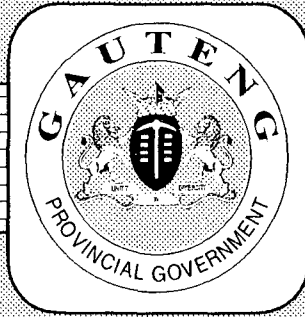


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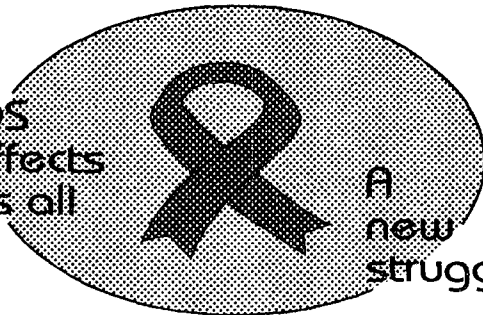
Vol. 11

PRETORIA, 23 MAY 2005
MEI

No. 215

We all have the power to prevent AIDS

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affects
us all



A
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struggle

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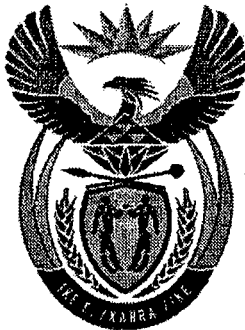


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THE GOVERNMENT PRINTING WORKS

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**MASADA BUILDING at 196 PROES STREET, PRETORIA
(i.e. CORNER OF PAUL KRUGER AND PROES STREETS)
with effect from 3 May 2005.**

For enquiries and information:

Mr M Z Montjane

Tel: (012) 334-4653

Cell: 083 640 6121

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1113

EKURHULENI METROPOLITAN MUNICIPALITY 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 (Kempton Park Customer Care Centre) declares **Tembisa Extension 26** 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 THE SOUTH AFRICAN RAIL COMMUTER CORPORATION LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 101 OF THE FARM TEMBISA 9-IR

1. CONDITIONS OF ESTABLISHMENT

(1) **Name**

The name of the township shall be Tembisa Extension 26

(2) **Design**

The township shall consist of erven and streets as indicated on General Plan S.G. No. 4194/2004.

(3) **Provision and installation of services**

The township owner shall make the necessary arrangements with the Metropolitan Municipality for the provision and installation of water and sanitation as well as the construction of roads and stormwater drainage in the township.

(4) **Electricity**

The cost to supply and install or upgrade services will be determined once the development plans of the erven become available and will be for the account of the applicant. Only one electrical connection will be allowed to each erf, all other electrical connections (if any) which may be located on the erven, will be removed at the cost of the applicant. The applicant is required to liaise with the Ekurhuleni Metropolitan Municipality, Department of Electricity, in order to establish the electricity requirements for the proposed development.

(5) **Removal or replacement of service**

Should it become, as a result of the establishment of the township, necessary to remove or replace any existing municipal, Telkom and/or Eskom services, such removal or replacement shall be done at the cost of the applicant.

(6) **Geotechnical precautionary measures**

The applicant shall comply with the recommendations contained in the Geotechnical Investigation prepared by Africon for the township, Report 55043/G1/1997.

(7) **Demolition of buildings and structures**

The applicant shall at his own cost cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the Metropolitan Municipality.

(8) **Obligations with regard to services and restriction regarding the alienation of erven**

The applicant shall within such period as the Metropolitan Municipality may determine, fulfil his obligations in respect of the provision of water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the applicant and the Metropolitan Municipality. Erven may not be alienated or be transferred into the name of the purchaser prior to the Metropolitan Municipality certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Metropolitan Municipality.

(9) Roads and Parking

- (a) Parking must be provided on the erven themselves according to the standard parking regulations and no parking will be allowed on the streets and roads.
- (b) The necessary parking bays must be determined according to the Town Planning Scheme and the necessary "Guidelines".
- (c) Other than for residential uses, direct access from the adjacent street to the parking bays will not be allowed.
- (d) The site layout for non-residential erven must make provision for the maneuvering of vehicles and maneuvering in the street will not be allowed.
- (e) The 10-metre road reserves will only be allowed if all engineering infrastructure can be accommodated within the reserve. The current policy allows for a minimum 8-metre reserve and additional 1-metre per service will be required. A minimum black top width of 5.5 metres is required.
- (f) The application shall appoint a professional civil engineer to design the road.
- (g) The road infrastructure shall be designed according to acceptable standards and an engineering certificate for the design and implementation of roads shall be submitted to the Metropolitan Municipality.

(10) Stormwater

- (a) The handling of storm/ground water remains the responsibility of the applicant. This includes the receiving of storm/groundwater from higher lying ground and the discharge thereof onto the lower lying ground to the satisfaction of all parties involved.
- (b) The necessary stormwater servitudes need to be registered where required at the cost of the applicant. This condition might therefore influence the layout plan of the township.
- (c) A stormwater management plan will be required prior to final approval of the township layout plan of the township. This plan has to be compiled by a professional civil engineer. It is recommended that the engineer appointed consult with this Department and the SARCC prior to the compilation thereof.

(11) General

- (a) For safety of children playing in the vicinity of the railway line a secure pre-cast wall be erected adjacent to the railway line.
- (b) Detailed design plans will be required and must reflect the location of the accesses and the handling of stormwater on site as proposed by the stormwater management plan.
- (c) The necessary stormwater servitudes must be reflected on the township layout plan.
- (d) All existing services have to be protected by servitudes. The applicant must acquaint himself with all existing services prior to the finalisation of the township layout plan and will be responsible for the relocation of existing services.

- (e) All costs incurred by this application will be for the applicant. The Metropolitan Municipality shall be indemnified in respect of any claims arising from the positioning or the structures in respect of health or structural claims or other claims by the applicant prior to the rights being exercised.

2. CONDITIONS OF TITLE

(1) 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 and real rights, but excluding the following conditions in Title Deed T 72290/97 in respect of Portion 101 of the farm Tembisa 9-IR, which do not affect the township area because of the location thereof:

"The former Remaining Extent of Portion 2 of the farm Kaalfontein 13 Registration Division I.R. Transvaal as indicated by the figure ABCDEFGHPQO on Diagram SG No. A2188/81 annexed to Certificate of Consolidated Title T 5635/1993 is subject to the following conditions:

Die voormalige Resterende Gedeelte van Gedeelte 2 van die plaas Kaalfontein 13 voormeld, groot as sodanig 897,5999 hektaar, waarvan die eiendom hiermee geregistreer deel uitmaak, is onderworpe aan 'n reg ten gunste van die Victoria Falls and Transvaal Power Company Limited om elektrisiteit te vervoer oor hierdie eiendom, soos meer ten volle blyk uit Notariële Akte van Serwituut Nr. 646/1928S.

(2) All erven

The erven mentioned hereunder shall be subject to the conditions imposed by the Metropolitan Municipality in terms of the provisions of the Town Planning and Townships Ordinance, 1986.

- (a) Each erf is subject to a servitude, 2 m wide, in favour of the Metropolitan 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 Metropolitan Municipality: Provided that the Metropolitan 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.
- (d) The Metropolitan Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it on 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 Metropolitan Municipality.

(3) Erven 10900 to 10904

The erven are each subject to a 5,00 metres wide servitude for municipal purposes in favour of the Metropolitan Municipality, as indicated on the General Plan.

(4) Erf 10849

The erf is subject to a 3,00 metres wide servitude for municipal purposes in favour of the Metropolitan Municipality, as indicated on the General Plan.

(5) Erven 10892, 10883, 10885, 10921, 10923, 10946, 10961, 11037, 11043, 11051, 11064, and 11076

The erven are each subject to a 2,00 metres wide servitude for municipal purposes in favour of the Metropolitan Municipality, as indicated on the General Plan.

4. 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) RESIDENTIAL 5

Proposed Erven 10747 to 11048 and 11051 to 11129 shall be zoned "Residential 5" in terms of the Tembisa Town Planning Scheme, 2000, and shall be subject to the following further conditions:

- (a) Use Zone: II
- (b) Primary Right: Dwelling houses
- (c) Coverage: 60%
- (d) Height Zone: 2 storeys
- (e) Density: 1 dwelling unit per erf

(2) SPECIAL

Proposed Erf 11050 shall be zoned "Special" for a taxi rank, including car wash area, administrative offices and such other municipal purposes as the Metropolitan Municipality may permit:

- (a) Use Zone: XII
- (b) Primary Right: Taxi rank, car wash area, administrative office and other municipal purposes as the Metropolitan Municipality may permit
- (c) Consent: Other uses as may be permitted by the Metropolitan Municipality.
- (d) FAR: 1.6
- (e) Coverage: 80%
- (f) Height: 2 storeys
- (g) Building Lines: Nil
- (h) Servitudes: As may be required
- (i) General: A site development plan at an appropriate scale shall be submitted to Metropolitan Municipality for approval. Such site development plan shall indicate at least the following:
 - (1) Extent of site.
 - (2) Topography and physical features
 - (3) building footprint
 - (4) Building elevation
 - (5) Roads and parking
 - (6) Landscaping with specific attention to noise abatement measures to be provided for all the properties adjacent to the railway line.
 - (7) Internal services, including sewage disposal and stormwater management service areas, waste disposal areas and delivery yards.
 - (8) Schedule of floor areas and land uses.

(3) SPECIAL

Proposed Erf 11049 – "Special" for railway station precinct and shops

- (a) Use Zone: XII
- (b) Primary Right: Railway station, shops and related uses such as the Metropolitan Municipality may permit.
- (c) Consent: Such other uses as may be permitted by the Council.
- (d) FAR: 1.6
- (e) Coverage: 80%
- (f) Height: 2 storeys
- (g) Building Lines: Nil

- (h) **Servitudes:** As may be required
- (i) **General:** A site development plan at an appropriate scale shall be submitted to Council for approval. Such site development plan shall indicate at least the following:
 - (1) Extent of site.
 - (2) Topography and physical features
 - (3) Building footprint
 - (4) Building elevation
 - (5) Roads and parking
 - (6) Landscaping with specific attention to noise abatement measures to be provided for all the erven adjacent to the railway line.
 - (7) Internal services, including sewage disposal and stormwater management, service areas, waste disposal areas and delivery yards.
 - (8) Schedule of floor areas and land uses.

(4) Public Open Space

Proposed Erf 11130 shall be zoned for Public Open Space

(5) Municipal Purposes

Proposed erven 11131 and 11132 shall be zoned for Municipal Purposes.

LOCAL AUTHORITY NOTICE 1114**AMENDMENT SCHEME****TEMBISA TOWN PLANNING SCHEME 2000 : AMENDMENT SCHEME 32**

The Ekurhuleni Metropolitan Municipality, (Kempton Park Customer Care Centre) hereby declares that it has approved an amendment scheme, being an amendment of the Tembisa Town Planning Scheme, 2000, comprising the same land as included in the township of Tembisa Extension 26, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3 and scheme clauses of the amendment scheme are filed with the Director-General, Gauteng Provincial Government: Department of Finance and Economic Affairs, Marshalltown and Area Manager: Development Planning, Kempton Park Customer Care Centre, Civic Centre, corner C R Swart Drive and Pretoria Road, Kempton Park and are open for inspection at all reasonable times.

The date this scheme will come into operation is 23 May 2005.

This amendment is known as the Tembisa Amendment Scheme 32.
