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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1790

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE) Declaration as an approved Township

In terms of Section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby declares Brentwood Extension 18 Township, to be an approved township, subject to the conditions as set out in the schedule hereto.

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY COMPOSITE 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 434 (A PORTION OF PORTION 236) OF THE FARM KLEINFONTEIN 67-IR HAS BEEN GRANTED.

A. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP.

- (1) The applicant shall ensure that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (2) The applicant must comply with the requirements of Sections 72, 75 and 101 of Ordinance 15 of 1986.

B. CONDITIONS OF ESTABLISHMENT.

- (1) **NAME.**

The name of the township shall be Benoni Extension 77.
- (2) **DESIGN.**

The township shall consist of erven and streets as indicated on the Surveyor General Plan No. 6342/2006.
- (3) **EXISTING CONDITIONS OF TITLE.**

The property shall be subject to any existing conditions of title.

- (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 channeling 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, 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.

(6) ACCEPTANCE AND DISPOSAL OF STORMWATER.

The township owner shall arrange for the drainage of the township to fit in with that adjacent public road, for all storm water running off or being diverted from the roads to be received and disposed of.

(7) 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.

(8) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All Erven shall be made subject to existing Conditions of Title and servitudes, if any, including the reservation of rights to minerals, but excluding the servitude, which affects the Township:

- (a) Servitude Vide Diagram SG No 7229/1995; Deed of Servitude No K6066/1955S in favour of Ekurhuleni Metropolitan Municipality for Municipal Purposes, which servitude is to be cancelled.

C. 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 property is subject to a servitude, 2m wide, in favour of the Local Authority, for sewerage and other municipal purposes, along all 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.
- (2) Erven 8719 and 8720

Erven 8719 and 8720 are subject to 2m wide servitude for municipal purposes as indicated on the general plan.

D. 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) RESTRICTED BUSINESS

- a) Erven 8719 and 8720 shall be subject to the conditions as pertaining to the restrictive business zoning in terms of the Benoni Town Planning Scheme of 1948.
- b) The buildings erected shall not exceed the height of 4 storeys.
- c) Parking shall be provided at 2 parking bays per 100 m² GLA for offices and 6 parking bays per 100 m² GLA for the restaurant.
- d) The Building line shall be 5m along street boundaries
- e) The Floor Area Ratio shall be 2.8.

R BOTES
ACTING AREA MANAGER
For EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING

LOCAL AUTHORITY NOTICE 1791

EKURHULENI METROPOLITAN MUNICIPALITY
(BENONI CUSTOMER CARE CENTRE)

NOTICE OF BENONI AMENDMENT SCHEME NO. 1/1350

The Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that its has approved an amendment scheme, being an amendment of the Benoni Town Planning Scheme, 1/1250, comprising the same land as included in the township of Benoni Extension 77 Township.

Map 3 and scheme clauses of the amendment scheme are available for inspection at all reasonable times of the office of the Head of Department, Department Development Planning and Local Government, Gauteng Provincial Government, Johannesburg as well as the office of the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, 6TH Floor, Elston Avenue, Benoni.

This amendment is known as Benoni Amendment Scheme No. 1/1350 and shall come into operation on the date of this publication.
