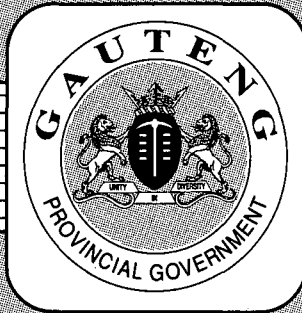


**THE PROVINCE OF
GAUTENG**



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**Provincial Gazette Extraordinary
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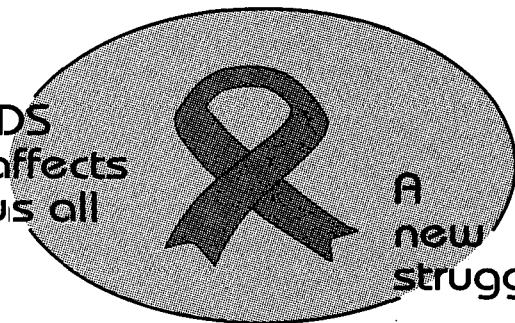
Vol. 10

PRETORIA, 17 MARCH
MAART 2004

No. 98

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 453

EHURULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Townplanning and Townships Ordinance, 1986 (ordinance 15 of 1986) the Ekurhuleni Metropolitan Municipality, hereby declares Bedfordview Extension 529 Township to be an approved township subject to the conditions set out in the schedule hereto.

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY H SANTOS RESIDENTIAL DEVELOPMENTS CC (HEREINAFTER REFERRED TO AS THE OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 1231 (A PORTION OF PORTION 36) OF THE FARM ELANDSFONTEIN 90 IR, PROVINCE GAUTENG, HAS BEEN GRANTED:

1. CONDITIONS OF ESTABLISHMENT.

1.1 NAME.

The name of the township shall be:

"BEDFORDVIEW EXTENSION 529"

1.2 DESIGN.

The township shall consist of erven and streets as indicated on General Plan No. S.G. No. 3729/2003.

1.3 ENDOWMENT.

The township owner shall, in terms of the provisions of Section 63 of the Town Planning and Townships Ordinance, 25 of 1965 (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).

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

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 DEMOLITION OF BUILDINGS OR STRUCTURES.

1.6.1 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.

1.6.2 The township owner shall at his own expense cause all buildings on the erf that are not to be demolished to comply with the Bedfordview Town Planning Scheme, 1995,

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.

- 1.6.3 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.

1.7 ENGINEERING SERVICES.

- 1.7.1 The township owner is responsible for making the necessary arrangements for the provision of all engineering services in terms of the provisions of the Town Planning and Townships Ordinance, 1986.
- 1.7.2 All existing municipal services on the erven within the township shall be protected by means of suitable servitudes to the satisfaction of the Council, registered in favour of the Council, as and when required by the Council, by the owner at his expense.

1.8 FORMATION OF THE HOME OWNERS ASSOCIATION

- 1.8.1 The township owner shall at his own expense, properly and legally constitute a Home Owners Association, for the proposed Erven in the township.

1.8.2 DUTIES OF THE HOME OWNERS ASSOCIATION TO BE CONSTITUTED UPON PROCLAMATION OF THE TOWNSHIP

- 1.8.2.1 Each and every owner of a residential erf in the township shall become a member of the Home Owners Association upon transfer of the erf.
- 1.8.2.2 The Home Owners Association shall be fully responsible for the functioning and proper maintenance of the servitude area for roadway purposes, as well as the essential services (excluding the sewerage reticulation), contained therein, to the satisfaction of the Council.
- 1.8.2.3 The Home Owners Association shall have the legal power to levy from each and every member of the Home Owners Association; the cost incurred in fulfilling its functions and shall have legal recourse to recover such fees in the event of a default in payments by any member.
- 1.8.2.4 The construction and the maintenance of the roadway within the subdivision of Erven 2558-2569 shall be the responsibility of the township owner until such time that, at the local authority's discretion, the responsibility of the roadway must transferred to the Home Owners Association.

2. CONDITIONS OF TITLE.

2.1 SERVITUDES.

- 2.1.1 All erven are 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 therefrom.

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 sewerage mains and other works being made good by the City Council.

2.2 ERVEN 2558, 2563, 2564 AND 2569:

The erven are subject and entitled to a servitude of Right-of-Way for access and services in favour of the Home Owners Association, as shown on the General Plan.

2.3 ERVEN 2559 TO 2562 AND 2565 TO 2568:

The erven are subject and entitled to a servitude of Right-of-Way for access and services, 3 metres wide, in favour of the Home Owners Association, as shown on the General Plan.

3. CONDITIONS TO BE INCORPORATED INTO THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986 (AS AMENDED), IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION.

3.1 RESIDENTIAL 2.

Erven 2558 to 2569 are subject to the following conditions:

3.1.1 The erf shall be zoned "Residential 2" with a density of 14 units per hectare. (calculated over the entire farm portion)

- (a) Height: 2 storeys;
- (b) Coverage: 40% per individual erf
- (c) F.A.R.: 0.6 per individual erf
- (d) Parking and building lines in terms of the Bedfordview Town planning Scheme.
- (e) No Second Dwellings shall be permitted.
- (f) Access to the township shall be from Constance Road only.

3.1.2 A site development plan in terms of the provisions of Clause 17 of the Bedfordview Town Planning Scheme 1995 shall be submitted to the City Council prior to the approval of any building plans. Such site development plan shall contain the following additional provision:

"The proposed sub-division lines (if the erf is to be sub-divided)."

3.2 ERVEN SUBJECT TO SPECIAL CONDITIONS.

- 3.2.1 Erf 2563 and 2564: Ingress and egress from the erf shall not be permitted along the boundary thereof abutting on Van Buuren Road.
- 3.2.2 In addition to the relevant conditions set out above, all erven shall be subject to the provisions of Clause 15 of the Bedfordview Town Planning Scheme, 1995, (Conditions applicable to properties with detrimental soil conditions and/or properties in dolomite areas) and specifically Clause 15.1.1.
- 3.2.3 All rights and duties in respect of Constance Road affecting the Township shall forthwith vest in the Council. No compensation shall be paid for the road portion in lieu of the calculation of the density over the entire Farm Portion area, and the offsetting of the external roads and stormwater contribution against the land cost of Constance Road in the township."
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LOCAL AUTHORITY NOTICE 454

NOTICE OF APPROVAL

BEDFORDVIEW AMENDMENT SCHEME

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 Bedfordview Town Planning Scheme 1995, comprising the same land as included in the township of Bedfordview Extension 529 Township.

Map 3 and the Scheme Clauses of the Amendment Scheme are filed with the Executive Director: Ekurhuleni Metropolitan Council, Development Planning, Second Floor, Room 324, Cnr van Riebeeck and Hendrik Potgieter Road, Edenvale and are open for inspection at all reasonable times.

PAUL MASEKO, City Manager
Development Planning, P O Box 25 Edenvale 1610 Date 9 March 2004:

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