erf shall, by virtue of such ownership, be a member of an Association, incorporated in terms of section 21 of the Companies Act, 61 of 1973, in accordance with the conditions of establishment for Rynfield Extension 38 Township.
- (2) All erven shall be made subject to existing conditions and servitudes including the rights to minerals.
- (3) **Erven 2776 and 2777**
The erf is in totality subject to a servitude for municipal purposes as well as a servitude of Right of Way in favour of Erven 2756 to 2775 as well as the Municipality as indicated on the General Plan.

P. M. MASEKO, City Manager

Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400.

Date: 25 March 2003

(Notice No. 63/2003)

LOCAL AUTHORITY NOTICE 512

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI SERVICE DELIVERY CENTRE)

BENONI TOWN-PLANNING SCHEME 1/1947: AMENDMENT SCHEME 1/862

The Ekurhuleni Metropolitan Municipality 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 Benoni Town-planning Scheme 1/1947, comprising the same land as included in the township of Rynfield Extension 38 Township, Benoni.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the office of the Head of Department, Department Development Planning and Local Government, Gauteng Provincial Government, Johannesburg, as well as at the office of the Head: Urban Development and Planning, Benoni Service Delivery Centre, Ekurhuleni Metropolitan Municipality.

This amendment is known as Benoni Amendment Scheme 1/862.

P. M. MASEKO, City Manager

Ekurhuleni Metropolitan Municipality, 2nd Floor, EGSC Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400.

Date: 2 April 2003

(Notice No. 64/2003)