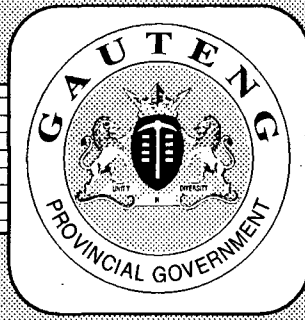


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**Provincial Gazette Extraordinary
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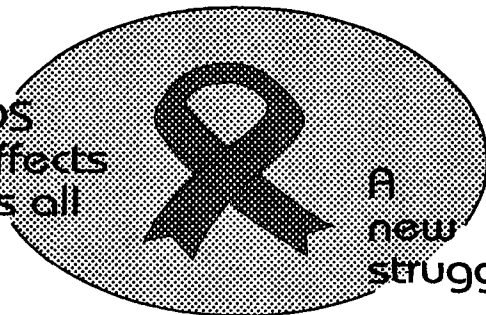
Vol. 10

PRETORIA, 30 NOVEMBER 2004

No. 544

We all have the power to prevent AIDS

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2748

EKURHULENI METROPOLITAN MUNICIPALITY

(BENONI SERVICE DELIVERY CENTRE)

DECLARATION AS AN APPROVED TOWNSHIP

In terms of Section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality (Benoni Service Delivery Centre) hereby declares Brentwood Extension 13 to be an approved township, subject to the conditions as set out in the Schedule hereto.

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY GEOSTAV DEVELOPERS CC (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 353 (A PORTION OF PORTION 45) OF THE FARM VLAKFONTEIN 30-IR, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) Name

The name of the township shall be Brentwood Extension 13.

(2) Design

The township shall consist of erven and streets, as indicated on the General Plan S. G. 4837/2004.

(3) Disposal 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 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 S. A. B. T. A. C. O., 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 systems 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 determine, 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) 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 a park/parks (public open space).

(7) Acceptance and disposal of stormwater

The township owner shall arrange for the drainage of the township to fit in with the adjacent public roads, for all stormwater 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 on 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 Body Corporate shall be established by the developer/township owner, in terms of Act 95 of 1986, which shall affect Erven 493 and 494.

(10) Consolidation of erven

The township owner shall at his own expense have Erven 493 and 494 in the township consolidated. The Local Authority hereby grants approval for the new consolidated Erf 495, in terms of this township application.

2. 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, 15 of 1986:

(a) The erf is subject to a servitude, 2 metres wide, in favour of the Local Authority, 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 metres 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 buildings or other structures 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.

(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 the construction, maintenance or removal of such sewerage mains or other works being made good by the Local Authority.

(d) The registered owner of an erf shall, by virtue of such ownership, be a member of a Body Corporate, in accordance with the conditions of establishment for Brentwood Extension 13 Township.

(2) All erven shall be made subject to existing conditions and servitudes, including the rights to minerals.

(3) All erven shall be made subject to the servitudes shown on the General Plan.

P. MASEKO
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PLAASLIKE BESTUURSKENNISGEWING 2748

EKURHULENI METROPOLITAANSE MUNISIPALITEIT

(BENONI DIENSLEWERINGSSENTRUM)

VERKLARING TOT GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Ekurhuleni Metropolitaanse Munisipaliteit (Benoni Diensleweringssentrum) hiermee die dorp Brentwood Uitbreiding 13 tot 'n goedgekeurde dorp, onderworpe aan die volgende voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR GEOSTAV ONTWIKKELAARS BK (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 353 (GEDEELTE VAN GEDEELTE 45) VAN DIE PLAAS VLAKFONTEIN 30-IR, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

(1) Naam

Die naam van die dorp is Brentwood Uitbreiding 13.

(2) Ontwerp

Die dorp bestaan uit erwe en strate, soos aangedui op die Algemene Plan L. G. 4837/2004.

(3) Beskikking oor bestaande titelvoorwaardes

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien daar is, met inbegrip van die voorbehoud van die regte op minerale.

(4) Stormwater dreinerings en straatkonstruksie

- (a) Die dorpseienaar moet op versoek van die Plaaslike Bestuur aan sodanige bestuur 'n gedetailleerde skema, volledig met planne, deursnee en spesifikasies, opgestel deur 'n siviele ingenieur wat deur die Plaaslike Bestuur goedgekeur is, vir die opgaar en afvoer van stormwater deur die hele dorp deur middel van behoorlike aangelegde werke en vir die aanlê, teermakadmisering, branding en kanalisering van die strate daarin, tesame met die verskaffing van sodanige keermure as wat die Plaaslike Bestuur nodig ag, vir goedkeuring voorlê.

Verder moet die skema die roete en helling aandui deur middel waarvan elke erf toegang tot die aangrensende straat verkry.

- (b) Die dorpseienaar moet, wanneer die Plaaslike Bestuur dit vereis, die goedgekeurde skema op eie koste namens en tot bevrediging van die Plaaslike Bestuur, onder toesig van 'n siviele ingenieur deur die Plaaslike Bestuur goedgekeur, uitvoer.
- (c) Die dorpseienaar is verantwoordelik vir die instandhouding van die strate tot bevrediging van die plaaslike bestuur totdat die strate ooreenkomstig subklousule (b) gebou is.
- (d) Indien die dorpseienaar versuim om aan die bepalings van paragrawe (a), (b) en (c) hiervan te voldoen, is die Plaaslike Bestuur geregtig om die werk op koste van die dorpseienaar te doen.

(5) Verpligtinge ten opsigte van noodsaaklike dienste

Die dorpseienaar sal binne 'n tydperk wat deur die Plaaslike Bestuur bepaal mag word, verpligtinge in terme van die voorsiening van water, elektrisiteit en sanitêre dienste en die installering van sisteme nakom, soos voorheen nagekom tussen die dorpseienaar en die Plaaslike Bestuur.

(6) Begiftiging

Die dorpseienaar moet, in terme van Artikel 98 (2) en (3) van die Dorpsbeplanning en Dorpe Ordonnansie, 15 van 1986, 'n lomsom begiftiging aan die Plaaslike Bestuur vir die voorsiening van grond vir 'n park/parke (publieke oop area) betaal.

(7) Aanvaarding en verwydering van stormwater

Die dorpseienaar sal reëlings tref vir die dreinerings van die dorp om in te pas met die aangrensende publieke paaie, vir al die stormwater wat afloop of wat afgelei word van die strate wat ontvang en verwyder sal word.

(8) Grond toestande

Voorstelle om nadelige grond toestande te voorkom, sal, tot tevredeheid van die Plaaslike Bestuur, by alle bouplanne ingesluit word vir goedkeuring en alle geboue sal in ooreenstemming met die voorsorgmaatreëls opgerig word, tot aanvaarding van die Plaaslike Bestuur.

(9) Spesiale voorwaardes

'n Beheerliggaam moet deur die ontwikkelaar/dorpseienaar gestig word, in terme van Wet 95 van 1986, wat Erwe 493 en 494 sal raak.

(10) Konsolidasie van erwe

Die dorpseienaar sal op sy eie onkoste Erwe 493 en 494 in die dorp laat konsolideer. Die Plaaslike Bestuur verleen hiermee goedkeuring vir die nuwe gekonsolideerde Erf 495, in terme van hierdie dorpsaansoek.

2. TITELVOORWAARDES

- (1) Alle erwe is onderworpe aan die volgende voorwaardes, opgelê deur die Administrateur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 of 1986:
- (a) Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir riolerings- en ander munisipale doeleindes, ten gunste van die Plaaslike Bestuur, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteel, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Plaaslike Bestuur. Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
 - (b) Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
 - (c) Die Plaaslike Bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke wat hy volgens goeie doedunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die Plaaslike Bestuur geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Plaaslike Bestuur enige skade verged wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak word.

P. MASEKO
 Ekurhuleni Metropolitaanse Munisipaliteit
 (Benoni Dienleweringssentrum)
 Administratiewe Gebou
 Munisipale Kantore
 Elstonlaan
 BENONI
 1501

LOCAL AUTHORITY NOTICE 2749**EKURHULENI METROPOLITAN MUNICIPALITY
BENONI AMENDMENT SCHEME 1/1311**

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 of the Benoni Town Planning Scheme, 1948, comprising the same land as included in the township of Brentwood Extension 13.

Map 3 and the Scheme Clauses of the Amendment Scheme are filed with the Area Manager: Benoni Customer Care Centre, sixth floor, Treasury Building, Elston Avenue, Benoni.

The amendment is known as Benoni Amendment Scheme 1/1311.

Paul Maseko
City Manager
Treasury Building
Elston Avenue
BENONI

PLAASLIKE BESTUURSKENNISGEWING 2749**EKURHULENI METROPOLITAANSE MUNISIPALITEIT
BENONI WYSIGINGSKEMA 1/1311**

Die Ekurhuleni Metropolitaanse Munisipaliteit verklaar hierby, ingevolge die bepalings van Artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986, dat 'n wysigingskema synde 'n wysiging van die Benoni Dorpsbeplanningskema, 1948, wat uit dieselfde grond as die dorp Brentwood Uitbreiding 13 bestaan, goedgekeur het.

Kaart 3 en die Skemaklousules van die Wysigingskema word vir bewaring gehou by die Areabestuurder: Benoni Dienssentrum, sesde vloer, Tessourie Gebou, Elstonlaan, Benoni.

Hierdie wysiging staan bekend as Benoni Wysigingskema 1/1331.

Paul Maseko
Stadsbestuurder
Tessourie Gebou
Elstonlaan
BENONI
