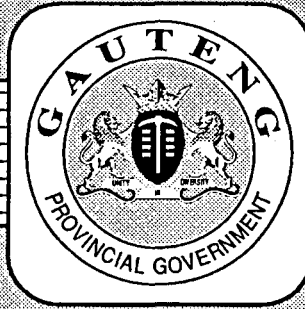


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

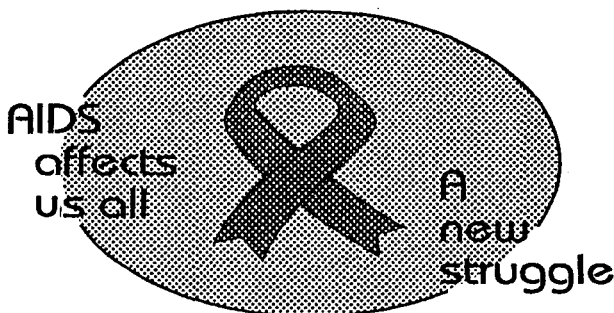
**Provincial Gazette Extraordinary  
Buitengewone Provinsiale Koerant**

Vol. 12

PRETORIA, 17 NOVEMBER 2006

No. 422

**We all have the power to prevent AIDS**



**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

01020000



9771682452005

---

**CONTENTS • INHOUD**

No.	LOCAL AUTHORITY NOTICE	Page No.	Gazette No.
3295	Town-planning and Townships Ordinance (15/1986): Ekurhuleni Metropolitan Municipality: Declaration as approved township: Union Extension 42 .....	3	422

---

**NOTICE TO:**

**SUBSCRIBERS**

**OF**

**GOVERNMENT GAZETTES**

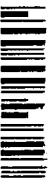
Subscribers who have previously arranged to collect their weekly publications of *Government Gazettes* from the Government Printing Works in the Masada Building, are hereby requested to collect their publications from the Old Government Printing Works Building at the Security Officer's Bay at the Proes Street entrance, with effect from the 16th of October 2006.

We look forward to your ongoing support

Contact Person: **Montjane M. Z. (Mr)**

Mobile Phone: 083-640 6121.

Telephone: (012) 334-4653.



---

## LOCAL AUTHORITY NOTICE

---

### LOCAL AUTHORITY NOTICE 3295

#### EKURHULENI METROPOLITAN MUNICIPALITY

#### DECLARATION AS APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Township Ordinance 15 of 1986, the Ekurhuleni Metropolitan Municipality (Germiston Service Delivery Centre) hereby declares Union Extension 42 Township to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ALBEMARLE GARDENS (EIENDOMS) BEPERK, (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNERS) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 623 (A PORTION OF PORTION 132) OF THE FARM ELANDSFONTEIN 108-IR, GAUTENG PROVINCE, HAS BEEN GRANTED:

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 Name

The name of the township shall be Union Extension 42.

##### 1.2 Design

The township shall consist of erven and streets as indicated on General Plan S.G. No. 6078/2006.

##### 1.3 Street Names

There are no public street within the township only a private road.

##### 1.4 Endowment

Contributions for engineering services and open space are payable in terms of the provisions of Section 63 of the Town Planning and Townships Ordinance, 15 of 1986 (as amended), and Regulation 43 of the Town Planning and Townships Regulations, shall be payable to the Municipality for parks (Public Open Space).

##### 1.5 Disposal of Existing Conditions of Title

All erven shall be made subject to existing conditions and servitudes, but excluding:

1.5.1 Conditions "b – e" contained in Deed of Transfer T65583/2005, registered in terms of the Agricultural Holdings (Transvaal) Registration Act No. 22 of 1919, which will lapse on excision of the Agricultural Holding.



02020000

1.5.2 Condition "f" contained in Deed of Transfer T65583/2005 which does not affect erven in the township.

**1.6 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 Municipality.

**1.7 Demolition of Buildings or Structures**

1.7.1 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 to the satisfaction of the Municipality. Requirements of Regulation R1182 and R1183 of the Environmental Conservation Act 79 of 1989 are to be complied with.

1.7.2 The township owner shall at his own expense draw up and submit acceptable building plans to the Municipality, 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 Municipality. The township owner shall at his own expense alter the buildings to comply with the approved building plans to the satisfaction of the Municipality.

**1.8 Engineering Services**

1.8.1 The township owner is responsible for making the necessary arrangements for the provision of all engineering services and the payment of External Services Contributions in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).


1.8.2 All municipal services that cross the common boundaries between the erven shall be removed and relocated by, and at the cost of the township owner, as and when required by the Municipality.

1.8.3 All existing municipal services on the erven within the township shall be protected by means of suitable servitudes to the satisfaction of the Municipality, registered in favour of the Municipality, as and when required by the Municipality, by the owner at his own expense.

**1.9 Restriction on the disposal of erven**

1.9.1 The township owner shall, in terms of prior agreement with the Municipality, fulfil its obligations with regard to the provision of water, sanitation (and if applicable) electricity and the installation of reticulations for such purposes, prior to the disposal of any erf within the township.

1.9.2 No erven may be alienated or transferred in the name of a purchaser prior to the Municipality having confirmed that sufficient guarantees have been furnished in respect of the provision of services by the township applicant to the Municipality.



- 1.9.3 The portions of land required for Road widening of Chris street and Jacoba Street should be transferred to council for public road purposes on proclamation of the Township
- 1.10 Formulation and duties of the Section 21 Company / Body Corporate / Home Owner's Association
- 1.10.1 A copy of the Section 21 Company / Body Corporate / Home Owner's Association (legal entity) and its constitution shall be submitted to the Municipality (Directorate: Development Planning) prior to the issuing of a Regulation 82 Clearance Certificate for the transfer of Erven.
- 1.10.2 The Township Owner must accept the conditions regarding the establishment of a Section 21 Company / Body Corporate / Home Owner's Association (legal entity) in writing. This written acceptance shall include an undertaking that all buyers will be notified of all the conditions stipulated by the Municipality, in writing.
- 1.10.3 The roads and stormwater infrastructure will not be taken over by the Municipality and the construction and cost thereof shall be the responsibility of the Township Owner where after the maintenance of these services shall be the responsibility of the Section 21 Company / Body Corporate / Home Owner's Association (legal entity).
- 1.10.4 The Private Road servitude shall be the responsibility of the Section 21 Company / Body Corporate / Home Owner's Association (legal entity) and the Section 21 Company / Body Corporate / Home Owner's Association (legal entity) shall manage and maintain all common property/servitude areas (including the refuse collection areas).
- 1.10.5 The Section 21 Company / Body Corporate / Home Owner's Association (legal entity) shall indemnify the Municipality against any and all claims regarding:
- The maintenance and the provision of any roads and stormwater services in the development. (The provision of engineering services under paved areas are to be avoided);
  - Any damage that may be caused by an emergency vehicle or any vehicle of the Municipality that is involved with the maintenance of services;
  - Any damage and/or incidental damage to the water and sewer infrastructure (shall be for the account of the owner/legal entity).
  - The Developer / Owner shall be responsible for all road signs and markings in proposed development where after

00000000

the Section 21 Company / Body Corporate / Home Owner's Association (legal entity) shall be responsible for the maintenance thereof on the private road / "right-of-way" servitude area.

- Unhindered access must be given to all emergency vehicles and all service authorities (water, electricity, Telkom etc.) at all times.

1.10.6 The Township / Owner shall be responsible for the installation and cost of a street lighting network where after the maintenance and the power usage shall be the responsibility of the Section 21 Company / Body Corporate / Home Owner's Association (legal entity). The Municipality will not take over the street lighting network. The street lighting supply should be metered and the Section 21 Company / Body Corporate / Home Owner's Association (legal entity) shall be liable for the electricity consumption (if installed).

1.10.7 Once the electrical, water and sewer main line networks have been installed these shall be transferred to the Municipality free of cost, who shall maintain the networks (except for the internal street lights).

## 2. CONDITIONS OF TITLE

### 2.1 Servitudes

#### 2.1.1 Municipal Servitudes:

- All Erven are subject to a servitude, 1,85 m wide, in favour of the Municipality, for sewerage and other municipal purposes, along any two boundaries of the Erf other than a street boundary, if and when required by the Municipality: Provided that the Municipality may dispense with any such servitude.
- 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 1,85 m therefrom.
- The Municipality 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 Municipality.

**2.1.2 ERF 266: Gate House Servitude:**

A servitude for a Gate House shall be registered over Erf 266, as indicated on the General Plan S.G. No. 6078/2006.

**2.1.3 ERF 268: Right of Way Servitude:**

A right of way servitude shall be registered over Erf 268 for general access purposes as indicated on the General Plan S.G. No. 6078/2006.

**2.2 Formation of: Section 21 Company / Body Corporate / Home Owner's Association**

All erven are subject to the following conditions:

A Section 21 Company / Body Corporate / Home Owner's Association (legal entity) shall be established by and at the cost of the Developer / Owner.

Every owner of the Erf, or any subdivided portion thereof, or any person who has an interest in therein shall become a Member of the Section 21 Company / Body Corporate / Home Owner's Association (legal entity) and be subject to its constitution until he/she ceases to be an owner to aforesaid. Neither the Erf, nor any subdivided portion thereof, nor any interest therein shall be transferred to any person who has not bound himself/herself to the satisfaction of such association to become a member of the Section 21 Company / Body Corporate / Home Owner's Association.

The owner of the Erf, or any subdivided portion thereof, or any person, who has an interest in therein, shall not be entitled to transfer the Erf or any subdivided portion therein without a Clearance Certificate from the Home Owners Association that the Articles of Association of the Home Owners Association have been complied with.

**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 228-267 shall subject to the following conditions:

**3.1.1** The Erven shall be zoned "Residential-2", as contained in Table D in the Town Planning Scheme.

**3.1.2** Building Lines shall be as follows:

5 metres along public street boundaries  
2 metres along other boundaries that may be relaxed with the consent of Council.

00002010

- 3.1.3 A general building line restriction of 1,85 meters shall apply on internal access road.
- 3.1.4 A site development plan shall control the development of Township which shall be submitted to the satisfaction of the Municipality for approval and such site development plan shall be amended to the satisfaction of the Municipality prior to the approval of any new building plans or development changes on the Erf.
- 3.1.5 On site parking shall be provided in accordance with the use on the property as specified in terms of Clause 18 and Table F the Town Planning Scheme.
- 3.2 SPECIAL FOR ACCESS, ACCESS CONTROL AND THE CONVEYANCE OF SERVICES
- 3.2.1 Erf 268 shall be zoned "Special" for access, access control and the conveyance of services.
- 3.3 ALL ERVEN SUBJECT TO SPECIAL CONDITIONS
- In addition to the relevant conditions set out above, all erven shall be subject to conditions (d), (e), (f) and (i) of Clause 17 of the Town Planning Scheme".
-