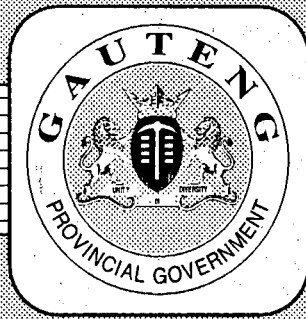


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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

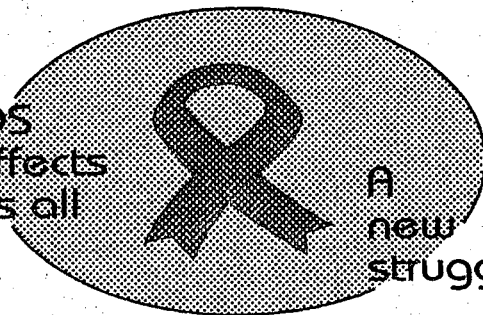
Vol. 11

PRETORIA, 12 MAY
MEI 2005

No. 201

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
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DEPARTMENT OF HEALTH



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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 965

EKURHULENI METROPLITAN MUNICIPALITY (BENONI SERVICE DELIVERY CENTRE)

DECLARATION AS APPROVED TOWNSHIP

in terms of Section 103(1) of the Town-planning and Township Ordinance, 1986 (Ordinance No 15 of 1986) the Ekurhuleni Metropolitan Municipality (Benoni Service Delivery Centre) hereby declares **BENONI EXTENSION 72** to be an approved township, subject to the conditions set out in the schedule hereto

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY EDFERN PROPERTIES (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 479 (A PORTION OF PORTION 456) OF THE FARM KLEINFONTEIN 67 I.R., HAS BEEN GRANTED.

A. CONDITIONS OF ESTABLISHMENT.

(1) NAME.

The name of the township shall be Benoni Extension 72.

(2) DESIGN.

The township shall consist of erven and streets as indicated on the General Plan S.G.No. 9758/2004.

(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 SABTACO, for the collection and disposal of stormwater 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 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.
- (d) Should the township owner fail to comply with the Local Authority provisions of (a), (b) and (c) hereof the shall be entitled to do the work at the cost of the township owner.

(5) 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).

(6) 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.

(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 stormwater running off or being diverted from the roads to be received and disposed of.

(8) SOIL CONDITIONS.

(a) 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.

(b) If required, a soil report, drawn up by a qualified person acceptable to the Local Authority indicating the soil conditions of the erf and recommendations as to suitable founding methods and depths shall be submitted to the Local Authority simultaneously with the submission of building plans prior to the commencement of any building operations on the erf.

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, 15 of 1986.

(a) The erf is subject to a servitude, 2m 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 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 the construction, maintenance or removal of such sewerage mains or 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) 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 (RESIDENTIAL 3).

Erven 8688 to 8699 are subject to the following conditions:

- (a) The erf and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of dwelling units and with the consent of the Local Authority, for places of public worship, social halls, institutions, places of instruction and special uses.
- (b) The height of buildings shall not exceed 2 storeys.
- (c) The total coverage of buildings shall not exceed 50% of the area of the erven in the township.

- (d) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the erf 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 to three dwelling units for visitors.
- (e) Buildings, including outbuildings, hereafter erected on the erven, shall be located not less than 1m from any 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 erf.
- (f) 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 erf 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) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping.

DATE: 2005/05/05

D PANANIS
ACTING AREA MANAGER
For EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING



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PUBLICATIONS DIVISION

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(i.e. CORNER OF PAUL KRUGER AND PROES STREETS)
with effect from 3 May 2005.**

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