

*THE PROVINCE OF
GAUTENG*

*DIE PROVINSIE
GAUTENG*

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 13

PRETORIA, 13 SEPTEMBER 2007

No. 259

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EKURHULENI METROPOLITAN MUNICIPALITY (BRAKPAN CUSTOMER CARE CENTRE)

DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality (Brakpan Customer Care Centre) hereby declares Denneoord 7 township to be an approved township, subject to the conditions set out in the schedule hereto.

CONDITIONS UNDER WHICH THE APPLICATION, MADE BY ERIC WILDS (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF SECTIONS C OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 367 (A PORTION OF PORTION 7) OF THE FARM WITPOORTJE NO. 117 IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1. NAME

The name of the township shall be Denneoord Extension 7.

2. DESIGN

The township shall consist of erven as indicated on the plan for Denneoord 7, General Plan S.G. no. 1201/2007.

3. STORMWATER DRAINAGE AND STREET CONSTRUCTION

3.1 The township owner shall on request by the Council submit to such Council for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channeling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.

3.2 The scheme shall provide for the catchment of storm water in catch pits whence it shall be drained off in watertight pipes of durable material, approved by the Council, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground.

4. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes including the reservation of rights to minerals.

5. ACCESS

Access shall be provided to the satisfaction of the local authority.

6. ENDOWMENT

The township owner shall, in terms of provisions of section 98(2) and 98(3) of the Town Planning and Townships Ordinance, 1986, pay an amount to be determined by the local authority, which amount shall be used by the local authority for the provision of land for parks and/or open spaces.

Such endowment shall be payable in terms of the provisions of section 81 of the said ordinance read with section 95 thereof.

7. SPECIAL CONDITIONS

- 2.7.1 The township owner shall ensure that a legal body, a registered Section 21 company as provided for in Chapter 7 of the Rationalization of Local Government Affairs Act, 1998 (Act no 10 of 1998), be established who shall take transfer of Erven 89 – 121 and the remainder before any other erf in the township is transferred.
- 2.7.2 The said "Home Owners Association" shall in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the internal road described as Erf 122.
- 2.7.3 The township owner shall ensure that a right of way servitude and a servitude for municipal services are registered over the whole of Erf 122.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986

3.1 ALL ERVEN excluding erf 122

- 3.1.1 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.
- 3.1.2 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.
- 3.1.3 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 and other works being made good by the local authority.
- 3.1.4 Every registered owner of Erven 89 to 121 and the remainder of portion thereof shall;
- (1) be entitled to the right of way over Erf 122
 - (2) shall be a member of the Home Owners Association
 - (3) be subject to the constitution of the Home Owners Association and shall pay all levies due to the Association.
- 3.1.5 No transfer shall be registered without a clearance certificate from the Association that all levies due to the Association has been paid.

- 3.1.6 As this land is liable to subsidence, settlement, shocks and cracking whereby damage by be caused to buildings or structures erected thereon, the owner of the said land undertakes not at any time to require from the holder of mining title underlying, adjoining or adjacent to the said land or from the inspector of Mines, that any protection to the surface of said land or to any buildings or structure whatever situated thereon shall be given in terms of Regulations, framed under the powers contained in the Minerals Act no. 50 of 1995, or any amendment thereof, and accept all risk of damage to such surfaces, building or structure which may be caused by mining operations past, present or future, either underneath said land or elsewhere.
- 3.1.7 The foundations of all buildings to be erected on the erf, shall be designed by a civil engineer to the satisfaction of the local authority after the soil on the property on which the buildings are to be erected has been investigated by a civil engineer to the satisfaction of the local authority.
- 3.1.8 Cognizance must be taken of the Major Hazardous Instillation Regulation (MHI) No R60 of the OHS Act (Act 85 of 1993) as all High Pressure Pipelines are declared major hazardous instillations.

PP Flusk, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400

13 September 2007
Notice no. 28/2007

LOCAL AUTHORITY NOTICE 2318**EKURHULENI METROPOLITAN MUNICIPALITY
(BRAKPAN CUSTOMER CARE CENTRE)****NOTICE OF BRAKPAN AMENDMENT SCHEME 504**

The Ekurhuleni Metropolitan Municipality (Brakpan Customer Care Centre) hereby, in terms of the provisions of section 125(1) of the Town-Planning and Townships Ordinance, 1986 declares that it has approved an amendment scheme being an amendment of the Brakpan Town Planning Scheme, 1991 comprising the same land as included in the township of Denneoord Extension 7.

Map 3 and the scheme clauses of this amendment scheme are available for inspection at normal office hours at the office of the Area Manager, City Development, Ekurhuleni Metropolitan Municipality (Brakpan Customer Care Centre), Room 210, 1st Floor, E Block, Civic Centre, cnr. Elliot Road and Escombe Avenue, Brakpan for a period of 28 days from 13 September 2007.

This amendment is known as Brakpan Amendment Scheme 504 and shall come into operation on the date of the date of this publication.

PP Flusk, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400

13 September 2007
Notice no. 29/2007
