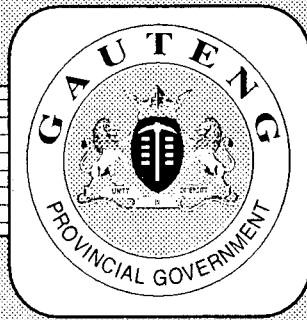


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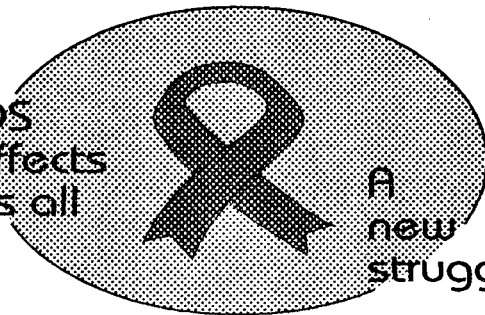
Vol. 11

PRETORIA, 12 AUGUST
AUGUSTUS 2005

No. 338

We all have the power to prevent AIDS

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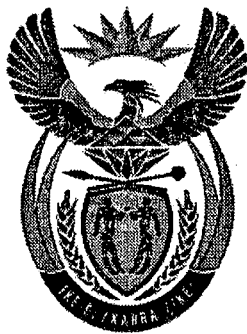


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THE GOVERNMENT PRINTING WORKS

PUBLICATIONS DIVISION

NB: The Publications Division of the Government Printing Works will be relocating to its new premises within the:

**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 NOTICE

LOCAL AUTHORITY NOTICE 1940

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY DIMIDA 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 260 (A PORTION OF PORTION 34) OF THE FARM VLAKFONTEIN 69 I.R., HAS BEEN GRANTED.

A. CONDITIONS OF ESTABLISHMENT.

(1) NAME.

The name of the township shall be Rynfield Extension 46.

(2) DESIGN.

The township shall consist of erven and streets as indicated on the General Plan S.G. No. 10652/2004.

(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, 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 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 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 therefor, 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 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 that 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 in 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) The township owner, shall ensure that a legally instituted, "Home Owners Association", or association incorporated in terms of Section 21 of the Companies Act 61 of 1973, is established and present or future owners, shall be a member of such association.

(b) 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, which shall be private roads.

(c) The township owner shall ensure that a servitude of right of way, for municipal services, is registered over the entire extent of the internal private road, Erf 3148 in favour of the Local Authority.

(10) BULK WATER METER

A bulk water meter for the entire development, is to be installed by the applicant at a location determined by the Local Authority. All cost relating to the purchase and installation thereof, will be for the applicant's account.

B. CONDITIONS OF TITLE.

(1) All erven (excluding the internal private roads) 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) 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 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 46 Township.

- (2) All erven shall be made subject to existing conditions and servitudes including the rights to minerals.
- (3) Erf 3148, which shall be registered in the name of the Association mentioned in (C)(1)(d) above, shall be subject to a servitude in favour of the Local Authority for any municipal services, as well as for emergency services. 24 hour access shall be available at all times for municipal and emergency purposes.

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 2).

Erven 3111 to 3125 and 3129 to 3147 are subject to the following conditions:

- (a) The property 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) Not more than 20 dwelling units per hectare shall be erected on the property.
- (d) The total coverage of buildings shall not exceed 60% of each of the erven created within the township.
- (e) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the Local Authority in the following ratios:
 - (i) 1 covered parking space to 1 dwelling unit; and
 - (ii) 2 uncovered parking spaces to 1 dwelling unit, if so required by the Local Authority.
- (f) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 3m from any internal private road boundary and 5m from any public road: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property.
- (g) 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 property 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) The grouping of the dwelling units and the programming of the development of the erven if it is not proposed to develop all the erven simultaneously.
 - (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping.

(3) SPECIAL (OFFICE)

Erf 3126 is subject to the following conditions:

- (a) The property and the buildings erected thereon or to be erected thereon shall be used solely for the purposes of offices.
- (b) The height of buildings shall not exceed 2 storeys.
- (c) The total coverage of buildings shall not exceed 40 % of the area of the erf.
- (d) No retail manufacturing or industrial activity shall be permitted and no goods shall be displayed publicly for sale.
- (e) No advertising, other than in accordance with the Local Authority's regulations, shall be permitted.
- (f) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from the 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 property.
- (g) Effective, paved parking spaces, together with necessary manoeuvring area, shall be provided on the erf to the satisfaction of the local authority in the following ratio:
 - 6 parking spaces to 100m² gross leasable office floor area.
- (h) A Block Plan, drawn to such scale as may be approved by the Local Authority, shall be submitted to the Local Authority with 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 property 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 buildings and structures.
 - (vii) Open space and landscaping
- (i) A suburban office shall be defined as follows:

An office for the business of an accountant, architect, consulting engineer, land surveyor, legal practitioner, medical practitioner, quantity surveyor, town planner, bookkeeper, draughtsman or any other professional or occupation which the Local Authority may, at its sole discretion, permit and which, in the opinion of the Local Authority, is not likely to interfere with the amenities of the neighbourhood.

(4) SPECIAL (PRIVATE ROAD).

Erf 3148, is subject to the following conditions:

- (a) The roads shall be used solely for the purposes of a private road.
- (b) The township owner shall register Erf 3148 in the name of an Association incorporated in terms of Section 21 of the Companies Act, Act 61 of 1973,

and every present or future owner of property in the township shall be a member of such Association by virtue of such ownership.

- (c) The private roads on the property shall be constructed by the township owner and be maintained by the Association mentioned in (b) above.
- (d) A security control facility (which may include a guardhouse, a stop sign, a chain, a boom or a gate, irrespective of whether same is manned or automated) may be erected on Erf 3148 for purposes of stopping and identifying vehicles and their occupants entering or leaving the township. 24 hour access shall be available at all times for municipal and emergency purposes.
- (e) The Association referred to in (b) above may erect and man the facility referred to in (d) above, all costs in this regard to be borne by the Association.
- (f) Should such facility conflict with any services of the Local Authority or Eskom or Telkom within the servitude area, the Local Authority shall have the sole discretion to inform the Association by registered letter that the security control facility has been discontinued, whereupon the facility shall be removed by the Association at it's own cost.

DATE: 5 AUGUST 2005

D PANANIS
ACTING AREA MANAGER
For EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING
EKURHULENI METROPOLITAN MUNICIPALITY